

# ATTACHMENT 1: “Affidavit Stella April, 2022.pdf”

For “MEMORANDUM OF STELLA FORINASH AND  
KENNETH FORINASH IN FAVOR OF ACTUAL  
INNOCENCE OF BRIAN DAVID HILL; IN SUPPORT OF  
WHY BRIAN DAVID HILL SUSPECTS BLACKMAIL OF  
“JUDGES” AND “OFFICIALS”; AND IN SUPPORT OF  
GROUND VI - UNCONSTITUTIONAL INTERFERENCE  
WITH THE STATE COURT PROCESS AND/OR  
UNWARRANTED USURPATION OF POWER AGAINST  
THE STATE COURT PROCESS IN VIOLATION OF THE  
TENTH AMENDMENT OF THE UNITED STATES  
CONSTITUTION; AND IN SUPPORT OF 2255 MOTION  
(DOC. #291)”

Case no. 1:13-cr-435-1; civil no. 1:22-CV-00074

Ally of Q, Former news reporter of USWGO Alternative News  
JUSTICEFORUSWGO.WORDPRESS.COM



To Whom This May Concern:

My name is Stella Forinash. Brian David Hill is my grandson. In March, 2022 I did more of an investigation into my grandson's federal case and put many of the elements together in 8 PDF files. If any of this is actually read, it gives full proof that my grandson is innocent of all charges and was set up. Brian Hill's case has been going on for almost 10 years, and there needs to be an investigation into all elements of his case AFTER he is acquitted and removed from probation and the sex registry. We prove in these 8 PDF's that he is actually INNOCENT of all charges and is the VICTIM. Our investigation proves beyond a shadow of a doubt that his court appointed attorney did nothing at all to help his client; actually hurting his client more and all of the Constitution, medical and Civil Rights laws he ignored to get his goal of having Brian found guilty.

These are the names of the 8 PDF's with proof to be submitted to this court. None of this proof was brought out in his June 10, 2014 trial so it is all new evidence. 1. "Brian Hill's Proof of Innocence for the Court in 2022" (47 pages). 2. "Who is Brian Hill – Pictures & Descriptions" (22 pages). 3. "Brian's Treatment in Jail with Brittle Diabetes, Autism & OCD" (29 pages). 4. "Threats" (19 pages). 5. "Investigation 1" (38 pages). 6. "Investigation 2" (37 pages). 7. "Danville, VA Brian Discovery" (16 pages). And 8. "Actual Innocence" (32 pages).

**Brian David Hill needs to be immediately acquitted, taken off of probation and the sex registry due to the basis of "ACTUAL INNOCENCE".**

On Good Friday, April 15, 2022 God revealed some important answers to us in Brian's case right before I intended to hand these PDF's to my grandson to mail to the court. April is AUTISM AWARENESS MONTH, and these PDF's will prove to the court what part Autism Spectrum Disorder (ASD) played in 2 police detectives from Rockingham County, NC getting misleading statements and what they and the court call a "Confession" from Brian on August 29, 2012, and what Brian, his family and friends call a "FALSE CONFESSION".

Brian and his family are not sure that child porn was on Brian's computer. None of us have seen it or any proof. The Mayodan, NC police report calls it "Child porn", the NC SBI calls it "Items or files of Interest" and the government says "None of the children have been identified as part of a known series by the National Center for missing and exploited children (NCMEC). The threat emails call it "child porn". Brian and his family calls it "a computer virus".

The Mayodan Police report from 2012 and the NC SBI report from 2013 gives what they both claim they found on Brian's laptop computer, 2 hard drives and a USB stick the same start date that it was being downloaded on Brian's computer but different end dates. According to both reports, it started downloading on July 20, 2012. The police report says it was downloading for 7 days, and the NC SBI report says it was downloading for 1 year and 1 week. Eleven months of that time, these were in the possession of the police in Mayodan, NC and the NC SBI in Greensboro, NC. We have decided it has to be some type of virus.

We did find out who had hacked into Brian's computer without a search warrant on July 20, 2012. This proof and where to find it is on the next page. We also put this same information on the 32 pages PDF called "ACTUAL INNOCENCE" (Page 31-32). Let's look at some important dates together: I just found some more things in April, 2022 (Autism Awareness month).

March – July, 2012 Brian was attending Mayodan, NC town hall meetings, writing about it on USWGO. He had also obtained a petition in Rockingham County, NC signed by over 200 people about the unconstitutional parts of the NDAA. He was also sending emails to the Mayodan police chief and all of the towns in Rockingham County, NC and many to various people in Mayodan, NC. We later found out that Brian's IP address is in every email: 24.148.156.211.

July 10, 2012 Brian put a video about the Mayodan police chief grabbing his arm on July 9, 2012 and making him leave the public town hall meeting when Brian went up to the Mayodan lawyer who is also a NC state senator to ask him a question about the petition. Brian also wrote an article about it on USWGO.

July 12, 2012 Police go up to Brian's mom (first time this has happened since moving to Mayodan in 2005) and asked her if she saw a little girl on the street and where did she (Brian's mom) live, which house. Brian got on the internet and wrote about it saying "The police are harassing my mom". He thought the police were going to do something to set him or his mom up due to articles he had been writing and try to have one of them arrested. He wrote this in that article. Document 132 PAGE 78-81, 86-88

July 20, 2012 - July 26, 2012 According to the Mayodan police, child porn is being downloaded on Brian's computer.

July 20, 2012 – July 28, 2013 Files were being downloaded to Brian's computer according to the NC SBI.

August 28, 2012 There was a police raid done at Brian's & his mom's house where the police in Mayodan got all of their computers, hard drives, etc which included all of their photo memories (including some family members & cats who were now dead), all of Brian's USWGO articles & videos, all of his mom's poems and PDF's for her books. She is an author.

August 29, 2012 Police interrogate Brian's mom then Brian at lunchtime. Brian is disabled and the police did not obey Americans with Disabilities laws and got a false confession & misleading statements from Brian.

August 22, 2012 2 police got together and hacked into Brian's computer without a search warrant.

I just discovered something else very important. Reidsville, NC police detective Robert Bridge on July 20, 2012 hacked into Brian's computer without obtaining a search warrant. He is the brother of the Rockingham County Asst District Attorney who had been working for years with Philip Berger Jr (Rockingham County Distict attorney) who is the son of the NC Senator & Mayodan lawyer, Phil Berger whom Brian had been investigating and writing articles about in June – July, 2012 (USWGO).

Your affiant then selected the option to monitor a particular IP address; in this case 24.148.156.211 on July 20, 2012. When the IP address was online in the eDonkey Network, your affiant's computer would automatically begin to download the files available for trade by the suspect computer. This is done through a law enforcement-only designed system, which your affiant refers to as Undercover Investigative Software (hereinafter referred to as UIS), currently used in state and local Peer-to-Peer P2P file sharing investigations and utilized through the CPS suite of tools. It this particular case it was used to request a download of the files of child pornography from IP address 24.148.156.211. Downloading is a transfer of data from one computer to another. Since your affiant was doing the download, your affiant was receiving data,

Your affiant then selected the option to monitor a particular IP address; in this case 24.148.156.211 on July 20, 2012. When the IP address was online in the eDonkey Network, your affiant's computer would automatically begin to download the files available for trade by the suspect computer. This is done through a law enforcement-only designed system, which your affiant refers to as Undercover Investigative Software (hereinafter referred to as UIS), currently used in state and local Peer-to-Peer P2P file sharing investigations and utilized through the CPS suite of tools. In this particular case it was used to request a download of the files of child pornography from IP address 24.148.156.211. Downloading is a transfer of data from one computer to another. Since your affiant was doing the download, your affiant was receiving data, which was transmitted from another computer. This software is designed by and for law enforcement and only available to law enforcement officers who have attended the appropriate training. Your affiant has done so and conducts that training for others. The UIS is designed to connect directly to one IP address and browse or download from one specific peer at a time using technology to block all other IP addresses from delivering any piece of the file. The UIS is a P2P file sharing client similar to other file sharing which are free and available to the public.

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According to the North Carolina State Bureau of Investigation's Case number 2012-02146 915, files of interest were being downloaded from July 20, 2012 until July 28, 2013. This was the time frame of 11 months when Brian Hill no longer had that laptop.

"None of the children have been identified as part of a known series by the National Center for missing and exploited children (NCMEC)" Document #33, Filed 09/16/2014, Page 6 of 26

Presenting these facts on these 2 pages alone is enough to prove to a judge or to a jury that Brian David Hill is innocent of downloading child porn. Case closed. Acquit Brian David Hill, take his name off of the sex registry, remove him from probation. Then an investigation needs to be done. Think of all of the torture he & his family have been through for almost 10 years because of this.

Ineffective Attorney This covers more of what Attorney Placke didn't do in this section. 1. Didn't get bail for his client. 2. Didn't check his client's medical condition at the jails; didn't make sure that his client had insulin on court days (causing cruel and unusual punishment for his client for 9 months. 3. Didn't compare the false confession with the police report and the NC SBI report, checking for conflicts. 4. At his client's assistance, he still did not get a medical professional familiar with both autism spectrum disorder (ASD) and brittle type 1 diabetes listen to the confession tape in view of the fact that his client had autism, brittle type 1 diabetes, OCD and anxiety disorder. Another person should have investigated and examined the tape for parts that could have been erased. 5. He did not bring out to the court that his client had all of these disabilities in the very beginning as Brian's grandparent's emailed and faxed him Brian's medical records as proof in December, 2013 and another attorney told both government's attorneys about his diabetes and autism in December, 2013.

6. Did not bring it to the attention of the court that 2 police questioned this disabled person at lunch time without providing any of the aids not obeying the law "Americans with Disabilities Act" (proof is in the police report). 7. Did not bring it to the court's attention that the police hacked into my grandson's personal computer without going to the judge and obtaining a search warrant for just cause on August 22, 2012. (Proof is in the police report). 8. Attorney Placke did not bring it to the court's attention that Brian according to the police report said he had been downloading child porn for a year or so, yet the police report said for 1 week and the NC SBI report said files for 1 month and 1 week and for another 11 months after the police raid where the police got the computer on August 28, 2012. This proof is in the police report and the NC state bureau of investigation report. 9. He did not bring it to the attention of the

court that Brian had given another false statement when he said he had a net book at home that the police did not get the day before that had files in it and according to the police report, they picked the netbook up at his house on August 29, 2012 and according to the NC SBI report there were no files of interest in that net book. 10. Placke did not let the court know that Brian had said some misleading statements about liking children according to the police report which were not true. This attorney should have informed the court that due to insulin reactions and diabetic seizures Brian Hill does not own or drive a car. He goes everywhere with his mom and sometimes with his grandparents and according to his family he does not even like being around children. Plus nowhere are there any legal documents that anyone has said that Brian has raped or touched them, no adults or children, and Brian is now 23 years old. He should have explained that these untrue comments was due to his autism spectrum disorder (ASD) and type 1 diabetes being questioned at lunch time without an attorney present, his mom or an autism expert there with very low blood glucose like someone with a lot of alcohol in their system.

11. Attorney Placke did not bring it to the court's attention that there are no photos of children in either report to prove that there actually was child porn in Brian's computer. 12. Attorney Placke did not bring it to the court's attention that according to the police report one of the police detectives said he recognized the child porn, yet the government said that the child porn was not part of a known series. 13. Attorney Placke did not bring it to the court's attention that Brian was attending various local town hall meetings from April – July, 2012 and was putting out videos on YouTube and articles on his USWGO webpage about the Mayodan, NC town attorney who was also a NC Senator and the police chief of Mayodan, NC and was doing an investigation about both before the date that child porn was supposedly put on his computer. 14. He did not tell the court that according to the investigation of Brian who had the proof: there is a deep relationship between the 2 police who hacked into Brian's computer without a search warrant on August 22, 2012, got a search warrant for his home on Aug. 28, 2012, police raid on Brian's house and removed thousands of dollars worth of computers, hard drives, etc with articles & videos from Brian's (USWGO) home on August 28, 2012 and got a false guilty statement and misleading comments from these 2 police at lunchtime disobeying the "Americans with Disabilities" laws. The detective from Mayodan works in the same office as the police chief of Mayodan. The detective from Reidsville was a brother to the Assistant District Attorney in Rockingham County, NC who had been working for years with the Rockingham County, NC District Attorney who was the son of the Mayodan, NC attorney (NC Senator) whom Brian was investigating and writing articles about him. Brian's family sent this proof to Attorney Placke in January 2014, and Brian told him about it. When Brian and his family finally saw the NC SBI discovery in January, 2015, the name "Philip Berger Jr" was all over it.

15. This attorney failed to tell the court that Brian's family had sent him in January, 2014 a copy of 2 threat emails Brian had received in his email where whoever sent these admitted to hacking into Brian's computer and hard drives and putting the child porn in them telling Brian not to talk to anyone else about this. Attorney Placke should have asked for an investigation into these emails. 16. Did not bring any proof documents to the court from Brian, Brian's family, Brian's friends and other witnesses who knew Brian. 17. Did not allow Brian's family to see any of the government's discovery even though his client wanted his family to read the NC SBI discovery and hear the confession tape. Brian and his family had already read and had copies of the police report. He did not even show the NC SBI report to his client, Brian. He only showed Brian parts of the report which Brian already had a copy since August, 2012 and had investigated parts of it himself. He had Brian to listen to the confession tape, but would not have it examined as Brian wanted done. 18. Attorney Plackie did not allow Brian to have a jury trial where he would have questioned the 2 police detectives about the issues here under what ineffective Attorney Placke did not do to represent his client. Now what all did Attorney do to hurt his client and to make sure the court would not know that Brian is a victim in this case and is innocent.

(1) Attorney Plackie deleted all attachments from all emails that Brian's grandparents sent to him in December, 2013 and January, 2014 which included medical reports, 2 threat emails sent to USWGO, proof of innocence and affidavits from Brian's mom and 2 grandparents. None of this proof was brought to the courts attention by Attorney Plackie on June 10, 2014. (2) Placke called Brian "Delusional" to the court while ignoring his true disabilities. (3) Attorney Placke had no witnesses for Brian on June 10, 2014, but on September 30, 2014 both attorneys (Placke & government's attorney, Ramaswamy) admitted to the court that many witnesses came forth who wanted to testify for Brian, and both of them ignored all witnesses. (4) On June 9, 2014 Attorney Placke called Brian's mom and Brian's grandparents whom he had told on the phone & in email early in Brian's case that they were not allowed to see the discovery against Brian or hear the confession tape to tell Brian to say "Guilty of Possession of child porn since he owned the laptop that the police claimed contained child porn on August 28, 2012. He said Brian was refusing to say he was guilty and kept saying he was innocent, and since Placke had nothing to offer the court in Brian's defense and no witnesses and that autism would not be used nor could Brian's family testify as witnesses Brian would get 20 years because the jury would hear the tape and see what the prosecution had and would be found guilty, and he would get 20 years in prison.

At this time Brian had told us that he had not gotten insulin for at least his first 5 days in jail and was only getting insulin to cover his lunch and his dinner, none of the slow acting insulin shots which covers 24 hours, no insulin shots on court days until that evening, and someone from Butner Prison called us and admitted not giving Brian any insulin his first few days apologizing, and told us that Brian had no medical papers with him when he came there, and they couldn't take Brian's word, apparently Brian had gotten real sick and probably went in a coma when they tested and found out he was a type 1 brittle diabetic. They had been moving someone with autism spectrum disorder (ASD) diagnosed with that in 1994 to various jails for over 5 months at this time. We had no choice but to tell Brian to say "Guilty" even though we all knew that if there was child porn on his computer, he was not the one to put it there, but apparently he was in possession of that computer in July up to August 28, 2012. There was no choice since his court appointed attorney had deleted all proof sent to him, ignored Brian the chance (bail) to come home and get the proof he had as well as his prescribed medicine and ignored all witnesses and proof of innocence. This was worse than no attorney at all. Then after June 10, 2014 we found out through court transcripts that he was acting more like a prosecuting attorney than a defense attorney, and he wanted to make sure that the court knew that Brian was according to him diagnosed with "Delusional" because when Brian talked to anyone, he had no proof to back up what he said due to this attorney. This caused the court to then ignore all of Brian's proof and pro se motions. Not only was this a lazy, ineffective attorney but was an attorney working against Brian and acting more like a prosecuting attorney than a defense attorney. This is proven in all court transcripts from 2014 up to and including September 30, 2014 and the document and page numbers are in our PDF's.

Brian is innocent and had an ineffective attorney who worked against his client. We have our proof in all 8 PDF's submitted to the court on this date in 2022. None of this information was available to the court on June 10, 2014. Brian needs to be immediately acquitted, taken off of probation and the sex registry. Brian knew he had a bad attorney and asked the court to remove him from his case from April, 2014 – September 30, 2014.

Besides the fact that Brian is innocent of looking at child porn and innocent of putting it on his computer, he is guilty of having brittle, type 1 diabetes, diabetic seizures, autism spectrum disorder (ASD). OCD and anxiety disorder. He was also guilty of having an ineffective attorney and the court in the Middle District of NC ignoring his pro-se motions, his proof sent to the court in and after September. 2014 as well as his disabilities. I have never seen any medical reports from any medical doctors say that he is delusional from 1990-2022. I did see the one his attorney was referring to in 2014 after Brian had spent months in jail

without the 24 hour insulin per day and with only 0, 1 or 2 fast acting insulin shots per day. At home since 1992 he gets one long acting insulin shot per day and 3-5 fast acting insulin shots per day plus he has all of his proof of innocence at home which was denied to him by this court appointed attorney.

CONSTITUTIONAL & OTHER LAWS broken by law enforcement, attorneys and this court: All of these and reasons are in my 8 PDF's submitted to this court from September, 2014 – December, 2017 and in these 8 PDF's due to Brian's grandmother's investigation in 2022. Due Process Sixth Amendment Right part of the US Constitution, 8th Amendment Right, the statutory privacy laws, "Cruel and Unusual punishment", Violation of his Civil Rights, 4<sup>th</sup> Amendment violation, First Amendment Constitutional Rights, "The Bail Reform Act of 1984" (Third Edition):, Basis the courts were using & how it was obtained: Police disobeyed Americans with Disability Laws & Medical Civil Rights & got a false confession (words – no proof), The 5<sup>th</sup> Amendment Rights & Laws, 14<sup>th</sup> Amendment "Equal protection of the laws.", denied his Sixth Amendment right which is supposed to be guaranteed by the Federal Rules of Criminal Procedure Rule 43, violated his rights under the Confrontation Clause of the Sixth Amendment. Court basis all on words from someone with a communication disability, autism spectrum disorder (ASD), nothing about "Intent". New autism law (Virginia Code § 19.2-271.6) in Virginia where Brian has lived since September, 2012 has proven that people with autism do not have the "criminal intent" or "mens rea". In all alleged crimes in Virginia, Autism must now be taken into consideration since 2021.

Brian David Hill must be acquitted today in 2022, removed from probation and the sex registry. He is innocent, was given ineffective attorneys who harmed his case instead of helping and therefore, most of his constitutional, Civil and medical rights were denied. The proof is in the court records presented by him as well as these 8 PDF's presented by his family. His main and first witness is Almighty God. Next and second, he is his witness admitting that he is innocent but did give false guilty and misleading statements due to his disabilities. His family, friends and people who followed USWGO on the Internet are his 3<sup>rd</sup> witnesses, and the Discovery from the prosecution has proved to be his 4<sup>th</sup> witness to his innocence!

Thank you in advance for your time reading this as well as the 8 PDF's and for acquitting him, removing him from probation (Brian and his family deeply respect the Roanoke, VA probation who have been kind to us all and respectful of all legal disability laws & Civil Rights laws) and remove him from the sex registry and for giving him back his God given freedoms as an innocent, disabled American citizen. I am not an attorney so ask the court to ignore & forgive anything that does not follow procedure and just notice the facts of his innocence that are presented here. This will be notarized to cover this and all of the 8 PDF's.

Mine and my husband's notarized Affidavits are on the next two pages.

**Affidavit of Stella Burnette Forinash**

**State Commonwealth of Virginia**

**City of Martinsville**

**Stella Burnette Forinash, being duly sworn deposes and states as follows under penalty of perjury:**

- 1. My name is Stella Burnette Forinash. I am presently 74 years old, and my current address of residence is 201 Greyson St, Martinsville, Virginia 24112**
- 2. The purpose of this Affidavit is to cover all that I have said to this court in 2022 including all 8 PDF's which proves to this court my Grandson, Brian David Hill's ACTUAL INNOCENCE, how his disabilities affect him and INEFFECTIVE ATTORNEY ignoring all proof, all witnesses, all disability issues and his client's constitutional rights, civil rights and disability rights.**
- 3. Brian David Hill is innocent of putting child porn on his computer, innocent of possession of the virus which contained the child porn. Brian is guilty of having brittle, type 1 diabetes, diabetic seizures, autism spectrum disorder (ASD), OCD and a stress disorder, talking to police who disobeyed the Americans with Disability Laws which caused misleading statements & a false confession and having an ineffective attorney. He needs to be acquitted of all charges.**

**I hereby swear or affirm that the information above and in the 8 PDFs is true accurate and complete to the best of my knowledge, and that no relevant information has been omitted.**

**Dated:**

\_\_\_\_\_

**Signature of Individual:**

\_\_\_\_\_

**Notary Public**

**Title and Rank**

**Date of Commission Expires**



# ATTACHMENT 2: “1 Brian Hill's proof of innocence for the court in 2022.pdf”

For “MEMORANDUM OF STELLA FORINASH AND  
KENNETH FORINASH IN FAVOR OF ACTUAL  
INNOCENCE OF BRIAN DAVID HILL; IN SUPPORT OF  
WHY BRIAN DAVID HILL SUSPECTS BLACKMAIL OF  
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GROUND VI - UNCONSTITUTIONAL INTERFERENCE  
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(DOC. #291)”

Case no. 1:13-cr-435-1; civil no. 1:22-CV-00074

Ally of Q, Former news reporter of USWGO Alternative News  
[JUSTICEFORUSWGO.WORDPRESS.COM](http://JUSTICEFORUSWGO.WORDPRESS.COM)



"We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America."

We are not attorneys and can't afford an attorney, but Mr. Hill is our grandson, our posterity who is disabled, and we are tired of watching this federal court calling him names such as "Delusional" while ignoring his true disabilities, not once have we read any medical records outside of this court call him "delusional". He & his family have proven his innocence to this court, and now his family wants him to file this to the courts from his family with PDF PROOFS of his innocence and the proof that this court is ignoring all of his Constitutional & Bill of Rights as well as his Civil Rights being violated by various members of the federal court in North Carolina, USA as well as jails associated with this court. Mr. Hill has become a victim of judicial tyranny & persecution. He had a lazy, ineffective attorney who really did not represent him or his constitutional rights, mostly his 6<sup>th</sup> amendment right to due process. Here is an example of what one magistrate judge in the middle district of NC said:

**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.

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Brian's grandmother has put together 8 PDF's with proof of Brian Hill's ACTUAL INNOCENCE from investigations by Brian, his mom and his grandparents and some have been in this court from September, 2014, some in 2015 and a lot as the result of Brian's 2255 Motion from November, 2017. "Brian Hill's Proof of Evidence for the Court in 2022" (47 pages); "Who is Brian Hill – Pictures & Descriptions" (22 pages) ; "Brian's treatment in jail with Brittle Diabetes, Autism & OCD" (29 pages); "Threats" (19 pages); "Investigation 1" (38 pages); "Investigation 2" (37 pages); "Danville, VA – Brian – Discovery" (16 pages) and the PDF: "Actual Innocence" (32 pages). Declaration from Brian's family 6/8/2017: [Case 4:17-cv-00027-JLK-RSB Document 12-5 Filed 06/12/17 Page 1 of 9](#)

<https://www.courtlistener.com/docket/6064365/12/5/hill-v-executive-office-for-united-states-attorneys/>

**“The Sixth Amendment requires counsel to consult with the defendant concerning whether to appeal when counsel has reason to believe **either**:**

If the defendant expressed his intention to appeal, and counsel decided not to file an appeal without having discussed the matter further with the defendant after he was sentenced, counsel’s performance would be constitutionally deficient. *United States v. Witherspoon*, 231 F.3d 923 (4th Cir. 2000).” (emphasis added)

Please read the 32 page PDF called **“ACTUAL INNOCENCE”**. We show proof that after this court appointed Mr. Hill an attorney that one judge described as “the best attorney in the middle district of North Carolina” who (1) did not get Mr. Hill bail to be able to go home for the 5 months before trial where he had his proof of innocence. This violated Mr. Hill’s 8th Amendment Right to not have cruel and unusual punishments inflicted. It also violated his 5<sup>th</sup>, 6<sup>th</sup> and 14<sup>th</sup> Constitutional Amendment Rights. Please read the 22 page PDF called **“Who is Brian Hill – Pictures & Discriptions”**. Brian was subject to “Cruel and Unusual punishment” due to 11 months of torture in various jails which denied Brian his slow acting insulin for 11 months which covers him for 24 hours per day. Many times the jails only gave him 2 insulin shots after breakfast & after dinner per day which covered 8 hours of the 24 hour day. He is a brittle type 1 diabetic. He was denied insulin during court days and given 1 shot that evening. He was removed constantly from jail to jail which affected his autism and OCD in a very bad way. All disabilities were ignored by this court and the jails. This is also a violation of his Civil Rights. See proof in this 29 page PDF called **“Brian’s Treatment in Jail with brittle diabetes, autism & OCD”**.

(2) A defense attorney should take the time to go over discovery all aspects which can show the jury his client is innocent or at least the benefit of a doubt. Going over the police evidence: Two police admit in the police report that they hacked into a personal computer and don’t show a search warrant to do this signed by a judge. They do admit to getting a search warrant a week later to do a police raid in his and his mother’s home to obtain all computers, memory sticks, hard drives, CD’s, etc. This is a clear 4<sup>th</sup> Amendment violation. See the 38 pages PDF called **“INVESTIGATION 1”** <https://www.justice.gov/file/442111/download>

(3) This attorney and Brian listened to a confession tape from the Mayodan, NC police where Brian said he was innocent and later said he was guilty and liked to go to Walmart and look at little children and had downloaded child porn for a year or so. Attorney Placke showed Brian his signature of being guilty (false confession) of downloading child porn on the police report and a few pages from the police report. This is an easy case according to this lawyer. Mr. Hill pleaded guilty. Case closed, but is it really that easy? Haven’t there been many people who pleaded guilty

who were actually proven innocent in the court of law? Let's compare Mr. Hill's statements with the prosecution's discovery. He said he had downloaded files for a year or so. Police report said 1 week. NC SBI said one year and one week starting July 20, 2012. Police removed this computer from his home on August 28, 2012. That is 1 month and 1 week, not a year. 11 months of that year Mr. Hill did not have that computer. Mistake by NC SBI? False report? Police and NC SBI downloading child porn (files of interest) for 11 months or could this be a computer virus? 1 week OR 1 month and 1 week does not equal a year or so. Mr. Hill did not give true facts here.

Detectives determined the IP address 24.148.156.211 was first logged into the Child Protection Systems (CPS) undercover system by the automated tools on July 20, 2012 offering to participate in the distribution of child pornography. Between July 20, 2012, and July 26, 2012, the IP address 24.148.156.211 was logged, showing a continual pattern of child pornography, by the automated tools.

Distribution?? From the Mayodan, NC Police report dated 8/22/2012

**NC SBI report – 454 files had been downloaded with emule program**

**July 20, 2012 until July 28, 2013 (Police took this computer on August 28, 2012)**

Note the U. S. Attorney's answer to Brian's 2255 on 1/10/2018, he brings out this one sided conversation only parts of what Brian said nothing about what the police said. I can read this in 1 minute. The actual interrogation lasted about one hour. Case 1:13-cr-00435-TDS Document 141 Filed 01/10/18 Page 8 - 9 of 14. Grand jury did not know about Brian's disabilities & this is lunchtime.

We also noticed in the NC SBI discovery materials something else that Mr. Placke did not bring to the court's attention. The NC SBI did not say "child porn". They called it "Files of interest". There was no affidavit by SBI Agent Rodney White as we saw none of that in the discovery packet. North Carolina forensic law requires an affidavit by a forensic scientist. Rodney White did not file an affidavit with the federal prosecutor or the grand jury about his expertise in computer forensics. They never did confirm each and every file of interest to being verified as child porn and never even discovered who the alleged victims are. Even the Pre-sentence Investigation Report did admit that there are no victims and no victims seem to be able to be identified. Even Brian's counselor thought that made no sense that he has no victims, and they cannot identify who the alleged victims are. This may theoretically be a sign that the entire child porn case may be a fraud. [https://www.ncleg.gov/EnactedLegislation/Statutes/PDF/ByArticle/Chapter\\_8/Article\\_7C.pdf](https://www.ncleg.gov/EnactedLegislation/Statutes/PDF/ByArticle/Chapter_8/Article_7C.pdf)

**SBI CASE NUMBER: 2012-02146 (915)**

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**SYNOPSIS:**

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Limewire/Frostwire, Luckywire, Shareaza Search Keywords, and Usenet Binary Files.

The results of the analysis are as follows:

Ares Search Keywords: One search keyword "very sexy"

**eMule Known.met:** The Known.met saves all files eMule knows of whether they are shared files, files currently in the download list, or downloaded in the past. For every file, information like file size, file name, hash sets, hash values, and some statistics are saved. From the analysis, this record showed that 454 files had been downloaded with the eMule program between July 20, 2012, and July 26, 2013. This record also showed that files were shared with other users and the number of times each file was shared.

What about the net book computer that Mr. Hill said had files in it? The police got that on August 29<sup>th</sup> with serial number. The NC SBI report shows no files of interest in this net book. That's 2 statements from Mr. Hill which is false. Why would he do that? He says he likes children yet his mom & grandparents who are with him all the time since he does not drive or own a car says that is not true. Why is Mr. Hill saying things that have been proven not true? Does this have anything to do with his disabilities? Let me read about autism, brittle type 1 diabetes and OCD. Is there anything about any of these disabilities that could cause him to say these things because his confession is proving to be false. What time was this interrogation? Lunch time. Could his blood sugar have gone low? Did the police acknowledge doing anything according to the Americans with Disabilities Act? Did they violate his Civil Rights? I need to get this confession tape examined by a professional and get his family in here to hear this tape and get their thoughts on this as they know Mr. Hill well. None of this happened so Brian was again denied his Civil Rights as well as his 6<sup>th</sup> Amendment Rights. For proof, see the PDF "[Investigation 1](#)". The prosecution had access to all of this information as well.

(4) Discovery from the prosecution: Attorney Placke let Brian listen to the false Confession tape, let him see certain parts of the Mayodan Police Report, did not show him the NC SBI report. Mr. Hill signed that he wanted for his family to hear the tape and to read all of the discovery. Attorney Placke said on the phone that Brian's family was not allowed to see any of the discoveries and wrote that in an email and that he was not allowed to discuss it with us. This was denying this disabled client of his right to due process (Fifth and Fourteenth Amendment Constitution violation by court appointed attorney). For proof, see the PDF "[Investigation 1](#)".

(5) Attorney Placke ignored all other proof in Brian's case including ignoring the threats Mr. Hill & others had received. In these threats, whoever sent them admitted in April, 2013 to putting child porn on Brian's computer and hard drives. According to the NC SBI report which we all (Brian, his mom & grandparents) got to read together in January, 2015 from Brian's 2<sup>nd</sup> court attorney after Brian was convicted and allowed to come home, it said "Items of Interest" downloaded from July 20, 2012 – July 28, 2013 (police got all computers, hard drives, etc. on August 28, 2012 police raid). It had no photos at all and said there was apparently files of interest in Brian's laptop computer, 2 hard drives and one USB stick. This agreed with what one of the threats said. Placke should have taken those threats more serious and had them investigated. See the 19 pages PDF "THREATS". There were even more threats after Brian tried to appeal his case in 2015.

(6). Not only did Attorney Placke ignore all of Brian's PROOF of innocence including deleting all proof Brian's family sent to him via email, he ignored all witnesses who came forth denying Brian his right to witnesses. Downloading child porn is a computer crime and since Brian had an alternative news website on the Internet, he had many witnesses who knew he was innocent including other attorneys. This is part of the "Threats" above. Some of these witnesses also received similar threats as well as child porn images in emails and on their computers to put a stop to alternative news and freedom of speech. Brian's First Amendment Constitutional Rights have been violated because the courts did exactly what the threats wanted. Brian has not been allowed to be on the Internet for over 7 years and has had his home address and his photo associated with the "Sex Registry" although Brian is 31 years old, disabled, a virgin, no reports at all of him raping anyone or hurting any child, and he has NEVER downloaded child porn.

If there was child porn on his computer & hard drives, it belongs to someone else, not him. This is a clear violation of his Constitutional Rights as well as his Civil Rights per Attorney Placke who acted more like a prosecution attorney than a defense attorney. This violated Mr. Hill's due process Sixth Amendment of the constitution. Mr. Hill was appointed an attorney who hurt Brian's case all of the way by ignoring all of the PROOF that Mr. Hill is innocent of this crime and should not have spent one day or one night in jail. See the 37 Pages PDF "INVESTIGATION 2".

(7) Attorney Placke did not inform the court that in a child porn case, there must be FORENSIC EVIDENCE. We did not see any forensic evidence when we were reading the NC SBI Discovery in Jan. 2015. Also we read in the Mayodan police report that Detective Bridge was going through the computers after the police raid where Detective Brim claimed he found the child porn according to the police, the files of interest according to the NC SBI and of unknown source according to the government. Detective Robert Bridge is not a certified forensic scientist, and so he should not have even looked through the computer files or anything. That alone would risk breaking or contaminating or ruining the chain of secure custody of items for forensic analysis for child porn

investigations. They wanted to quickly find the so-called child porn and then just coerce a confession from the suspect. Then the case goes away and goes to trial. However, this type of speedy investigation harmed Brian David Hill because they refused to acknowledge trojans, viruses, following strict forensic practices and procedures, and affidavits to confirm their expertise and experience.

In the false confession audio, if it can ever be acquired, he said in the recorded audio that they made the claim of finding alleged CP on the computer. Never showed any alleged CP photos to Brian Hill and Roberta Hill. Nothing in the audio for the confession audio gives any inference that they showed the claimed found CP. Just said it was found on the computer. The audio does not show them saying something like "let me show you what was found on the computer" to try to obtain a confession by showing the actual child porn image or images. None of that was done. They never showed during the interrogation any of what they claimed they found on the computer. (per Brian Hill). Nothing in the federal prosecution's discovery packet proves that either Robert Bridge or Todd Brim know of computer viruses or anything about computer forensics. They didn't adhere to any special procedure or discipline. Police report from August 2012 has the proof.

Forensic procedures were not really shown to have been followed. There was just an "SBI Case File" which we all saw at the attorney's office. It was never specifically entitled a "forensic report". The Court and Attorney Placke acted like it is a forensic report, but it is not titled a forensic report because then it would have to follow strict forensic procedures. None of that was ever followed. Any good attorney worth their salt would have dismissed the child porn case of Brian Hill just with that alone. When framing somebody with a crime, forensic procedures will not be followed because framing somebody would be more difficult under strict forensic procedures.

Both court appointed attorneys: Eric Placke & John Scott Coalter failed to bring up the facts that both police detectives: Robert Bridge & Todd Brim were not certified forensic scientists, the NC SBI report was not a forensic report and had no photos at all, and there was no affidavit by SBI Agent Rodney White. North Carolina forensic law requires an affidavit by a forensic scientist. All of this information should have been prepared by June 9, 2014 to show to the jury. Since that didn't happen, then all of this as well as the conflicts in the police report, NC SBI and the misleading comments by Mr. Hill due to autism & brittle type 1 diabetes being questioned at lunch time not agreeing with the findings, the threat emails, etc. should have been brought to the court's attention in October or November, 2014 along with other things presented in these 8 PDFs. [https://www.ncleg.gov/EnactedLegislation/Statutes/PDF/ByArticle/Chapter\\_8/Article\\_7C.pdf](https://www.ncleg.gov/EnactedLegislation/Statutes/PDF/ByArticle/Chapter_8/Article_7C.pdf)

<https://www.justice.gov/file/442111/download> <https://www.ojp.gov/pdffiles1/nij/199408.pdf>

(8) Mr. Hill was denied his constitutional rights to a jury trial where the witnesses against him were to be questioned as well as witnesses for his defense. This was a violation of his Sixth

**Amendment Rights.** He was denied this by the defense attorney and the prosecution attorney using his very family against him. Attorney Placke called Mr. Hill's family the night before the jury was to be selected, June 9, 2014 to tell them to tell Brian to say he's guilty. His attorney had no proof and no witnesses for a jury and told Brian's family the autism can't be used and Brian's family was not allowed to testify. The prosecution had the proof (discoveries from police & NC SBI, not sure about witnesses) so without any proof or witnesses for Mr. Hill, he would automatically get 20 years in prison. Again remember the discovery actually proved conflicts in his testimony (Brian's family was not allowed to see any of that at the time). Some of the PDF's here is the proof sent to this attorney and the court and ignored by this attorney and this court; remember especially the PDF about diabetes in jail. For Brian 20 years in prison was like a death sentence for a crime he didn't commit. Having an attorney like that was worse than no attorney at all. The court considered this a good plea agreement between a prosecution attorney and a defense attorney. Brian and his family consider it a guilty plea under duress and undue influence and a denial of his constitutional rights where justice was not served in his case since he is in fact innocent of the crime, guilty of having autism, type 1 brittle diabetes, OCD and anxiety. This is again a violation of his constitutional rights by 2 federal attorneys:

All of this is considered "New evidence" which much of it was not discovered until after Brian was released from jail and none of it was allowed per Mr. Hill's attorney to be used in the court. Brian's family wanted to present this for our disabled grandson because it all proves his actual innocence and in what ways his constitutional, civil & medical rights were denied to him.

The basis of why Brian's family wants Mr. Hill acquitted of this alleged crime, removed from probation, removed from the sex registry due to ACTUAL INNOCENCE are: His due process and all of his constitutional rights have been violated. All agencies & attorneys and the court itself have ignored federal laws pertaining to disabilities of American citizens. We show proof of police misconduct, prosecutorial misconduct, and ineffective assistance of counsel – all causing false confessions due to many of his constitutional bill of rights being ignored. This court is basing everything on "words" nothing about reality (FACTS).

We will prove beyond a shadow of a doubt using the discovery materials that was supposed to be used to prove guilt actually prove he is innocent. We read time and time again that the defendant plead "guilty" nothing showing actual guilt. This is based on the "words" a person with autism (a communication disability according to medical doctors) & brittle type 1 diabetes is using during a police interrogation at lunch time where this 22 year old male is repeating words the police are actually saying. The prosecution uses this information (words not action) to get a grand jury to indict him. This is all one sided. We will prove this case has been one sided the entire year of 2014. This time our proof to this court will be based on "FACTS" not on "WORDS" from someone with autism which is a communication disability. We know Mr. Hill due to our 31 years experience

dealing with him and his many disabilities: Brittle type 1 diabetes with glucose highs and lows, diabetic seizures, autism (communication disability), anxiety, OCD, etc. In fact, the prosecution's own discovery proved that the "guilty" plea had no facts to agree with the "Guilty".

What is Brian Hill guilty of? Possession? What is his intent? Possession of what? Child porn? Why would a policeman say that he is familiar with this child porn and the government says "None of the children have been identified as part of a known series by the National Center for missing and exploited children (NCMEC) Document #33, Filed 09/16/2014, Page 6 of 26"? Why would this child porn be downloading for 11 months after the computer was confiscated? Eleven months after Brian Hill was no longer in possession. Is this child porn actually a virus? Can a person be in possession of a computer that contains a virus causing some type of fake child porn? The person owns this virus since they own the computer? Did they actually intend to own it? Since a virus has taken over this computer, does this mean that the owner actually wants this virus controlling his computer? We have established that he owns & was in possession of the computer, but what proof do we have that he actually owns the virus? Is it possible for someone else to hack into a computer and put a virus on this computer? Then who owns the virus: The one who puts it in the computer or the one who owns the computer?

If we could have afforded to hire the Roberts Law Group of NC, they would have read the discovery which showed child porn downloading for months after police took the computer. This is what their website says about that: "CHILD PORNOGRAPHY THROUGH A COMPUTER VIRUS? A recent Associated Press investigation, however, has revealed a number of instances where computer viruses have, in fact, been designed to place pornographic images of children on the computers of innocent victims. For those affected, proving their innocence costs thousands of dollars – sometimes hundreds of thousands. In 2007, a former Massachusetts workers' compensation investigator was charged with possession of child pornography when his employer found child porn on the hard drive of his state-issued computer.

An inspection later revealed that the computer was badly infected; it had been programmed to visit over 2000 child porn sites per hour, all without his knowledge. After almost a year, the case against him was dropped, but not before he lost his job and his friends. He even had his car vandalized and experienced death threats. What can you do to protect yourself? Keeping your computer's firewall or antivirus program up to date will help, as will refraining from opening email attachments from unknown sources. Also, if you believe that you have been charged wrongly for possession of child pornography, contact an experienced criminal defense attorney immediately. What happens to the poor who can't afford an attorney? It's clear that the court appointed attorneys did nothing to help our grandson. The attorney called Brian's family the night before trial and told them to tell Brian to say "Guilty" because in reality an attorney without a case is worse than no attorney at all. We will prove later that due to this and other things, Brian's Sixth

Amendment right to a fair trial was violated. Plus this court appointed attorney acted more like a prosecuting attorney working against Mr. Hill. He never allowed Mr. Hill or Mr. Hill's family to read any of the NC SBI Discovery. (Oh, yes, we have a PDF folder called "THREATS" where this person admits putting it there) <https://www.robertslawteam.com/articles/child-pornography-through-a-computer-virus/>

(1) No bail was set for Brian David Hill even after Brian had a court appointed attorney.

Should that have been the first duty of this attorney? As soon as this attorney was appointed, Mr. Hill's family sent affidavits from each member of Brian's family as well as medical proof of all of his disabilities, yet no bail was set and later Brian's family discovered all email attachments were deleted by Mr. Placke, and we never once saw in any court records any mention by Attorney Placke that Mr. Hill had autism, brittle type 1 diabetes, seizure history, anxiety history or OCD in December, 2013 or January, 2014.

Brian was on Medicaid in Virginia, had several medical doctors close by, he had a medical waiver in VA which paid his mom 40 hours a week to assist Mr. Hill. She was a nurses' aid in NC, and actually devoted more than 40 hours per week, but the rest of time was on a voluntary basis as she had done since his birth. He received an SSI disability check when home (none of this money was sent to him while incarcerated). Brian Hill lived in a small apartment in his grandparents' 4 apartment house in Martinsville, VA. His mom had another apartment close by to care for Brian's medical needs, and his grandparents were close by in a third apartment. There was no way that Mr. Hill was a flight risk as he did not own or drive a vehicle, had no credit cards, had no savings. Mr. Hill had never been convicted on any other crime before this. The case against Mr. Hill was based on 2 local police who hacked into his computer 6 days before they obtained a search warrant and even wrote in the search warrant that they did this without obtaining a search warrant for probable cause to hack into his personal computer. More about this later. Then they got a false confession during a lunchtime interrogation the next day after the hours long local police raid. Attorney Placke had received via email and fax copies of Mr. Hill's medical records from Mr. Hill's family that he had brittle type 1 diabetes which required insulin shots and had autism spectrum disorder (ASD) which is a communication disability which could cause him to utter words with no real meaning to him during this interrogation.

This police raid happened 16 months before Mr. Hill's arrest. In that length of time, Mr. Hill remained in his apartment in the same address in Martinsville, VA. This address was given to the Mayodan police department in 2012. Mr Hill has severe OCD, and after police touched everything in the home where he had lived for 7 years, Mr. Hill refused to ever go back in that home after the police raid. Mr. Hill's attorney never made any arrangements to meet with Brian's family nor did he try to get bail for Mr. Hill. Due to this, Mr. Hill suffered

many Civil Rights violations by more than one jail. For proof, see our PDF called: "Brian's Treatment in Jail with Brittle Diabetes, Autism & OCD".

Here are the basis and violations per Brian's family's research: To obtain bail, here is a list of things which must be considered. Family thought in Dec. 2013 that since Mr. Hill had an attorney, he would obtain bail arguing that Mr. Hill's computers and many other items were removed from his home via a police raid 16 months before his arrest. He never once tried to leave nor did he injure anyone. Mr. Hill had no prior criminal history at the age of 23 at the time of his arrest. There were no other complaints against Mr. Hill, no other reports of child porn being downloaded. He had a stable family caring for his needs, was on a Virginia medical waiver, SSI disability and he needed to be at home to obtain all of his insulin and for medical and mental reasons. Mr. Hill had lived in the same house in Mayodan, NC since 2005 and had been visiting and spending nights at his grandparents' home in Martinsville, VA since 2007 (6 years) where he was now living and was well acquainted with the elderly neighbors on both sides. That is the reason his grandmother did another PDF for this court to see. Read what Brian's mother says about Mr. Hill and what some of his friends said. Mr. Hill did not do alcohol or illegal drugs.

This 22 page PDF is called "Who is Brian Hill – Pictures & Descriptions". Now see our legal basis as to why Brian should have been given bail and brought home to be with his family. Our source is obtained from a PDF called "The Bail Reform Act of 1984 (Third Edition)":

Page 14 The history and characteristics of the person, including— (A) the person's character, physical and mental condition, family ties, employment, financial resources, length of residence in the community, community ties, past conduct, history relating to drug or alcohol abuse, criminal history, and record concerning appearance at court proceedings; and (B) whether, at the time of the current offense or arrest, the person was on probation, on parole, or on other release pending trial, sentencing, appeal, or completion of sentence for an offense under Federal, State, or local law; and (4) the nature and seriousness of the danger to any person or the community that would be posed by the person's release. 32 United States v. Torres, 929 F.2d 291 (7th Cir. 1991).

Congress required judges to consider "family ties" when deciding whether defendants are likely to flee. 18 U.S.C. § 3142(g)(3)(A). The district judge's approach, by contrast, treats these as irrelevant. The judge must listen to the defendants' relatives, and not restrict defendants to proffers from counsel. Section 3142(f) requires no less. United States v. Gebro, 948 F.2d 1118,

1121 (9th Cir. 1991); Defendant requests release pursuant to the Bail Reform Act ("BRA") 18 U.S.C. § 3142.

Let's go to the prosecutor's discovery and ask why the 3 lawyers in Brian's case (the prosecuting attorney, the 2 court appointed attorneys) did not question this. On August 22, 2012 which was 1 month and 12 days after USWGO put a video on YouTube about the Mayodan attorney and the Mayodan police chief and wrote some articles on his USWGO page (We have proof of this as well July 10, 2012: See PDF "Investigation 1"). On Aug 22, 2012 without obtaining a search warrant, 2 police hacked into Mr. Hill's computer and claim they saw child porn which one police claimed on this search warrant obtained after hacking into Mr. Hill's private computer he recognized as being part of the NCMEC. This is clear evidence that Mr. Hill's Fourth Amendment was violated, yet these 3 attorneys ignored this. A good attorney would have shown this to a jury. Case 1:13-cr-00435-TDS Document 84-2 Filed 04/27/15 Page 20

(2) Violation of Fourth Amendment law by police & ignored by 3 attorneys. The police chief is aware of who Mr. Hill is before the child porn allegations from previous town hall meetings plus Mr. Hill (USWGO) sent emails to this police chief in 2012. He has sent this information to the court in September, 2014 after his family realized he had attorneys who ignored all witnesses and all proof in his case including all of his constitutional rights. Ignored why he would if he did in the middle of some important articles he was writing for USWGO suddenly start downloading child porn, only for 6 days according to the police and files of interest for abt 11 months after police took his computer according to the NC SBI. (Clear set up as the threat emails said) Ignoring the fact that Mr. Hill spent all of his time working on USWGO articles and videos doesn't make sense that he would suddenly do a little child porn in the middle of all of his work when he was never interested in children before or after.

The law governing electronic evidence in criminal investigations has two primary sources: the Fourth Amendment to the U.S. Constitution, and the statutory privacy laws codified at 18 U.S.C. §§ 2510-22, 18 U.S.C. §§ 2701-12, and 18 U.S.C. §§ 3121-27. Fourth Amendment law of search and seizure. The restrictions that the Fourth Amendment places on the warrantless search and seizure of computers and computer data. The courts apply the "reasonable expectation of privacy" test to computers; turns next to how the exceptions to the warrant requirement apply in cases involving computers; and concludes with a comprehensive discussion of the difficult Fourth Amendment issues raised by warrantless workplace searches of computers (USWGO.COM).

If anyone can hack into a computer in a person's private home, could this person (police or anyone) actually put child porn in this personal computer, then if this person is a police officer, contact a judge in another county and obtain a search warrant? Could this same person hack into

that computer a month before and put it in it? When law enforcement is investigating a crime, the person must assemble enough substantial evidence to fully convince a judge that the violation of a person's privacy and property is necessary and warranted. The standard for showing the need for a warrant is called probable cause. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized. Reasonable Expectation of Privacy in Computers as Storage Devices to determine whether an individual has a reasonable expectation of privacy in information stored in a computer, it helps to treat the computer like a closed container such as a briefcase or file cabinet.

The Fourth Amendment generally prohibits law enforcement from accessing and viewing information stored in a computer without a warrant if it would be prohibited from opening a closed container and examining its contents in the same situation. For example, do individuals have a reasonable expectation of privacy in the contents of their laptop computers, floppy disks or pagers? If the answer is "yes," then the government ordinarily must obtain a warrant before it accesses the information stored inside. <https://www.justice.gov/file/442111/download>

When confronted with this issue, courts have analogized electronic storage devices to closed containers, and have reasoned that accessing the information stored within an electronic storage device is akin to opening a closed container. Because individuals generally retain a reasonable expectation of privacy in the contents of closed containers, see *United States v. Ross*, 456 U.S. 798, 822-23 (1982), they also generally retain a reasonable expectation of privacy in data held within electronic storage devices. Accordingly, accessing information stored in a computer ordinarily will implicate the owner's reasonable expectation of privacy in the information. See *United States v. Barth*, 26 F. Supp. 2d 929, 936-37 (W.D.Tex. 1998) (finding reasonable expectation of privacy in files stored on the hard drive of a personal computer); *United States v. Reyes*, 922 F. Supp. 818, 832-33 (S.D.N.Y. 1996) (finding reasonable expectation of privacy in data stored in a pager); *United States v. Lynch*, 908 F. Supp. 284, 287 (D.V.I. 1995) (same); *United States v. Chan*, 830 F. Supp. 531, 535 (N.D. Cal. 1993) (same); *United States v. Blas*, 1990 WL 265179, at \*21 (E.D. Wis. Dec. 4, 1990) ("[A]n individual has the same expectation of privacy in a pager, computer, or other electronic data storage and retrieval device as in a closed container").

In contrast to the Fifth Circuit's approach, the Tenth Circuit has refused to allow such exhaustive searches of a computer's hard drive in the absence of a warrant or some exception to the warrant requirement. See *United States v. Carey*, 172 F.3d 1268, 1273-75 (10th Cir. 1999) (ruling that agent exceeded the scope of a warrant to search for evidence of drug sales when he "abandoned that search" and instead searched for evidence of child pornography for five hours). In particular, the Tenth Circuit cautioned in a later case that "[b]ecause computers can hold so much information

touching on many different areas of a person's life, there is greater potential for the 'intermingling' of documents and a consequent invasion of privacy when police execute a search for evidence on a computer." United States v. Walser, 275 F.3d 981, 986 (10th Cir. 2001).

Three attorneys had access to this information and did nothing about it. Clearly this information was obtained by all three attorneys as they read the search warrant from the Mayodan, NC police department dated Aug. 22, 2012. The actual search warrant of the house was executed on August 28, 2012 (6 days after illegal hacking in a personal computer). Mr. Hill had been sending emails to the Mayodan police department and various employees in Mayodan, Reidsville and other places in Rockingham County, NC from March – July, 2012 about Agenda 21, the NDAA and the petition. Each email also had the exact IP address that the police claimed they got from somewhere else. See the Sept. 30, 2014 court transcript page #18, 19.

**MR. PLACKE: Your Honor, I received in terms of discovery in this case from the Government two CDs, one of which contained the audio recording of the interview of Mr. Hill, the other of which contained law enforcement reports in PDF format. I've printed those out. The reports are a Mayodan Police Department report dated August 22, 2012, and a North Carolina State Bureau of Investigation case file dated October 23, 2013. And perhaps in light of everything else, I should just return those to the Government at this point. US v. Hill - Hearing - September 30, 2014.**

**THE COURT: "Mr. Ramaswamy, I'll note Mr. Placke is returning the material to you".**

The police report from 8/22/2012 was given to the Hill family on 8/28/2012 along with the search warrant during the police raid at their home in Mayodan, NC. Findings from the NC SBI (NC State Bureau of Investigation) show files of interest only in that very same computer as well as the 2 hard drives and 1 USB stick that Mr. Hill always kept attached to his computer many times at his home and even when visiting his grandparents as well as on overnight vacations. This is the very reason the prosecution should not have had Mr. Hill arrested. This is also the 2nd evidence the defense attorney should have used at trial. This was never once brought up during the trial date of June 10, 2014.

Proof that these 2 police hacked into this computer before obtaining a search warrant, and they claimed child porn was on it. We think it's interesting that no child porn or "files of interest" was found anywhere else, just on the laptop computer & 2 hard drives and USB stick connected with that particular laptop that the police clearly state they hacked into it without Mr. Hill's permission and without a search warrant on August 22, 2012. We (Brian's family) can confirm that most of the time the USB stick and 1 or 2 hard drives were connected to it when we visited his house,

when he visited us and when we went on trips. For proof, go to your own laptop computer. Notice all of the USB slots. Mine has at least 3. Brian used all three in his for 2 external hard drives & 1 USB stick.

Now attach 3 items to your computer. Click on "This PC". I just did this, and this is what you will see under PC: Windows C (How many GB and how many are free; USB drive E; Name of external hard drive F; name of external hard drive G). If someone hacks into your computer, they see that too. If I want to go into the USB stick or either hard drive, I click on that letter and can check files in there or add anything I want in there. Problem is that a hacker has access to all of this information and can do that too. Police took Brian's computer and all hard drives and USB sticks on August 28-29, 2012.

Brian got that first threat email in April 2013. They admitted putting child porn in Brian's computer and the hard drives. We didn't know until we talked to Brian's 2<sup>nd</sup> attorney in Oct, 2014 that there were "files of interest" in Brian's laptop computer, the USB stick and the 2 external hard drives. Look at all of the inventory items the police department removed from Roberta & Brian's home on August 28, 2012 (net book on Aug. 29, 2012).

Brian and his family have proof that Brian had been sending emails from March-July, 2012 to the town of Mayodan, Reidsville, the Mayodan police chief, his grandparents, etc. Each email he (USWGO) sent had the exact same IP address in them. This number could have been obtained just as easily from his sent emails. That (this IP address they claimed they had obtained) was the information that should have been taken to a Rockingham County, NC judge to obtain a search warrant before hacking into someone's private computer.

#### INCIDENT/INVESTIGATION REPORT

Narr. (cont.) OCA: 2012-00287

Mayodan Police Department

Page 3

North 2nd Avenue.

While in Detective Bridge's office, he showed me the webpages and downloaded files that were retrieved by the ICAC software. The videos downloaded by the Hill's IP address (24.148.156.211) were child pornography, commonly referred to as Pre-Teen Soft Core (PTSC) and Pre-Teen Hard Core (PTHC). I personally viewed a five second segment of each video and confirmed that it was child pornography.

Detective Bridges said that the person or persons using IP address 24.148.156.211 were utilizing Peer to Peer (P2P) file sharing programs to download pornographic videos and pictures of children. These programs require that the person operating the computer search for specific content to download. Therefore, it was determined that whomever downloaded the images and videos using IP address 24.148.156.211 did so deliberately and not accidentally. Using this information, Detective Bridge and I wrote a search warrant for Roberta Ruth Hill, Brian David Hill and the premises and property located at 413 North 2nd Avenue in Mayodan, North Carolina,

Instead 2 police detectives admit to hacking into a private computer on Aug. 22, 2012 without a search warrant and watching 2 videos of child porn. This brings suspicious could they have hacked into it a month before and actually put it in there? There have been many police officers arrested with child porn. Being a police officer does not make one immune. Doc. 133 pages 94-97. Doc. 37 page 47. Speaking at Mayodan town meetings Mar. – July, 2012 Doc. 130 Pages 1-24. Doc. 132 Page 42-44. What are the “WEBPAGES” they are referring to? Is this talking about USWGO news articles, investigation material dealing with the Mayodan, NC lawyer and police chief? Are they after child porn or all of USWGO news articles (web pages) & videos? What does webpages have to do with this? Brian said the police told him he liked Brian’s webpage (USWGO) on Aug. 29, 2012.

(3) Police disobeyed Americans with Disability Laws & Medical Civil Rights & got a false confession (words – no proof). Brian’s family show the proof that Mr. Hill did give misleading statements and a false confession due to his autism spectrum disorder (communication disability) and his brittle type 1 diabetes during the interrogation at lunch time causing him to become confused. We use the Government’s discovery for proof because what he said did not match what they found. (See folder “INVESTIGATION 1”).

If the prosecuting attorney or Mr. Hill’s two court appointed attorneys would have taken the time to compare the Mayodan, NC police report in 2012 with the NC SBI report in 2013 with Mr. Hill’s false confession, they would have seen that what Mr. Hill said to the Mayodan Police conflicted with what the NC SBI Discovery found as well as what the federal government found. They did not bring “Computer Virus” to the court’s attention to explain why this was downloaded for 11 months after the police took the laptop. All of this started when the Mayodan, NC police department questioned someone with autism and brittle diabetes at lunch time while ignoring the Americans with Disabilities Act and the medical Civil Rights of Brian David Hill and got a false confession which could be proven and was proven by the Prosecution’s discovery. Mr. Hill said he had been downloading it for a year or so. The police department claimed it had been downloading for 7 days NOT a year. The NC SBI said that it had been downloading for about a year, 11 months of that year was AFTER the police confiscated that computer and the 2 hard drives and the USB stick that was connected to that laptop computer due to Mr. Hill’s USWGO work (Videos & articles) and private nature photos work (both hobbies).

(3) What the US Attorney said after this office had access to the discovery with clear proof that this was a false confession and the police hacked into Mr. Hill’s computer without a search warrant. If they suspected child porn and had the proof, the first thing by law they were supposed to get a search warrant due to the fourth amendment part of the US Constitution. The Magna Carta, which was signed in 1215, is often cited as one of the first documents in human history to

spell out the concept of "innocent until proven guilty." Before Mr. Hill was even arrested, these parts of his BILL OF RIGHTS - Amendments were violated by this prosecution according to the statement that was made on the arrest warrant. The 5<sup>th</sup> Amendment: Due Process Law: the suspected criminal must be given a trial and treated fairly. The 6th Amendment "In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense." The 14<sup>th</sup> Amendment "Equal protection of the laws." All through Mr. Hill's case, all of his Constitution & Bill of Rights continued to be ignored with his Civil Rights and his Federal Disability laws (Americans with Disabilities) by the police department and all of the jails.

DISCOVERY (nature & cause of the accusation) This includes a 2012 report from the police; a false confession tape, a 2013 report from the North Carolina Bureau of Investigation.

Discovery was not brought up until after trial. Trial date was set for June 10, 2014. On this date, Mr. Hill's court appointed attorney did not bring up the discovery from the prosecution side. Due to the fact that he ignored his client calling Mr. Hill "Delusional" and implying that he knew his client was guilty, not letting the court know that he had deleted all information Mr. Hill's family had sent to him via email about Mr. Hill's many disabilities and the proof that he is innocent.

Attorney Placke ignored all proof, failed to compare the accusations of the Mayodan Police report with the NC state bureau of information report. Would not let Brian read any of the NC SBI findings, would not let Brian's family read the discovery or hear the false confession tape, would not let any medical professionals or autism professionals listen to the tape to see if this person with communication disabilities was just repeating what the police said to get a false confession, did no investigation at all and had no discovery, evidence or proof to present to the court for his client, Mr. Hill on June 10, 2014. See PDF "Investigation 1 & 2" for proof. This is a violation of the Sixth Amendment to the U.S. Constitution which states that a person accused of a crime has the right to a public trial, the right to a lawyer who makes sure that this person has a right to an impartial jury, the right to know who the accusers are and the nature of the charges and evidence against him or her, to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

**WITNESSES (To be confronted with the witnesses against him)**

### **Constitutional Basis and Purpose**

**The Confrontation Clause found in the Sixth Amendment provides that "in all criminal prosecutions, the accused shall enjoy the right...to be confronted with the witnesses**

**against him." The Clause was intended to prevent the conviction of a defendant upon written evidence (such as depositions or ex parte affidavits) without that defendant having an opportunity to face his or her accusers and to put their honesty and truthfulness to test before the jury.**

The prosecution had 3 witnesses, both police detectives who got the false confession from Mr. Hill on Aug. 29, 2012. Detective Robert Bridge and Detective Todd Brim and Special Agent Rodney V. White. Here are some of the questions Mr. Hill and his family would like answered under oath: Questions for both police detectives: Are you a certified forensic scientist? It says in the police report that Mr. Hill is disabled. Were you aware that Mr. Hill had autism and was a type 1 diabetic before you questioned him on Aug. 29, 2012? Did his mom tell the police that during the police raid on Aug. 28, 2012 that Brian had autism and diabetes? Did you do anything to insure Mr. Hill had an attorney or an advocate with him during the questioning per the Americans with Disability laws? Have you had any training in questioning anyone with autism? Are you aware that this is a communication disability and according to autism experts a person with this disability can produce misleading statements and a false confession?

Did you have him or his mom or a medical person to check his blood glucose before the questioning? Did you make sure that Mr. Hill was ok and could actually answer all of your questions correctly as he is a type 1 diabetic, and you are questioning him at lunch time according to the police report? Did you find some needles in his home during the police raid on August 28, 2012? Did you call Mr. Hill into the house to question him about these needles? If so, did he tell you that he was a diabetic and these are for his insulin? Did you show proof that you had obtained a legitimate search warrant to hack into his computer on August 22, 2012? Was this signed by a judge? Did you present this search warrant as proof? Did you have a legitimate search warrant to check his house and to remove all computers, hard drives, home made CD's, memory sticks, etc. on August 28, 2012? What was the probable cause for this search warrant? Where was the search warrant from the search of his computer on Aug. 22, 2012?

Brian and his family have told me that they did not see a copy of that search warrant. What was the probable cause that you listed to hack into his computer? Where is a copy of that search warrant? Are you aware that an IP address is also in emails that people send to others? Are you aware that Mr. Hill had been sending emails from March-July, 2012 to the towns of Reidsville and Mayodan, NC pertaining to a petition as well as the police chief of Mayodan, NC before this alleged child porn was being downloaded onto his computer? When you asked Mr. Hill how long he had been downloading files, what was his answer? Did you notice that his answer conflicted with your findings of 7 days? Are you aware that according to the report from the NC SBI files of interest on this particular computer was downloaded for 11 months after you and Detective Brim got it during the police raid? Could Mr. Hill be downloading files of interest while

this computer was under the control of the Mayodan Police Dept and the NCSBI in Greensboro, NC? Are you familiar with computer viruses that contain child porn? Could this have been a computer virus? Did you check for computer viruses?

Detective Bridge, do you have a family member who works for the Rockingham County District Attorney's office? Was this person running for office of District Attorney in 2014? Did she say anything to you about USWGO articles before you found child porn on Mr. Hill's computer? I read in the police report that when you hacked into Mr. Hill's computer on August 22, 2012 you saw videos of child porn and was very aware of 2 of them as part of the NCMEC? Is that correct? Can you tell this court why you know for a fact that the child porn was part of the NCMEC, yet the government in their report state that none of the children have been identified as part of a known series by the National Center for Missing and Exploited Children (NCMEC)?

In the police report you state that the child porn was downloaded July 20 - July 26, 2012? Why did you not get any notifications until a month later? Your report also says that there was a continual pattern of child pornography and offering to participate in the distribution of child pornography. Can you explain to the court what all of this means? Why just 7 days? If someone is really into child porn, wouldn't they do it for more than one week? Is it possible someone else was hacking into Mr. Hill's computer July 20-July 26, 2012 in order to have him convicted & stop writing any more USWGO investigative news articles? Is it possible that someone was downloading a virus on his computer via his email IP address?

Detective Brim, is Charles Caruso your boss? Was he the police chief of the Mayodan, NC police department? We noticed in the police report, you have your name as the Investigator as well as the Supervisor in this case, why is that? Does the Mayodan Police Department have its own attorney or is the town attorney Philip Edward Berger also the attorney as well for the Police Department? Were you aware that Brian Hill had written articles online about Philip Edward Berger in a negative light prior to this entire investigation beginning? Why were you at the Rockingham County District Attorney's office working on the Search Warrant when the DA was Phil Berger Jr., the son of Mayodan town lawyer Philip Berger Sr.? Could that maybe cause a bit of a concern or problem with this issue of a conflict of interest?

Detective Brim, you said in your police report on Brian that "While in Detective Bridge's office, he showed me the webpages and downloaded files that were retrieved by the ICAC software." What do you mean by that? Detective Bridge claimed that videos were being downloaded from emule a file sharing software, but what does that have to do with "webpages"? Were those webpages printouts of USWGO Alternative News articles typed up by Mr Hill? What were you referring to by "webpages" in your police report? The search warrant never mentioned about his IP Address downloading "webpages", what webpages were being shown to you by Detective Bridge? Were they webpages of anything to do with Brian? Are these webpages even relevant, and what are these webpages you mentioned? Did you tell Mr. Hill during questioning that you liked his

USWGO website? Were you aware that he was writing articles in his USWGO website about the Mayodan attorney, Philip Berger and Mayodan police Chief Carruso? Were you also aware that your town attorney's son, Philip Berger Jr was the Rockingham County, NC District Attorney?

Mr White, I have some questions for you for direct examination regarding your State Bureau of Investigation case file being dubbed as a forensic report. Mr. White, are you a certified computer forensic scientist and how much training and experience as well as qualifications do you have for your "forensic analysis" of Mr. Hill's computer and other paraphernalia? What forensic practices did you use when examining the computer and other devices? Was the computer and other paraphernalia analyzed by a forensic tower computer using forensic software and compliance standards to strict forensic principals to examine the hard drives and other paraphernalia to look for the alleged child pornography? Did you confirm each and every file of interest was of child pornography? Did you confirm or verify as to who the victims were; the ages of the victims? Were there any victims at all? Did you confirm whether each and every person in the image or video of interest was indeed of a minor who had not attained the age of 18? Was the photo of simple nudity or was the photo obscene? Was the photo appearing to be lewd, and was that lewd behavior from an actual minor or an adult appearing to be young?

Where was the forensic analysis conducted? Was the analysis conducted in a qualified facility with high security to protect such subject of seized property to be examined and to protect the very forensic examinations from any third party or break in? Was any forensic disciplines followed, Mr White? Can you tell me, Mr. White, what those forensic disciplines and principals are for examining a seized computer for child pornography? Why do you not have any photo proof in your report? Noticing the dates of download, are you aware that you have recorded that these files of interest were being downloaded 11 months after the police took this computer? Did you find any viruses? How could Mr. Hill be downloading child porn when it was not in his possession for those 11 months? Did you tell Detective Brim that there was a good case to bring to the grand jury to get an indictment for Mr. Hill?

Mr. Hill through an ineffective attorney was denied his Sixth Amendment right which is supposed to be guaranteed by the Federal Rules of Criminal Procedure Rule 43. The Clause was intended to prevent the conviction of a defendant upon written evidence without that defendant having an opportunity to face his or her accusers and to put their honesty and truthfulness to test before the jury. Since Mr. Hill was denied his constitutional rights, we ask this court to read his family's PDFs "Investigation 1 & 2" to prove ACTUAL INNOCENCE as well as the PDF "Actual Innocence". UNITED STATES. Supreme Court. 156 U.S. 237. 15 S.Ct. 337. 39 L.Ed. 409. MATTOX v. UNITED STATES. No. 667. February 4, 1895. Plaintiff in error was convicted.

Lee v. Illinois, 476 U.S. 530 (1986). The trial court's reliance upon the codefendant's confession as substantive evidence against petitioner violated her rights under the Confrontation Clause of the Sixth Amendment. 476 U. S. 539-547. Such a confession "is hearsay, subject to all the dangers of inaccuracy which characterize hearsay generally. It is so ordered.

In *Brookhart v. Janis* 384 U.S. 1 (1966), Sixth Amendment right had been violated. Nothing in Henry, however, can possibly support a contention that counsel for defendant can override his client's desire expressed in [384 U.S. 1, 8] open court to plead not guilty and enter in the name of his client another plea - whatever the label - which would shut off the defendant's constitutional right to confront and cross-examine the witnesses against him which he would have an opportunity to do under a plea of not guilty.

In Melendez-Diaz v. Massachusetts, 557 U.S. 305 (2009), the Supreme Court held that in order to fulfill the procedural due process inherent in the Confrontation Clause, a criminal defendant must have the opportunity to cross-examine testimony that has been made against him.

Please see the 38 pages PDF "INVESTIGATION 2" for the rest of our proof of ways that Mr. Hill's 6<sup>th</sup> Amendment Rights under the US Constitution was denied to him. This PDF has the proof that both the defense and the prosecution attorneys were ignoring Brian's witnesses and admitted this to the court on September 30, 2014 (over 3 months after his trial date of June 10, 2014).

WITNESSES (to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defense).

Another violation of Mr. Hill's 6<sup>th</sup> Amendment Rights under the US Constitution was denied to him. In this section, Brian's family will show proof that both the attorney for the government and the attorney appointed by the government for Brian made sure that his 6<sup>th</sup> Amendment Constitution was denied by the Middle District of NC court by ignoring all of Mr. Hill's witnesses including his family and the many witnesses (friends & non friends) who contacted both of them who were willing to testify.

There were no witnesses available for Brian in the court on June 10, 2014, and the night before, Mr. Hill's attorney called Brian's family to advise them to tell Brian to plead guilty because there would be the start of a trial the next day, and Brian would lose because his attorney had no evidence or witnesses to present to the court for Brian's defense. In September, 2014 a witness came forth who was an attorney whom Brian had sent all of his information to her before his arrest. See Document 46 Pages 1-3 and PDF "Actual Innocence".

According to the new autism law (Virginia Code § 19.2-271.6) in Virginia (Autism is in other states & countries), but Virginia has proven that people with autism do not have the "criminal intent" or "mens rea". In all alleged crimes in Virginia, Autism must now be taken into consideration

especially those with developmental problems at a young age. When stressed, communications skills may diminish or disappear (even though many are smart). For adults with autism, answers may seem evasive or unconnected to the question that was asked during stressful times.

Mr. Hill has the proof that he was diagnosed with a developmental disability (PDD) since the age of 2 and Autism at the age of 4 and has presented that medical proof to this court more than once. Criminal intent or mens rea must be proven to exist in a crime. Finding child porn on a computer does not prove intent especially when it has been proven in courts that people have on purpose hacked into a computer and put child porn, viruses and other things in a distant computer while the owner is not aware this is happening. If the prosecuting attorney or Mr. Hill's two court appointed attorneys would have taken the time to compare the Mayodan, NC police report in 2012 with the NC SBI report in 2013 with Mr. Hill's false confession, they would have seen that what Mr. Hill said to the Mayodan Police conflicted with what the NC SBI Discovery found as well as what the federal government found.

All of this started when the Mayodan, NC police department questioned someone with autism spectrum disorder (ASD) and brittle type 1 diabetes at lunch time while ignoring the Americans with Disabilities Act and the medical Civil Rights of Brian David Hill and got a false confession (words – no proof) which could be proven and was proven by the Prosecution's discovery. Brian Hill said he had been downloading it for a year or so. The police department claimed it had been downloading for 7 days NOT a year. The NC SBI said that it had been downloading for about a year, 11 months of that year was AFTER the police confiscated that computer and the 2 hard drives and the USB stick that was connected to that laptop computer due to Mr. Hill's USWGO work (Videos & articles) and private scenic, nature photos work (both hobbies).

The computer hacker hacked into anything which was associated with that laptop computer and admitted it. Please read the 22 page PDF titled "THREATS". The computer, hard drives, CD's and other things were removed from Brian's house on August 28, 2012. The NC SBI said items of interest were downloaded from July 20, 2012 until July 28, 2013. The police asked Mr. Hill if there were any other computers that had child porn. Mr. Hill told the police that his net book had it, and they did not get his net book computer the day before. The police went back to his house on the day they questioned him on August 29, 2012 and got his netbook computer. There were NO files of interest on his netbook computer. When you read the Mayodan, NC police report from August 22, 2012, you will see that Brian Hill is disabled, but no where do you see that the police obeyed any Americans with Disability Act laws.

Please read the 38 pages PDF called "INVESTIGATION 1". We ask that this court will use Brian's family's records of proof with Brian Hill as his own attorney. Brian's family can't afford hundreds

of thousands of dollars to hire an attorney, and the court attorneys have harmed Brian's case instead of helping by ignoring Brian, his witnesses and his proof and ignoring the Americans with Disabilities Laws and Brian's Civil & Constitution rights and advising Brian's family to tell Brian to tell the court that he is guilty when he continued insisting that he was innocent. His attorney called Brian's family the night before trial (after 5 PM on June 9, 2014) telling them that since Attorney Placke had not prepared a case for him, Brian would get 20 years in prison because the prosecution had evidence, the court appointed attorney had none. This was after Brian, Brian's family & other witnesses had been sending proof to this attorney for over 5 months. See all PDF's for proof.

Mr. Hill's family was also aware that Mr. Hill had been given only one insulin shot during court days, and that was in the evening after court and on some days he was given no insulin at all and on other days only 2 shots instead of the 3 or more he got at home for the past 22 years at that time and none of the one shot of the slow acting insulin covering 24 hours that he was prescribed and got at home for 22 years. Jails were giving him enough insulin to keep him alive but not enough to keep him comfortable and healthy. He was losing weight and would face a slow torturous death if he remained in jail like that. He was also constantly moved to different jails which did affect his autism & OCD in a bad way. When you read the symptoms of a type 1 diabetic with high glucose, this proves "Cruel, unusual and excessive punishment" which is a clear violation of Mr. Hill's Eighth Amendment Rights.

The Supreme Court has also interpreted the Eighth Amendment to forbid imprisonment in inhumane or unsanitary conditions. Lolli v. County of Orange, 351 F.3d 410 (9th Cir. 2003). A pretrial detainee filed a [section] 1983 action alleging the use of excessive force, and deliberate indifference to his serious medical needs. The district court entered judgment in favor of the defendants. Johnson v. Harris, 479 F. Supp. 333 (S.D.N.Y. 1979). Johnson v. Harris, 479 F. Supp. 333 (S.D.N.Y. 1979).

Never once was he given any autism advocates at court, police station or in jails or the insulin Nov 7<sup>th</sup> in court after 11 months) or glucose tabs he might need in court. He was not allowed a professional medical witness in court to explain about his disabilities. His mental and physical health was totally neglected from Dec. 20, 2013 until Nov. 13, 2014. If one is in jail for a year, this person also loses his social security disability money plus Brian had Medicaid insurance at home where he would get all of his insulin as well as being on a Virginia medical Medicaid waiver since 2012 which paid 40 hours a week of assistance for a medical assistant for him due to his many serious disabilities. Please read the 27 page PDF called "Brian's Treatment in Jail".

We could use our energy to find a good Civil Rights attorney who could get Mr. Hill a lot of money, but with Mr. Hill's diabetes as critical as it is and his constant worrying about proving he is innocent to the court, we just want to prove to this court that he is innocent of all charges and put an end to Mr. Hill having to file anymore documents to prove he's innocent. Mr. Hill needs to be set free to enjoy his life before the serious complications of his brittle diabetes sets in. His mom is his medical caregiver, and when Brian is tied down by rules which no innocent person should have to do, it affects both of them to get permission to even visit his elderly granddad who lives in another state, permission to go on a trip or to go places with his grandparents, permission to go shopping out of his territory or to visit a museum or other family member.

They just both want the freedom denied to them since 2014 which all innocent Americans are supposed to enjoy without having their home address listed in public as a sex registry address. Freedom to prove to this court that Brian David Hill is an INNOCENT law abiding citizen and has never been accused of hurting any child or adult, never been accused of any sex act or rape by another human being before and after 2013, only accused of owning a laptop computer that the Mayodan police claimed they hacked into Mr. Hill's computer without a search warrant while that computer was in Mr. Hill's house on Aug. 22, 2012. The 2 police officers claimed they watched child porn, and the Rockingham County's asst district attorney's brother said he was familiar with 2 child porn while the government claims on court records that they were of unknown origin. The police then violated Mr. Hill's civil rights and the Americans with Disability laws & constitutional laws and got a search warrant, removed dollars worth of his and his mom's computers, lifetime photos & memories, etc. and got the false confession they wanted the next day.

The discovery material from the Mayodan, NC and from the NC SBI contain no images (Blurry, distorted or otherwise no photos at all) that show that child porn was actually on Mr. Hill's computer, only says "Items or files of interest" whatever that means. Plus when we read the Mayodan police questions to Mr. Hill, they started out asking about files (music, movies and programs). Anyone who took time to read this could tell that Brian was talking about music, movies and program files he had been downloading. You can see on paper the police added "child porn" to those files but knowing about autism and insulin dependent diabetes at lunch time, did Brian hear them say that or was he still talking about the files they started talking about from the beginning? With both autism (communication disability) & low blood glucose (causing confusion) at lunch time, Mr. Hill repeated what the police said and what he read the day before from the Aug. 22 police report. We ask that all of our PDFs are read, and that Mr. Brian Hill will finally be acquitted from a criminal act accusation he did not commit, removed from probation and the sex registry. No INNOCENT person whose medical civil rights have been violated for years by law enforcement should be considered a criminal, put on probation for 14 years and on a public sex registry. Brian David Hill is innocent. This fact has been on the court records for years

and just like his civil rights and constitutional rights have been ignored for years due to law enforcement, attorneys and jails ignoring disability laws and Civil Rights of the disabled.

The NC SBI claim they found items of interest on Mr. Hill's laptop computer downloaded from 2012 - 2013, 2 hard drives and a USB stick (all connected with that one computer) that the government claims files of unknown origin was on these. There have been other court cases that others who have possessed the same were found innocent because they possessed hacker material and were not aware. This is Mr. Hill's story as well. He has written that fact to this court more than once in 2014 before he even read the discovery and in the beginning told the police that he was innocent, and there was some type of a Trojan horse virus on his computer. He owned a computer that some hacker hacked into it without his knowledge and put some type of Trojan horse or virus that continued downloading anytime anyone turned it on. The downloads happened every time the NC SBI turned on this computer in 2013. We don't think the NC SBI were aware of that, and we know Brian wasn't. Brian was aware & fighting a virus but was not aware at the time that it was a child porn type virus until after the police confiscated it and said there was child porn in it.

Please read the 16 page PDF named "Danville, VA – Brian – Discovery". Brian knew the evidence of his innocence was in these files. The prosecution knew that too. The guilty party did not want these opened for others to see. The innocent person wanted this proof, but he does have the most important part already, proof that there was a virus causing it to continue downloading for months after this computer was in the control of the police and NC SBI. He has the proof that the police and the NC SBI were in conflict and both prove that Mr. Hill gave a false confession due to his autism & type 1 diabetes (causing low blood glucose, confusion and him to repeat what the police said).

Back to the day this all started for Brian at the Mayodan, NC police station on Aug. 29, 2012. His mom was there and told the police about his autism and the day before during the police raid when they would call him in the house alone while forcing his mom and both grandparents to stay on the front porch for hours during this Mayodan police raid (Aug. 28, 2012) which included 1 Reidsville policeman who was a brother of the Rockingham County, NC Asst District Attorney at the time. Brian's mom told the police that Brian had Autism and Diabetes. The police sent a photo of his insulin pen needle as part of the discovery. One of the times they sent Brian into the house was to ask him about that, and Brian told them he is diabetic and this is his insulin pen, then Brian told his family when he joined them on the front porch.

Two police questioned Brian alone at lunchtime without asking him if he was ok or needed a sugar drink or without asking his mom or a professional in autism to attend or without asking him or his mom to do a glucose check or make sure that his blood glucose was ok or if he needed a

snack. You can read that yourself in the police report. According to the American Diabetes Association, they violated his Civil & Constitution Rights. There are many reports and PDF's from the American Diabetics Association to prove that. The Mayodan police department is guilty of both Civil Rights violations and breaking the Americans with Disability Act laws causing false confessions and 10 years of misery for Brian, his family and the court system. See what Dennis Debault says about that at <https://www.polfed.org/WestMids/media/1938/interview-and-interrogation-of-people-with-autism.pdf> and <https://autismriskmanagement.com>. He was a former private investigator who has a son with autism spectrum disorder (ASD) and started training police & the judicial system in how to question someone with autism and makes it clear that if questioned the wrong way, someone with autism will give misleading answers and false confessions due to this communication disability. Here is a 3 minute YouTube video from HBO where Dennis Debault explains more: <https://www.youtube.com/watch?v=35DAtZ9GHJ0&t=1s>.

Before Brian even had a trial, he was set up as a sex offender based on "HIS WORDS" TO THE POLICE during lunchtime 8/29/2012 This is on the Arrest Warrant Indictment for Brian David Hill dated Nov. 26, 2013. See this for proof: \*\*\*The U.S. Attorney requests a detention hearing.

In the event the defendant is release, the U.S. Attorney recommends that the Adam Walsh Sex Offender Specific Conditions be a part of the release conditions\*\*\*\* Case 1:13-cr-00435-TDS Document 2 Filed 11/26/13 Page 1 of 2

The court found out that Brian Hill lived in a 4 apartment house in Martinsville, VA, and that he lived in one apartment, his mom lived in a 2<sup>nd</sup> apartment and his grandparents lived in a 3<sup>rd</sup> apartment in the same house. They were thinking about letting him come home but with many restrictions based on the Adam Walsh Sex Registry which meant that the part of our constitution "Innocent until proven guilty" did not apply to our grandson. They basically extended this to Brian, his mom and his grandparents. If Brian was allowed to come home, it would be under the unreasonable conditions that Brian's apartment, his mom's apartment and his grandparent's apartment would be searched. Brian could not have a phone and neither could his mom or his grandparents. Brian could not have a computer at that time. Without a phone, none of us would have had access to call 9-1-1 in case of emergencies, Brian could not contact his attorney, his probation officer, none of us could contact family, friends or medical people. Family, friends, Brian's attorney, probation officer and medical people including the Veterans hospital for Brian's grandpa could not contact us. Many constitutional, Bill of rights, Civil Rights and Medical rights' violations by this court & government attorneys to keep Brian locked up in these jails (very cruel & unusual punishment for months). It's a miracle he did not die in those 11 months.

2 police hacked into his computer without a search warrant on Aug. 22, 2012. They then got a search warrant to go into his and his mom's house on Aug. 28, 2012 and remove all computers, all

hard drives, all home made CD's etc. which meant everything Brian owned: all of his and his mom's family, vacation and scenic pictures and videos; all of Brian's USWGO interview videos and webpage articles – everything to get to some child porn that the police claimed had been downloaded on his computer from July 20, 2012 until July 26, 2012. Then after both police detectives disobeyed the laws that they must obtain a search warrant to actually hack into someone's private computer, they then on Aug. 29, 2012 at lunch time disobeyed the "Americans with Disabilities" laws and got some misleading statements which they took as a confession from our grandson who has autism spectrum disorder (ASD) and is a brittle type 1 diabetic who gets confused when his blood glucose goes low. The grand jury not knowing the entire picture looked at the "WORDS", the misleading statements from this disabled person, and thus there was the arrest warrant.

Brian was free from August 29, 2012 until Dec. 20, 2013. He has never hurt any child, never raped any child, woman or man and based on "WORDS" of a disabled person not govern an advocate or not having anyone to check his glucose at lunch time during a very stressful police interrogation a day after a police raid, he and his entire family are treated like sex offenders. Now this court is saying that he is a danger to others not based on any actions but entirely based on "words". They also believed the "words" of both police. We have caught one of these 2 police in many "lies". Brian was indicted by this grand jury with his "words" that he had been downloading files for a year or so and liked little girls. Never once has he been accused in any court of law as being associated with little girls or physically hurting little girls (actions). His "WORDS" of downloading files for a year or so did not even match other parts of what the police said when they put in the police report that it (child porn) was being downloaded from July 20, 2012 – July 26, 2012 to "distribute".

The police raid was on August 28, 2012 when the police got all computers, hard drives, etc. This police interrogation was on August 29, 2012. This would be one month and one week according to the police, not a year or so. The Grand Jury indicted this disabled person on these false grounds based on "Words", no proof that Brian actually did anything to hurt a child, no proof that if there was child porn that Brian was the one who put it there. It was not brought to the attention of this grand jury or to this court that Brian gave another false confession when he said he had a net book with files in it because the NC SBI report did not find any files of interest in his net book computer. The government's prosecuting attorneys are responsible for those parts of the deceit. No wonder they fought so hard in the Danville, VA federal court in 2017 to make sure Brian didn't get copies of their discovery material. Two of the government's defense attorneys did not bring these facts to the court's attention either. This attorney (Placke) did not ask to meet personally with Brian's family in his office to discuss more from January – May, 2014 to have a case for Brian

in June, 2014, to get Brian's family's point of view and more proof. He didn't ask us for anything in emails or on the phone the entire 9 months.

As soon as Brian had an attorney present, his family emailed his attorney proof that Brian is innocent as well as all medical documents from doctors and hospitals. We also faxed the medical information to him. We let him know that Brian could come home, but we all need a phone and do not want our apartments searched (constitutional reasons). We told him that Brian is innocent, does not even like to be around children. Brian had been home in Martinsville, VA from August 29, 2012 until December, 2013 without any legal problems and had been going for counseling in Virginia, had a Virginia medical waiver and had been on many trips to many states with his family. We found out that this attorney Placke never once in January, 2014 presented any of Brian's severe disabilities to the court. As an attorney, he could have gotten all of this medical information from Cone Hospital, Dr. South, Dr. Hickling (all located in Greensboro, NC where his office was). He could have contacted Brian's doctor's office in Rockingham County, NC, the hospital, his doctor's office and the Piedmont Community Services (mental health) in Martinsville, VA. If Attorney Placke did not believe us or our documents, he should have contacted all of the doctors and medical facilities himself. If he did not know what autism spectrum disorder (ASD) is, he could have contacted any of the autism professionals in Greensboro, NC to get answers and especially should have contacted a medical expert to explain to the courts. Later after Brian was released, we got to see this court document. Mr. Placke never once discussed with Brian's mom or grandparents getting Brian released from jail on constitutional and medical grounds where at home Brian had access to his SSI disability monthly check, his Medicaid medical waiver, his Medicaid providing "ALL" of the insulin prescribed by his medical doctors, mental help from the Piedmont Community Services, all of his proof of innocence and most important he had a home, food, insulin and his family close by for support. "The Bail Reform Act of 1984 (Third Edition)"

How many times do we have to tell this court "BRIAN DAVID HILL IS INNOCENT"? How many more documents do we need to send to this court as proof when in the past, they base everything on the "words" of this disabled person and the police, no facts or proof. He is not into children in any way or child porn. He is guilty of having autism (communication disability effecting his words), brittle type 1 diabetes (Hyperglycemia & Hypoglycemia), diabetic seizures, OCD and an anxiety disorder. He is guilty of writing articles on the internet causing the local police to go after him with false accusations then is guilty of having lazy, ineffective attorneys appointed by this court to tell his family to tell him to just say "guilty" (didn't make any difference to them if he was or wasn't). They just wanted the "words". If he didn't present these words, he would continue to suffer "cruel and unusual punishment" in jails.

Case 1:13-cr-00435-WO Document 9 Filed 01/03/14 Page 1 of 3

From the very beginning this has all been one sided: Yet we have seen people with money actually being proven guilty of leterally hurting a child being released and allowed to have phones. Document 9 below

- (1) the nature and circumstances of the offense charged . . . ;
- (2) the weight of the evidence against the [defendant];
- (3) the history and characteristics of the [defendant] . . . ; and
- (4) the nature and seriousness of the danger to any person or the community that would be posed by the [defendant's] release.

**Weight of evidence** came from a small town police report and an NC SBI report and a false confession which all had conflicted information. That guilt of 1 year or so did not match the actual evidence of the police report of 1 week and the NC SBI report of 11 months after police took the computer. **History of the defendant:** No criminal history before. See the PDF "Who is Brian Hill". Character assination perhaps? No where has there been any reports including any police reports of Brian actually being involved with any child. This is because Brian did not even like being around any child at any time. Brian's family is around Brian all of the time. Brian does not own or drive a car due to being a brittle type 1 diabetic. He sometimes has unexpected insulin reactions and diabetic seizures. He needs his insulin to survive so there is no way he would escape anywhere without his insulin. He needs this insulin to stay healthy and alive.

It's interesting that when he finally said the magic words the court wanted to hear "Guilty", he was released and allowed to come home and actually have a home phone and a cell phone. No one wanted to search his mom's private apartment or his grandparents' private apartment like they did when Brian continued telling the court the truth, that he is "innocent". Document 9 below.

In the present case, with respect to the nature of the offense charged against Defendant, the offense charged is serious, and involves alleged possession of child pornography involving a prepubescent minor or minor who had not attained the age of 12. In addition, the Pretrial Services Report raises concerns regarding Defendant's mental health history. Based on the

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The Forsyth Jail in Winston Salem, NC is guilty of both **ignoring the Americans with Disabiity Act, Brian's medical Civil Rights and constitional rights.** The Guilford County Jail in Greensboro, NC is guilty. Especially the Orange County Jail in Hillsborough, NC is and so is the prosecuting attorney office in Greensboro, NC, the Probation Office in Greensboro, NC and both court

appointed attorneys in the middle District of NC from Dec. 2013 – Nov. 2014. You can find this proof in the court transcripts from 2014, 2015 and 2018. Please read the PDF about Brian's Treatment in Jail.

See *Farmer*, 511 U.S. at 847. The Eighth Amendment also protects against future harm to an inmate. See *Helling v. McKinney*, 509 U.S. 25, 33 (1993). Under these standards, delay in providing medical care may constitute a violation of the Eighth Amendment. See, e.g., *Thomas v. Town of Davie*, 847 F.2d 771, 772-73 (11th Cir. 1988). Delays that courts have found to violate the Eighth Amendment have frequently involved life-threatening situations and instances in which it is apparent that delay would exacerbate the prisoner's medical problems. See *Hill v. Dekalb Regional Youth Detention Center*, 40 F.3d 1176, 1187 n. 21 (11th Cir. 1994) (collecting cases). Officials may also be held liable when the delay results in a lifelong handicap or a permanent loss. See *id.* at 1188. See *Grant v. Bernalillo County Detention Ctr.*, No. 98-2193, 1999 WL 157415 at \*2 (10th Cir. March 23, 1999) (unpublished disposition). In *Naphier v. County of Genesee*, care was delayed because of administrative inefficiency. *Naphier*, No. 11-13754; 2012 U.S. Dist. LEXIS 180845 at \*27-28.

A booking officer spoke with a detainee for only two minutes, but observed the plaintiff shaking, sweating, and vomiting. These were symptoms of diabetes. The employee recorded answers about medication and conditions, but did not call for medical care. The employee printed out a medical form, and put it on a shelf, where it would be found several hours later. The court found that a jury could reasonably conclude that the defendant perceived and disregarded a substantial risk to Naphier's health, and therefore was deliberately indifferent to the plaintiff's serious medical needs. Make sure to read what happened to Mr. Hill in the Orange County Jail on May 25-26, 2014 in the PDF "DIABETES IN JAIL" Page 7-10. Notice on the medical records June 04, 2014 Page 6 Doc 131 of the above document at the Orange County Jail that Mr. Hill was not given insulin until that evening when his blood glucose was extremely high due to his being in court with no insulin.

6-3-14	1830	269	187 NPH MK	MK
6-4-14	0730	in court		MK
6-4-14	12p	in court		MK
6-4-14	3p	429	30w NPH 14u R MK	MK

Notice on Nov. 7, 2014 (5 months later) Mr. Hill was taken to Cone Hospital in Greensboro, NC due to no insulin shot at the jail that morning and blood glucose was extremely high. This time though there was someone in the court who tested his glucose and gave him insulin. This was

after Coalter was his attorney. Not true for the other court days when Placke was his attorney. No one was at court to help with Mr. Hill's autism. This court did not even recognize professionals in autism. Brian was then taken to the Greensboro, NC jail.



CONE HEALTH SERVICE AREA  
1200 N Elm Street

HILL, BRIAN D  
MRN: 014730125  
DOB: [REDACTED] Sex: M  
Adm: 11/7/2014, D/C: 11/7/2014

**Patient Information**

Patient Name	Sex	DOB	SSN
Hill, Brian D	Male	5/26/1990	xxx-xx-0319

**ED Provider Notes by Scott T Goldston, MD at 11/7/2014 3:14 PM**

Author: Scott T Goldston, MD	Service: Emergency Medicine	Author Type: Physician
Filed: 11/7/2014 5:39 PM	Note Time: 11/7/2014 3:14 PM	Note Type: ED Provider Notes
Status: Signed	Editor: Scott T Goldston, MD (Physician)	
CSN: 630173081	Arrival date & time 11/7/14 1440	

- Hyperglycemia

(Consider location/radiation/quality/duration/timing/severity/associated sx/s/prior Treatment)

**HPI Comments:** 24 yo male with hx of type 1 diabetes and autism presents with hyperglycemia. He came into Marshall's company and was noted to have a blood sugar of 534. He apparently had increased respirations and was given 30 units of his novolin. His glucose came down to 510 a few hours later on a recheck. He missed his insulin last night. Due to his continued elevated glucose and increased respirations he was sent to ED for evaluation. History is mildly limited due to his autism, but he denies any infectious symptoms, vomiting, diarrhea or abd pain. States he thinks he has a history of DKA.

The history is provided by the patient and the police.

Case 1:13-cr-00435-TDS Document 131 Filed 11/14/17 Page 19 of 101 Notice that on court days, Mr. Hill was given 2 meals and no insulin shot so his blood glucose was dangerously high during court which causes confusion, headaches, thirst, constant urination, blurry vision, and he also had autism which his is more visual than verbal and OCD and was not given any aids. He was treated as though he was healthy and well aware of everything and knew exactly what he was doing. Ask a medical expert what happens to someone with autism and type one diabetic who is denied insulin for 2 meals under extremely stressful situations without any medical aids at all. Ask a diabetic nurse specialist; ask an expert in autism, and an expert in OCD. Ask what happens to a diabetic who is not given his prescribed insulin (covers 24 hours) for months. The court attorneys & judges are not expert medical people, yet the court attorneys & judges say he knew what he was doing when he said he was guilty and that he is delusional.

Continuing from Page 3: Viruses Can Infect Computers with Child Porn, Leading to Legal Charges. [An infected computer may be the least of your problems, the Associated Press reports..](#)  
<https://www.federaldefensenc.com/criminal-defense-of-child-sex-crimes-it-wasnt-me-it-was-a-computer-virus/>

**CRIMINAL DEFENSE OF CHILD SEX CRIMES – IT WASN'T ME, IT WAS A COMPUTER VIRUS** On behalf of Randall & Stump, PLLC in [Child Sex Crimes](#), [Criminal Defense](#), [Internet Crimes](#) on Monday, July 31, 2017.

The motives for one to infect another's computer may vary. It could be that the person who creates the virus is in fact a pedophile and their goal is to download child porn on to your computer. The motive may also be that someone wishes to frame you to make it look like you frequently surf such illegal websites. Recent cases demonstrate the various possibilities of how one's computer may be infected by such a virus. CBS News warned people about this virus in 2009:

<https://www.cbsnews.com/news/viruses-frame-pc-owners-for-child-porn/> Of all the sinister things that Internet viruses do, this might be the worst: They can make you an unsuspecting collector of child pornography. Heinous pictures and videos can be deposited on computers by viruses - the malicious programs better known for swiping your credit card numbers. In this twist, it's your reputation that's stolen.

We can type in a search engine to find article pages about this child porn virus and have sent you some which is in this court from November, 2017 after we as a family together saw the discovery proving files of interest on Brian's computer continued being downloaded from July 2012 until July 2013, and the police discovery from August 22, 2012 proves they got this computer from their police raid on Brian's house on August 28, 2012. Check the NC SBI report from 2013 and the Mayodan. NC police report from 2012 for proof. Remember that 3 federal attorneys had this proof the entire time and still ignored the rest of Brian's proof of innocence, his witnesses, his disabilities and constitutional laws.

Please read the [Affidavits](#) of Brian Hill, Stella Burnette Forinash, Kenneth R. Forinash, TSgt, USAF, Ret and Roberta Ruth Hill in Document 134. Links below:

Case 1:13-cr-00435-TDS Document 134 Filed 11/14/17 Page 17-22 of 99 (Brian)

Case 1:13-cr-00435-TDS Document 134 Filed 11/14/17 Page 42-44 of 99 (Stella)

Case 1:13-cr-00435-TDS Document 134 Filed 11/14/17 Page 47-71 of 99 (Stella)

Case 1:13-cr-00435-TDS Document 134 Filed 11/14/17 Page 74-75 of 99 (Ken)

Case 1:13-cr-00435-TDS Document 134 Filed 11/14/17 Page 77-87 of 99 (Roberta)

**I am Brian David Hill, a natural born citizen of the United States. I am a citizen of Virginia at the time that my Affidavit was signed and sworn in as credible testimony. I have high functioning Autism Spectrum Disorder. I also have Obsessive Compulsive Disorder (OCD) and Generalized Anxiety Disorder. Because of my neurological disabilities, it limits my ability to live a normal life and makes it nearly impossible to hold down a career of employment. I cannot work so I live off of Social Security Disability payments.**

**I believe that I am Innocent of the charge/indictment of 18:2252A(a)(5)(B) and (b)(2) Possession of child pornography. It's because I am Innocent of the charge/indictment of 18:2252A(a)(5)(B) and (b)(2).**

**The reason I am Innocent is because I have noticed signs and evidence in 2012 that my computer had been hacked into by a computer hacker which I also believed may have used a PC Virus or Trojan Horse. I also believe that there may have been evidence tampering, planting, and/or contamination. I also believe and have evidence that I was framed with child pornography. I know I was framed since the Mayodan Police Raid on August 28, 2012.**

8 months later (April 2013) Brian got a threat email from someone who said they put child porn in his computer and hard drives. See the PDF "THREATS". Brian & his family found out it was in his computer & hard drives 21 months after that (in January 22, 2015).

**I gave a false criminal confession at the Mayodan Police Department, in North Carolina, on August 29, 2012. I told the Police Detectives that I had put child porn on my Netbook, which is the "ASUS Netbook Computer Model Eee PC 100PPEB". Later on, around January 22, 2015, I got to finally review over the pages of my entire discovery packet of evidence for my criminal case. I noticed that there were no "files of interest" for both video and photo. So there was no child porn in my Netbook that I voluntary handed over to the Police Detectives on August 29, 2012. I**

**told the Police that I had downloaded child porn for about "a year or so." The only download dates I had found in my criminal discovery were on eMule.exe's server.met where it downloaded between the dates July 20, 2012, and July 28, 2013. In July 2012, my Black Toshiba Laptop Computer was infected by some kind of malicious software program aka a computer virus. I was confused as to why child porn was downloading between those dates, because that very same Laptop was seized on August 28, 2012. I have a copy of both the Mayodan Police Report on myself, and the Police Inventory. It is impossible for child porn to download on a seized Laptop unless the police have lied in the report, or unless my Laptop was tampered with then evidence was planted on it. Even those explanations do not explain why my Laptop was infected in July 2012. I suspect that it was Win32/MoliVampire.A or Win32/MoliVampire.B, that was reported by ESET VirusRadar, which I had discovered between 2012 to 2013, before I was arrested on December 20, 2013, by Special Agent Brian Dexter of the U.S. Department of Homeland Security.**

### **Looking up another federal attorney in child porn cases:**

**<https://www.johnzarych.com/can-convicted-computer-virus-downloads-child-pornography/> CAN I BE CONVICTED IF A COMPUTER VIRUS DOWNLOADS CHILD PORNOGRAPHY? There is always a possibility that you could be the victim of a virus, a computer hack, or a prank that could**

end with you facing years of prison, high fines, and registration as a sex offender. If something like this happens to you, it is important to understand your rights and to seek counsel from an experienced criminal defense attorney.

Malware can be defined as any file or program that is introduced to a computer with the intentions of harming the user. The harm to the user can be through interfering with the use of the computer, unauthorized access to his data, locking the user out of his computer and also spying on the user's activity. There are several types of malware and they include ransom ware. Most of the time Trojan horse viruses are introduced into a system by duping a user into executing an attachment on an email guised to be unsuspecting.

<https://crucialessay.com/malware-trojan-horse-virus-case-study/>

<https://www.cnn.com/2003/LAW/08/12/ctv.trojan/index.html>

In the latest bout of computer mischief, hackers have developed the ability to make their victims look like criminals. New "Trojan horse" viruses -- downloaded via seemingly harmless e-mail, shared files or links -- allow a hacker to secretly take over someone's computer and then use it to send out more viruses, pornography or other illegal materials.

"They can basically come and go at will," said Paul Coggins, a former U.S. attorney from Texas. "The amount of damage they can do is incalculable, really. They might take over your e-mail, attach a kiddie porn picture, and send it out to everyone on your e-mail list with the subject line, 'Thought you might be interested in this.'"

In England, criminal complaints against two defendants have already been thrown out after their attorneys argued that child pornography on their computers was secretly installed by hackers. The technique can not only make the unwitting computer user appear guilty, but can complicate criminal cases in which a defendant's guilt is tied to his Web surfing, e-mailing, or file-downloading habits.

<https://www.justice.gov/criminal/file/442156/download>

In the "Prosecuting Computer Crimes". This publication is the second edition of "Prosecuting Computer Crimes" and updates the previous version published in February 2007. This is about Internet Fraud (e.g., auction fraud or "phishing") Page 156. 18 U.S.C. § 1030(a)(4) (accessing a computer to defraud and obtain something of value). 18 U.S.C. § 1028 (fraud in connection with identification documents and authentication features) Fraud 18 U.S.C. § 1028A (aggravated identity theft). Unlawful Conduct: Extortion: Applicable Federal Law: 18 U.S.C. § 1030(a)(7)

(transmitting, with intent to extort, communication containing threat to cause damage); 18 U.S.C. § 875(b), (d) (transmitting, with intent to extort, threat to kidnap or harm a person, or threat to injure a person's property or harm a reputation) (Hobbs Act) CTS 18 U.S.C. § 1951 (interfering with commerce by robbery, extortion, threats or violence).

Interception of Electronic 18 U.S.C. § 2511 (intercepting electronic communications) CCIPS Communications 18 U.S.C. § 2701 (accessing stored communications) CCIPS 18 U.S.C. § 1030(a)(2) (accessing a computer and obtaining information) CCIPS Cyberstalking 18 U.S.C. § 2261A (using any facility of interstate or foreign commerce to engage in a course of conduct that places person in reasonable fear of death or serious bodily injury to person, person's spouse or immediate family) See also Electronic Harassment. Page 160

Hate Crimes Look to civil rights laws and penalty enhancements Civil Rights. Page 161

Searching & Seizing Computers and Obtaining Electronic Evidence in Criminal Investigations

[https://cdn.ca9.uscourts.gov/datastore/library/2013/02/26/CDT\\_cyber.pdf](https://cdn.ca9.uscourts.gov/datastore/library/2013/02/26/CDT_cyber.pdf)

In some cases, computers provide the means of committing crime. For example, the Internet can be used to deliver a death threat via e-mail; to launch hacker attacks against a vulnerable computer network; to disseminate computer viruses; or to transmit images of child pornography. Has the prosecution proved beyond a shadow of a doubt that there were no viruses on Mr. Hill's computer? They worked with his court appointed attorney to have his own family tell him to say "Guilty". The entire time he wrote to the court that he was innocent, not guilty. His written words say "Innocent" even with the confusion from his bad treatment in jails denying him most of his insulin for almost a year. Even the day of the trial, he kept telling his attorney (prosecution attorney supposed to be court appointed defense attorney) that he was innocent because he was and is innocent! But, of course, they ignore that part as they continued calling him names "delusional". Yes, after years of this injustice, he and his family are angry. Read all 8 PDFs including "Threats" & "Brian's Treatment in Jail" & "Actual Innocence".

<https://digitalcommons.unl.edu/cgi/viewcontent.cgi?article=1348&context=nlr>

I gave a false confession on August 29, 2012 to two police detectives at the Mayodan Police Department located at 101 North 3rd Ave., Mayodan, NC. I was threatened by Mayodan, NC Police Chief Charles J. Caruso to "Fess Up" and that if I did not fess up then my own mother would be held responsible for the criminal charge. I was also coerced on August 2012 into producing false confession statements. I told the Detectives that I did not download the child porn but they told me a claim that they believe they had found it on my computer and said I had better just tell them. Then I changed my statements to whatever they had wanted to hear. That was why I had suspected evidence tampering because they had admitted to have been on my computer to make such a claim to have found files on there. The police detectives are not SBI crime lab technicians and are not computer forensic scientists under strict LAB/ASCLD standards. They just accessed my computer to make such a claim of finding files. That was why I had attempted to suppress the evidence and that I believe I was framed with child porn. I believe that the evidence may have been tampered with because of such admission that the police accessed my computer without the

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**I am Innocent of the charge and am willing to prove Actual Innocence or let a Jury decide my fate in the worst case scenario. I am Innocent and am willing to prove my Innocence for the rest of my life.**

As you may notice in the image excerpt of Page 15 in the Mayodan Police Report regarding myself, the Police Detective Christopher Todd Brim (Mayodan Police Detective Sergeant) logged my interview with police as to have started at the time 08/29/2012 11:23:00, Wednesday. Yes that is correct Mr. President, I was interviewed for apparently over an hour around lunch time. I had no diabetic blood glucose testing meter with me while I was being interrogated by the two police detectives. I had no diabetic insulin with me. I had no glucose tablets while at the Police Station. The Police knew that I was Type 1 Diabetic because they were accusing me of having illegal drug syringes which of course is not true. I told them that those are insulin shot needles/syringes because I am a diabetic. My family informed them that I was diabetic but they didn't care.

So I was questioned around lunch time to after 12:00AM which of course that time was heading into the afternoon. After I gave my false confession and told the police Detectives different things that weren't true, because I was afraid that my own mother would be held responsible, as per Police Charles J. Caruso's threat that my mother would be held responsible if I didn't "fess up". My mother is my legal/biological parent and my caretaker as reported in the U.S. District Court for Colorado in regards to Righthaven v. Brian D. Hill (2011 Federal case). Without my mother taking care of my diabetic low blood sugars, I am at major risk of death, seizure, or coma. After I gave my false confession, me and my mother ate at Arby's and I was manipulated into thinking that I was guilty when in fact I wasn't.

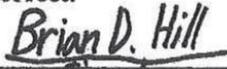
A diabetic expert I spoke to at Carilion Franklin Memorial Hospital in Rocky Mount, VA, thought that by being questioned around lunch time, that my blood sugar can run low by being worn down by the Detectives' questioning. So it is a form of coercion to force a Type 1 brittle diabetic to being questioned around lunch time for over an hour, being coerced to falsely admit guilt, knowing that my blood sugar can run low during the questioning, that I can fall unconscious. The Police knowingly violated my rights under the Americans with Disabilities Act (ADA).

The reason I had accepted responsibility falsely in my criminal case was because Judge Osteen had either hinted or threatened to take away my acceptance of responsibility which would threaten my prison sentence of Time already served which means that I would get out of jail to protect my health from further deteriorating due to my Type 1 brittle diabetes. The reason I had falsely plead guilty was due to multiple valid reasons and one was to get a prison sentence of Time Served so that I could get out of jail. My family told me to plead guilty in the court room due to ineffective assistance of counsel and bad legal advice to the best of my knowledge of what they had told me.

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

Executed on February 2, 2017.

  
*Signed*  
**USWGO**

  
*Signed*  
Signed  
Brian David Hill(Pro Se)  
Former news reporter & Founder of USWGO Alternative News  
Home Phone #: (276) 790-3505  
310 Forest Street, Apt. 2. Martinsville, VA 24112

### **Brian's Grandma, Stella 11/14/2017 (Document 134 Pages 37-71)**

I told Judge Osteen on September 30, 2014 after the judge was bringing out the declaration from Attorney Sue Basko that Brian was innocent of knowingly downloading child porn. As Brian's witness, here's my proof: Brian is including the proof documents in his 2255.

Brian called me upset on **July 12, 2012** and told me the same thing that is in this article that I read on the Alex Jones' Prison Planet page dated July 12, 2012 titled "The Police are harassing my mom now" on July 12, 2012 at 07:57:02 PM (read 2745 times). Brian is saying that his mom was walking to the

chamber. We need to shine the light on these people". For proof, see document 45: Case 1:13-cr-00435-WO **Document 45** Filed **09/26/14** Page 20 of 20. Also for timeline of events see Page 12 of 20. Brian and his mom had lived in this same house for over 7 years at this time, and this was the first time anything like that had happened. Apparently Brian was given a vision about the future because 8 days after he wrote this, according to the Mayodan police department report and the NC SBI Discovery report, child porn (or items of interest) was being downloaded on Brian's computer 8 days later on **July 20, 2012**.

I was friends with Brian on his USWGO Facebook page, and on **July 14, 2012** at 4:16 PM Brian (USWGO) created an event. (NOW THIS IS 6 DAYS BEFORE CHILD PORN IS ON HIS COMPUTER according to Reidsville police, Bridge and the NC SBI Discovery report). The event is to confront Senator Phil Berger. This is what Brian wrote: USWGO Brian Hill: "This is his picture. Remember to confront him legally and lawfully. If you can't afford to go to Raleigh or Mayodan, then confront him anywhere close by to where you live. We need to give no excuses. The press needs to ask him hardball questions". Case 1:13-cr-00435-WO **Document 32** Filed **09/15/14** Page 6-7 of 7.

In August, 2012, my husband and I went to Georgia and attended my youngest grandson's Army graduation ceremony. My husband and I visited Brian and his mom on August 28, 2012 and noticed that Brian was having a rough time on his computer, fighting some type of virus or hacker. We had been used to seeing Brian fighting these for about 3 years since he started his alternative news webpage, but this one seemed to be worse than any other. He refused to leave his computer that entire morning, just kept fighting this, and I was thinking that all of this time when we told him that he needed to keep an antivirus program on his computer, and he would tell us that this slowed down his computer; whatever he was fighting on his computer that day was a lot slower than any anti-virus would

be. Then that afternoon, someone knocked on the door. We saw Mayodan chief of police, Charles Caruso handing my daughter a search warrant order and telling her they were looking for child porn on computers at this residence. My first thought was the video Brian put on his YouTube channel where this same chief of police was now at Brian's front door and that this is a set up. There was no way anyone from this house would be downloading child porn. Then this same chief of police stood on the front porch with us and kept telling Brian to fess up to downloading child porn. He said there were only two people who lived in this house, and one of them was downloading child porn, and he didn't think it was the mother. We (my husband, daughter and I wrote affidavits (signatures witnessed by a notary)

about this and sent these as an email attachment to Brian's court appointed attorney in December, 2013 and later sent these to Brian to file in the court in September, 2014). We all knew for a fact that Brian didn't like to be around children because they were too loud. If he was interested in little children, he would be walking up to them on our outings and vacations and taking photos of them. He never once did that. If a child or adult got in the way of his nature photos, he would get upset. He would go

the house by himself. We heard his mom tell the police that Brian has autism and brittle diabetes. The policeman who stood on the porch with us the entire time was very nice, and he called in to the 2 police detectives in the house that Brian had autism and brittle diabetes. They still kept calling Brian in the house by himself, ignoring this. Brian would come back and tell us what they said. One time they

We watched in shock as these police removed many items from the house and put in their vehicles. It felt like someone was robbing my daughter and grandson. If this happens, you call the police, but this was the police. They were removing all of their memories, all of their vacation photos and family photos and videos which are recorded in computers and hard drives, memory sticks, homemade CD's and homemade DVD's. My daughter is an author of books and writes poems. My grandson had written many articles for his USWGO page and for other web pages, had interviewed famous people. Police took all of this on that day. They took personal things that can never be replaced. They were not illegal items. They took phones and their internet router so they couldn't call anyone. They left behind a

09/26/14 **Page 11 of 20.** Brian had also gotten a petition about anti-NDAA with over 200 signatures from people in Rockingham County, NC and handed this petition to Phil Berger at the May 14, 2012 town hall meeting and was asking NC State Senator, Phil Berger about this petition on July 9, 2012 when the Mayodan police detective, Caruso grabbed Brian by the arm and removed him from the public town hall meeting (the video and article Brian put on his USWGO YouTube page and USWGO alternative news). See Case 1:13-cr-00435-WO

**Document 37** Filed 09/18/14 Page 33 of 75 and Case 1:13-cr-00435-WO **Document 37** Filed 09/18/14 Page 39 of 75. Then according to the Mayodan police report, child porn was being downloaded on Brian's computer on July 20, 2012 and all computers were removed from Brian's house by the local Mayodan town hall police on August 28, 2012. Very soon after Brian hired an attorney in **November 8, 2013**, and this article about more child porn attempts

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Would this be considered a "conflict of interest"? Then there was nothing on the NC SBI discovery report that showed "children were the victims"; instead it said that "North Carolina" was the victim. If there is child porn found on your computer downloaded from the internet, and the court can't identify who the children are, then why would it say that the victim was the state of NC? We were told that there would be photos as proof, but they would be blurry. **There was not one photo in this report, just typed words** and dirty descriptions typed with the words "baby" or "child" in the typed descriptions. What really got my interest was when I read the dates that items of interest were being downloaded on Brian's computer. That really stood out to me. This was the first and only police raid that I was involved in. I was not the victim in this raid, but the effects are with me today, every time the door bell rings, every time I see a police officer. The date August, 2012 stays with me, never to leave, yet the dates that items of interest according to this NC SBI Discovery report was: July 20, 2012 to July 28, 2013. All computers and hard drives were removed from Brian's house on August 28, 2012 (netbook was removed on Aug. 29, 2012) by the Mayodan police and one police from Reidsville, Rockingham County, NC (Bridge) who is a brother of Phil Berger Jr's assistant DA. She (Bridge) was running for the office of Rockingham County district attorney in 2014 and lost. Phil Berger Jr was running for the office of US congressman from NC in 2014 and lost. **Conflict of interest more ways than one?**

### **Brian's Grandpa, Kenneth 11/14/2017 (Document 134 Pages 74 - 75**

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

I have known Brian David Hill since December 2000. He has gone on day trips and extended trips with his mother, Roberta Hill, grandmother, my wife, Stella Forinash and myself numerous times. Due to his diabetes and autism he always stayed with us when we went on these trips. I have never seen him approach a child, or show any interest in a child. His main hobby was taking pictures of scenery, and he did not want any human in his pictures. He would get agitated when someone walked in front of him while he was taking a picture.

I tried helping his mother and grandmother find help for his autism while he lived in North Carolina and after he moved to Virginia. We had very little luck getting assistance from any groups in NC, but after moving to Virginia in September of 2012 he was placed on a Medicaid waiver immediately after applying due to all of his medical and mental problems. There is normally a 7 year waiting list for this waiver, but he was placed on it right away. This waiver made it possible for someone to be paid for 40 hours of assistance and respite for Brian per week. In addition to this waiver, there were also individuals from EHS Support Services LLC that would take him on hikes, and to the YMCA. They also made it possible for him to see a counselor for his OCD problems.

We have caught the Mayodan Police Department in numerous lies. Detective Todd Brim lied to me on the phone in December 2013 when I talked to him and asked him when Brian could retrieve his items. He said there was no warrant issued for him and that he could come pick his inventory items up, then when I called back 2 days later to let him know Brian was hospitalized he informed me that there was an arrest warrant out for Brian. If we had taken Brian to Mayodan, he would have been arrested and for someone with Autism, expecting one thing and getting another, that would have been traumatic.

I overheard Roberta Hill, Brian's mother inform the officers that Brian had Autism, and one of the officers who stayed outside with us informed those that were conducting the search warrant about his Autism, yet they still questioned Brian with no advocate present. I also overheard Police Chief Charles Caruso tell Brian to "Fess up" because if you didn't do this, your mother will be held responsible while we were all standing outside on the front porch.

I am the father of 5 children, 14 grandchildren and 15 great grandchildren. I have always said I would not hesitate to let Brian be in contact with any of my grandchildren because he has no interest in children, and I know he would not harm, nor do anything to a child. They at times get on his nerves and he doesn't want anything to do with them. He ignores children when we are on outings and concentrates on nature photos and political agendas.

I have read Roberta Hill and Stella Forinash's letters in support of Brian, and agree with all they have said in subject letters. I know for a fact that Brian is completely innocent of the charges against him. There is absolutely no doubt in my mind of this.

**Brian's Mom, Roberta 11/14/2017 (Document 134 Pages 77- 87**

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

To Whom This May Concern:

I am Brian David Hill's mom, and I am a witness to many events that have occurred in Brian's case. I believe that my son is innocent of any wrong doing. The crime that he was accused of paints a different picture of my son, than who he is as an actual person.

I raised Brian as a single parent and I am very close to him. I had to give him daily insulin shots for 14 years, daily blood glucose tests, and treat insulin reactions, as well as deal with seizures brought on from hypoglycemia. Even after he turned 18 years old, I still had to do daily blood glucose tests when he slept or had low blood sugar, and I had to remain close to him at all times to prevent and treat insulin reactions and to help him through seizures. Brian does not drive, so I have to take him to his doctor appointments, to pick up prescriptions, to run

errands, grocery shopping and on recreational outings. During all of this time that I spend with Brian daily, I have never seen him have an interest in children. These allegations and labels are false to the person that I know and have spent almost every day with since he was born. During the time frame of the police raid, I was dealing with severe insulin reactions and seizures many times per month, and could not leave him alone for more than a couple of hours at the time. Many times I checked on him to find him having a severe insulin reaction in which he had fallen on the floor and many seizures. This was a regular occurrence during that time span that he was accused of downloading child porn.

*The police asked me some questions about his autism, and I answered them as best as I could. The problem is that Brian can appear to be very expressive and*

1) Evidence of coercion from eyewitness account.

Jailed with Autism Page 9

*I can remember that he kept telling my son to "fess up" and that "someone living in the home downloaded these illegal files and that it had to be either him or his mother and that he didn't think it was his mother." He was completely badgering him and pressuring him to confess to a crime that he never committed.*

He made him believe that he was going to charge his mom with the crime if he did not confess.

- 2) Evidence that they didn't know how to question someone with autism from eyewitness account.

Jailed with Autism Page 23-24

They did not consult an expert in autism, nor did they get a professional to come in and test him to see how much he understands, despite the fact that autistic people are in danger of giving false confessions. Autistic people have trouble understanding conversations and questions as a part of their disability, and yet these police officers with no training about autism were allowed to question him alone. It is not uncommon for people with autism to misunderstand what they are being told and yet the police officers did not contact an autism expert to be there during his questioning, nor did they have any kind of training of how to question someone with autism.

There is a paper called *Interview and Interrogation of people with autism (including Asperger syndrome)* which is written by Dennis Debbaudt. He points out various reasons why a person with autism will give a false confession due to

There is proof of false confessions in the discovery report, as seen by eyewitnesses.

*My mom noticed that the date range for the child porn files was way off, and when I read it, I was shocked. I wrote down the information about the dates in my notebook since we were not allowed to make copies of the discovery report. It said, "From the analysis, this record showed that 454 files had been downloaded with the eMule program between July 20, 2012 and July 28, 2013." Keep in mind that the police raid search was on August 28, 2012. This means that just after 39 days the photos were continuing to be downloaded in the town's custody and then later in the SBI's custody. For about 11 months the images were being put onto Brian's computer by someone or by the trojan virus that had infected Brian's computer prior to the police raid because after August 28, 2012, he no longer had his laptop computer.*

## Interview of Brian David Hill

- Q. What is your computer usage and knowledge?  
A. I download movies, programs and music.  
Q. What type of download software do you use?  
A. I use bit torrent programs, like eMule. I only download. I don't share.  
Q. Does your mom ever get on your computer?  
A. No.  
Q. Did you use any other computers to download files?  
A. Yes. But I use my black Toshiba the most.
- Q. What is your email password?  
A. [REDACTED]. admin@uswgo.com  
Q. How long have you been downloading and viewing child pornography?  
A. About a year or so.

Brian says that he had been downloading child porn for 1 year or so. The evidence only shows that there were photos on his computer for 39 days prior to the police raid. This is the time frame in which my son was dealing with a virus on his computer. About almost 11 months of those dates is when his computer was in the custody of the Mayodan Police Department and the State Bureau of Investigations of North Carolina. This is a clear false confession that can be proven from the interview records of the Mayodan Police Department and the discovery report.

#### B) Jailed with Autism Page 24

*Brian confessed to uploading child pornography onto his computer, and he also told the police officers that he put child pornography on his netbook, so we had to hand the netbook over to the police officers immediately.*

*We left the police office, and the police followed us to our house. My son searched for his netbook and then gave it to them. It was odd that the police officers had not taken the netbook during the police raid, and I do not know if they didn't see it or if*

Case 1:13-cr-00435-TDS **Document 134** Filed 11/14/17 **Page 81** of 99

*The netbook confession actually became a lot more interesting later on in our own personal investigation due to the fact that they never found child porn on the netbook. This was another false confession that Brian made during the interrogation. I will tell more about our discovery about this erroneous confession in a later chapter.*

My mom, stepdad and I met with his second lawyer Scott Coalter in October, 2014 to ask him some questions. He went over some of the discovery report with us. He showed us Brian's confession in the discovery report from the Mayodan Police Department interview report. This is down below.

Mayodan Police Department Interview Report

Q. Is there any other child pornography on any other computers?

A. Yes. I have a Netbook at home that you didn't get.

Q. What is your IRC user name and password?

A. uswgo / [REDACTED].

Q. Do we have your permission to view your emails?

A. Yes. [BH]

I asked Mr. Coalter if they had found child porn on his netbook. He took the time to look up the serial number of the netbook in the discovery report and he told us they had not found child porn on his netbook. This proves that Brian gave another false confession.

Brian Hill filed a FOIA request in an attempt to get his discovery report, which has been denied to him, but he did not receive any of the discovery report that contained the evidence of the dates or about the netbook. He has been forced into filing a FOIA lawsuit in 2016 in the state of Virginia, and this case is still in the court and a hearing has been scheduled for next year.

Why is Brian Hill being denied the discovery report when it contains clear evidence that he is innocent?

*One of the police officers tried to have a conversation with me while he looked for his netbook. He said that he had a diabetic son, and I remember asking him if his child had seizures too, and he said that he didn't. This is the only thing that I remember that was said during that time, and this conversation seems so odd to me now writing about it years later. Particularly, when I consider the fact that low blood sugar could have possibly played a role in the false confession.*

*If we also factor in the fact that his questioning was around lunchtime, and that he had not yet eaten, and that we did not know what his blood sugar was at the time of questioning, then it is quite possible that his blood sugar might have dropped during the questioning, and they might have taken advantage of his lack of being coherent during an insulin reaction. This could have been possible, and the fact that one of the police officers who questioned him had a son with diabetes meant that he was well aware of how incoherent and confused someone can become when their blood sugar is low.*

I was present when they took him back for questioning and not once did they ask if he needed to test his blood sugar or if he needed to get something to eat prior to their questioning. We do not know what Brian's blood sugar was prior to the questioning.

- 5) I was a witness to one of the hearings, which showed that the Judge did not understand autism and how it could have affected his false confession.

*I would like to address the judge's question to my mom at that hearing. The judge asked, "What does the autism got to do with his guilt or innocence?" I will answer that question here in my book. Autistic people are known to give false confessions, and this has been proven by psychologists in various studies. In the paper "Interview and Interrogation of people with Autism (Including Asperger syndrome)" by Dennis Debbaudt, he outlines possible traps that can occur when interrogating a person with autism. In one paragraph he says, "The higher-functioning person through his or her responses, and the unaware interrogator through their beliefs, may become unwitting accomplices to continuing a faulty investigation in the best case or, in the worst case, to extracting a false*

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*confession." It is a well known fact that autistic people are in danger of giving false confessions; therefore, this is now being put on autism first responder cards. These are cards that are carried by people with autism and their families to be given to the police, fire fighters, EMT's and other departments in the case of an emergency or questioning by the police.*

*My parents and I got a depressing call from Brian's lawyer on the same night. He talked to me for about an hour, and he tried to pressure me into convincing Brian to take the plea agreement. I was told that the jury would see the evidence that the SBI found on Brian's computer, and they would be told of his confession at the police department the day after the raid on our home. In addition to this there was*

*told that he would not tell the jury about Brian's autism. He said that my parents and I would not be permitted to testify for Brian. He told me that Brian could get 20 years in prison, and that he believed he would get the 20 years if he didn't take the plea. I was devastated! I told him that I would talk to Brian when he calls me.*

**These calls were on June 9, 2014. There was supposed to be a jury picked the very next day. Brian did not call his mom or grandparents on June 9<sup>th</sup>, probably spending the entire day working on his case to prove his innocence. He went to bed that night and woke up the next morning knowing he was innocent and had never even seen child porn. When we got to court early the next day, we saw Attorney Placke, and he was angry because Brian kept telling him he was innocent and refused to say he was guilty as he had learned that lesson at the police station on**

Aug. 29, 2012. When I saw Brian coming in the court, I hollered "Take the guilty plea" before the judge came in. Brian trusted us and did what I told him. We did not have a chance to explain anything to him.

We did not know at the time that on court days Brian was not getting any insulin & was at court with extremely high glucose readings after eating breakfast and sometimes lunch. On these days, he was only given 1 insulin shot, and that was in the evening. The very next morning, Brian called me and was angry. He was innocent (We knew that too). He felt like I betrayed him. He continued saying & writing over and over again "I'm innocent". His court appointed attorney (Placke) continued ignoring him and working against him. (Brian's grandma, Stella)

Even the public Defender's office admitted that Brian's court attorney was not ready, and this trial needed to be delayed: Case 1:13-cr-00435-WO Document 18 Filed 06/04/14 Page 2 of 4

6. The Defendant submits that failure to grant the requested continuance would deny counsel for the Defendant the reasonable time necessary for effective preparation, taking into account both the exercise of due diligence and the Defendant's condition, as detailed in the report filed with the Court on May 8, 2014, that the ends of justice are best served by granting this continuance, and that they outweigh the interest of the public and the Defendant in a speedy trial. Accordingly, the Defendant agrees that any delay occasioned by the granting of this continuance should be excluded in computing the time within which the trial of this matter must commence. *See* Title 18, United States Code, Sections 3161(h)(7)(A), (B)(iv).

WHEREFORE, the Defendant hereby moves for an order continuing the trial of this matter to the July 2014 Criminal Term.

Respectfully submitted this the 4<sup>th</sup> day of June, 2014.

LOUIS C. ALLEN III  
Federal Public Defender

Case 1:13-cr-00435-WO Document 18 Filed 06/04/14 Page 3 of 4

Today (March 30, 2022) as Brian's grandmother is typing this, copying & pasting to this document (PDF) to prove BRIAN DAVID HILL is INNOCENT of these criminal charges, and the guilty party

here is actually the police department and the 3 lawyers in Brian's case. April is AUTISM AWARENESS MONTH <https://iacc.hhs.gov/meetings/autism-awareness-month/2022/>. We join the United Nations and the U.S. government in recognizing the needs of people on the autism spectrum and their families. Brian is guilty of having autism spectrum and type 1 brittle diabetes with seizure history, all before the age of 4. The police department of Mayodan, NC is guilty of not obeying the Americans with Disabilities Act on August 29, 2012 which caused this false confession and misleading statements. See PDF "ACTUAL INNOCENCE".

All attorneys in this case are guilty of ignoring the conflicts in their discovery materials (police department report from 2012, the NC SBI report from 2013 and the government findings) as well as all proof of Brian's innocence including the threat emails and of ignoring all witnesses and are guilty of causing all kinds of pain and torture due to jails & the Civil Rights and the constitutional rights of this prisoner by not providing bail so he could be home getting all of his insulin. They told family he might be able to come home under unreasonable circumstances. He, his mom and his elderly, disabled grandparents would not be able to have a phone in their apartments, and his mom's & grandparent's apartments & computers would be searched which is a clear violation of all constitutional rights for Brian and his entire family. The jails are guilty of not providing all of the prescribed medicine (insulin) that this diabetic needed and ignoring autism. All of this resulted in "CRUEL & UNUSUAL PUNISHMENT" daily for almost a year in 2014 as well as Civil Rights and Constitutional violations. This court is guilty of ignoring the Americans with Disabilities Act and not providing a medical expert to explain about these disabilities. If the federal court is exempt from that legal law, then it's time for all of us to question WHY? Because these disabilities don't leave every time a disabled person walks in a court room. If anything, the stress might even make them worse.

What would happen if a deaf person is not given aids in a court of law? What happens if a blind person is not given aids during court as part of the Americans with Disabilities laws? What happens if a person with autism is not given aids in a court of law? People with high functioning autism in Brian's case needs an autism coach or expert when being questioned by police or in court. <https://www.verywellhealth.com/do-you-need-an-autism-coach-5091922>

What type of aids would a person with type 1 diabetes need? Someone to check their glucose right before their case: Then if it's high (over 200), insulin. If it's low (70 or under), glucose tabs; juice or a sweet drink. Was Brian given any of these aids during the police interrogation in 2012 or at court at any time from December, 2013 until November, 2014? What does the U.S. government say about "Brittle Diabetes" & "Autism Spectrum Disorder (ASD)?"

<https://rarediseases.info.nih.gov/diseases/11900/brittle-diabetes>  
<https://rarediseases.info.nih.gov/diseases/10248/autism-spectrum-disorder>

If Brian David Hill was truly guilty of downloading child porn which is a clear crime against innocent children, he got off light with just less than a year in jail and should be thankful. However, it's just the opposite. An innocent person should not even spend one night in jail. Brian is angry, talks about this every day and has been fighting for years to prove his innocence to the court and providing his proof. Brian's family has watched his health getting worse and has seen him in a lot of pain from carpal tunnel syndrome from all of the typing he does. From time to time he has to go to urgent care for this, and they won't give him the medicine he needs due to his brittle diabetes (causing blood glucose to go extremely high even with the insulin).

There was a doctor report right after the police raid due to this causing more problems for Brian including depression & suicidal thoughts. This medical record is from September 6, 2012.

**Re: Brian Hill**  
**DOB: 5-26-90**

**To Whom It May Concern:**

**Brian Hill is a current patient at Western Rockingham Family Medicine. He has a diagnosis of Type I Diabetes, GERD, Autism, and depression with suicidal thoughts. His medication list is as follows: Nexium 40 mg, 1 po qd, Lantus Solo star pen, 36 units q hs, Novolog flex pen--sliding scale, Lisinopril 5mg, 1 po qd. Mr. Hill has an inability to take of himself, therefore needs around the clock care. If further assistance is required, please do not hesitate to contact our office at (336) 548-9618.**

Sincerely,

  
**Andrew Maier, PA-C**  
**Western Rockingham Family Medicine**

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<https://www.courtlistener.com/docket/6064365/12/2/hill-v-executive-office-for-united-states-attorneys/>

Brian needs to be acquitted due to ACTUAL INNOCENCE & ineffective attorneys ignoring evidence, witnesses, his disabilities, all constitutional and Civil Rights laws. He needs to be removed from probation and the sex registry which is supposed to contain names of guilty people, not innocent, disabled people who are not given the aids to avoid misleading statements, confusion and false confessions by law professionals.

According to the **North Carolina Bureau of Investigation's** Case number 2012-02146 915, files of interest were being downloaded from July 20, 2012 until July 28, 2013. This was the time frame of 11 months when Brian Hill no longer had that laptop.

"None of the children have been identified as part of a known series by the National Center for missing and exploited children (NCMEC)" Document #33, Filed 09/16/2014, Page 6 of 26

Just today on April 14, 2022, April is Autism Awareness Month. I typed in Google search "associated press article child porn virus" and got many results. Here are some:

<https://www.robertslawteam.com/articles/child-pornography-through-a-computer-virus/>

CNBC News from Nov. 2009 and updated on September 2013:

<https://www.cnb.com/2009/11/09/framed-for-porn-by-a-pc-virus.html>

FOX NEWS Jan 14, 2015

<https://www.foxnews.com/story/framed-for-child-porn-by-a-pc-virus>

The Week Staff Jan. 8, 2015 Jan 8, 2015 — Computer viruses are bad enough when they steal your credit-card number or crash your PC, but an *Associated Press* investigation found

<https://theweek.com/articles/499885/child-porn-pc-virus>

<https://www.timesunion.com/news/article/Framed-for-child-porn-by-a-computer-virus-552171.php>

CBS NEWS Sept. 2009

<https://www.cbsnews.com/news/viruses-frame-pc-owners-for-child-porn/>

<https://www.cbsnews.com/news/child-porn-virus-threat-or-bad-defense/>

And many more.

This along with all of our other proof from 8 PDFs would prove to a jury or an honorable judge "ACTUAL INNOCENCE" or at least "Benefit of a Doubt". When you take away the "words" of someone with a communication disability and provide the facts as we have done in these 8 PDFs, then it is time to immediately acquit Mr. Hill of this charge, remove him from probation and the sex offender registry! Thank you for your time reading all PDFs. God bless you.

Stella Burnette & Kenneth R. Forinash TSgt, USAF, Ret (Brian David Hill's maternal grandparents)

# ATTACHMENT 3: “2 Who is Brian Hill -Pictures & Descriptions.pdf”

For “MEMORANDUM OF STELLA FORINASH AND KENNETH FORINASH IN FAVOR OF ACTUAL INNOCENCE OF BRIAN DAVID HILL; IN SUPPORT OF WHY BRIAN DAVID HILL SUSPECTS BLACKMAIL OF “JUDGES” AND “OFFICIALS”; AND IN SUPPORT OF GROUND VI - UNCONSTITUTIONAL INTERFERENCE WITH THE STATE COURT PROCESS AND/OR UNWARRANTED USURPATION OF POWER AGAINST THE STATE COURT PROCESS IN VIOLATION OF THE TENTH AMENDMENT OF THE UNITED STATES CONSTITUTION; AND IN SUPPORT OF 2255 MOTION (DOC. #291)”

Case no. 1:13-cr-435-1; civil no. 1:22-CV-00074

Ally of Q, Former news reporter of USWGO Alternative News  
JUSTICEFORUSWGO.WORDPRESS.COM



## Who is Brian D. Hill?

No bail was allowed for Brian Hill WHY? Is it because he was a flight risk?? Who is Brian Hill? This is a website by one of Brian Hill's good friends, Pam Suggs: Let's show you mostly in pictures because a picture is worth a thousand words. We will start this off with photos, with his mom explaining who Mr. Hill really is: Brian does not drive due to brittle type 1 diabetes with seizures. He goes everywhere with his mom & sometimes his grandparents.



**My son Brian Hill was the founder of USWGO and he worked for three years to reveal corruption in the government and all the bills passed by congress that was taking away our freedoms and our rights as Americans. He interviewed many well known people over the time he had his USWGO website and his You Tube channel. I was proud of all of his accomplishments during this time with his website, articles, a documentary and interviews on You Tube. He worked on his alternative news website as if it were a paid job, only it wasn't. It was even more remarkable about his accomplishments, because I knew what he goes through on a daily basis. I saw all the things that his subscribers and readers never knew about him. Brian suffers from brittle type one diabetes, autism, obsessive compulsive disorder (OCD) and seizures. His battles with the new world order and our loss of freedoms pale in comparison to the battles that he has in his everyday life, and it almost seems like he was born to be a warrior and fighter from the very first day that he was born into this world. He was born as a premature baby at a dangerously low weight of 3 pounds and 13 and half ounces and yet he survived. By the age of 2 years old he had almost died from his**

**onset of diabetes with a dangerously high blood sugar of 1,103mg. Then at 2 years of age is when he started having horrible seizures in the middle of the night when his blood sugar would become very low, and I would have to bring his blood sugar up by giving him icing or something sweet. The seizures persisted for awhile as a child and then went away for a few years only to return with a vengeance when he became older. You can see how my son has been a fighter for his entire life, and so fighting against the new world order, corruption in the government and fighting for our freedom was an extension of all that he has ever been. He is in the truest sense a warrior for the downtrodden, underdog, the oppressed, the poor and the persecuted.**

**When my son first started USWGO, he was plagued by a bunch of hacker attacks on his website, and he labored effortlessly over that time period to keep his website up and running after every attack that was made against him. He would work around the clock to insure that the truth got out into the public, which is where it is meant to be. He was smart to always back up his website to prepare against every attack that occurred repeatedly for about a year.**



The second battle came when a copyright troll known as Righthaven decided to sue him for one image on his website that had actually become viral on Google and was all over the internet. While most other people being sued by Righthaven took a settlement to pay a fraction of the money, Brian endeavored to not give in and to fight them with everything he could. He went almost immediately to the press to get the word out on what this company was doing to him and many others. Righthaven was getting so much bad press from his interviews with newspapers and TV stations, such as the New York Times and FOX 8 that they finally put an end to the lawsuit against Brian and backed away. As one of Brian's friends named Ken Bingham remarked at the time, Brian is like David winning the battle against the giant Goliath. Brian's weapon was the pen, which is mightier than any sword and perhaps it is ironic that an anagram for sword is words. It was Brian's words that took down the giant corporate law firm of Righthaven, as they eventually went out of business and died.

Brian is currently going through the biggest battle that he has ever been through to date. Today, Brian sits in the Forsyth County jail in Winston Salem as he awaits a trial to prove his innocence. This time he was set up with child porn in an attempt to take down his website. This is the most underhanded and unconscionable attack that has ever been attempted on him and many other people in the



alternative media. They, whom ever they may be, have learned that Brian has a great power in getting his word out to the public, so they attempted to set him up with something so horrible that he would not want to go to the press. This is how low these people really are and why they are now using child porn as a way to set people up. They know that people automatically assume that someone is guilty if child porn is found on their computer, and they also know that this is an embarrassing topic to go to the media to fight. This is why they are using these kind of set ups in alternative media to take out all of those that are reporting the truth and that are exposing the government and political corruption. If you have ever got adware, spam ware, a virus or a Trojan on your computer, than you know how easy it is for someone to put anything on your computer. Are we to believe that just because someone has an illegal file on their computer that they are automatically guilty? I think not.

I find it ironic that Brian was fighting for the precious freedom of the American people and the people of the world, only to lose the freedom he holds so dear. Right now, Brian sits in a jail and waits for someone to help fight for his freedom. Who will come to his rescue?

### Amendment I

*Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.*

-

A good friend of Brian's & his family wrote this about who Brian is:

## [The Plight of Brian Hill and the Injustice of Autism.](#)



Posted by [Ken Bingham](#) in [This Blog](#) on January 4th, 2014



Brian Hill was a blogger who reported on alternative news. I got to know Brian Hill when I was following the notorious copyright trolling outfit Righthaven who filed suit against Brian for copyright infringement for posting an image of a TSA agent groping a passenger. Later Righthaven dismissed the suit after Brian Hill proved to be a PR disaster for them. He was instrumental in bringing them down. Brian's Righthaven story was featured in the [New York Times](#).

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Brian has autism and a severe form of [Brittle Diabetes](#). He is extremely prone to seizures that occur often. He is unable to work and his mother who takes care of him cannot work because he requires round-the-clock care. He survives on \$700 a month on an SSI check in which Righthaven illegally threatened to garnish.

Now Brian has a far worse problem. Besides upsetting the politically well connected people who created Righthaven he also upset some local North Carolina politicians with his reporting. Over a year ago his home was raided and according to the search warrant he was suspected of downloading numerous movies and images containing child pornography. The investigators admitted in the search warrant they were movies they were very familiar with and even described them in detail in the search warrant.

The probable cause that was used to obtain the search warrant was based on nothing more than an IP address. IP addresses have been ruled in several [court cases](#) to be insufficient evidence in identifying an actual computer user in cases regarding p2p networks and piracy. In the police raid they took every computer and related devices in the house including thumb drives and CDs. Over a year went by and neither the local officials nor the State of North Carolina filed charges and told Brian's family no charges were to be filed and that he could come get his stuff. Brian went into the hospital so he was not able to retrieve them but a family member called the police dept who told him the Dept of Homeland Security had seized all the items. The family received a call from Homeland Security who said they had an arrest warrant for Brian and according to one family member the agent threatened to rip Brian out of his hospital bed if necessary. A promise they kept.

Brian was literally yanked out of his hospital bed on the Friday before Christmas. A time where most people are on vacation and would garner the least amount of media attention. One year and four months after the raid Brian was placed in a North Carolina detention center where according to the family they only gave him half the insulin he needed and served him food full of carbs. Food that could have killed him in which he declined to eat putting his health at even greater risk. He was told they had no other kind of food to feed him. It was 5 days before they allowed him to see a doctor. By then his blood sugar was dangerously high.

None of the movies the investigators described in such odd detail in the original search warrant were found. Movies that were so graphically detailed in which investigators admitted they had watched and were very familiar with. Brian was charged with a single image that prompted the judge to deny bail and declare him a threat to society even though he went a year and four months without incident and was not a flight risk. According to DOJ statistics only [5% of Federal defendants](#) are denied bail outright and forced to stay in jail for the duration and that is reserved for the worst of the worst and those who are an imminent danger or likely to flee. Brian is being treated differently than other defendants for similar charges.

The judge in the bail hearing seemed to be completely unsympathetic to his autism or health concerns and did not even include an autism advocate or seek information on how to deal with an autistic defendant or attempt to understand Brian's disabilities. (Please read Brian's Mother's words regarding this below). The judge denied him bail even though keeping him in jail could prove deadly even though bail has been granted to far worse offenders including a man found with child pornography that worked for the local police dept. The US Attorney said he would only release him under the [Adam Walsh Act](#) which would be impossible for Brian to comply with since he lived in an apartment building and would be within 1000 feet of a minor. No other relative could take him either because of the restrictions or places suitable to tend to his health issues. Brian was given a court appointed lawyer who was unable to convince the judge that Brian's life was in danger and he was not a threat or flight risk.

So far they have moved him around three times without even notifying his family or his lawyer. To someone suffering from autism changes in environments can be extremely disorienting and upsetting. It is if the authorities are intentionally trying to exacerbate the problems associated with autism and diabetes.

Brian spoke out against the government and warned about our loss of freedom. His blog has now been shut down that once got thousands of hits per day. If convicted he will go to prison for a long time as a sex offender. He will never be able to go on the Internet again or even own a computer and lose all disability benefits including SSI and foodstamps. He has been silenced and may not even survive at all because he offended some powerful people. The people he warned others about in his blog.

These are the words of his mother...

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#### *Autism and Law Enforcement*

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*On December 20th on a cold autumn day my son was arrested by Homeland Security from a hospital in Virginia. The arrest warrant claimed that he had an illegal file on his computer. My son has mild autism, but the horror of our U.S. legal system is that his disability is not recognized by any of the law enforcement agencies. In fact, autistic people are treated just the way everyone else is within the legal system. They are expected to understand the legal process and navigate through all the terminology and rules on their own and without any kind of autism advocate or family to help them through the process. He was forcibly taken away from his family and friends and was left to deal with*

When Brian's family discovered Brian was not given any insulin at all his first 4 days in jail, we (Grandma Stella) told Brian's friends. His friends started a Facebook support page, and we kept his many Internet friends informed about his case. This was another facebook page about it:

 **Michael Remington**  
58 minutes ago via WePay

Brian Hill, activist and independent journalist, had been arrested on December 23 on false charges; and remains in custody. He had become quite ill due to lack of medical attention (insulin); and desperately needs your support!

This young man is very likely a political prisoner, held under false felony charges, in my opinion. He needs your support to fight these charges, prove his innocence, and regain his freedom. Prior to his arrest, he had worked hard at revealing truth and uncovering corruption. If individuals such as Brian did not exist, the world you live in would be quite unpleasant. It is time for you to return the favor. Please donate (WePay link below) and share. Thank you.

This is what a nurse told us on Brian David Hill's Facebook support page: "I believe they will try to keep him from a diabetic coma, from lack of insulin. But not following his schedule for insulin and even eating jail food is not a good idea with a brittle diabetic and can cause kidney problems and blood circulating problems but Adoration to GOD only knows the emotional abuse they are giving him! His civil rights have been violated to the fullest extent! I hope the media picks up on this case asap!"



**Brian's Facebook Support**



INMATE DETAIL			
Name:	HILL, BRIAN DAVID		
Age:	23 YEARS OLD		
Race / Sex:	WHITE / MALE		
Arrest Date:	1/2/2014		
Release Date:			
Next Court Date:			
Charge	Status	Docket #	Bond Amount
FCSO - FEDERAL INMATE	FEDERAL	FEDERAL INMATE	NO BOND
<b>Total Bond Amount: NO BOND</b>			



News Feed



**Police State USA: Land of the Checkpoints**

December 24, 2013 · 🌐

ACTION ALERT: I realize it is Christmas Eve but there is someone who needs help tonight. Brian Hill is a political prisoner that is being held on trumped up charges in Greensboro, NC.

He told his grandmother that he was being deprived of his insulin in jail. If he does not get his insulin, he could potentially die in custody.

Brian made waves recently with his activism against the NDAA and shaming some powerful people in town hall meetings. He then was raided by Homeland Security who claimed there were illicit pictures of children on his computer -- one of the preferred methods of destroying political opponents.

More on this story will be revealed soon, but for now, it would be of great help if you could make phone calls to the jail to ensure he receives proper doses of his medication.

Call the Guilford County Sheriff's Office at (336) 641-3694, regarding Brian Hill.

The family could use support as well.

<https://www.facebook.com/groups/569239413159262/>

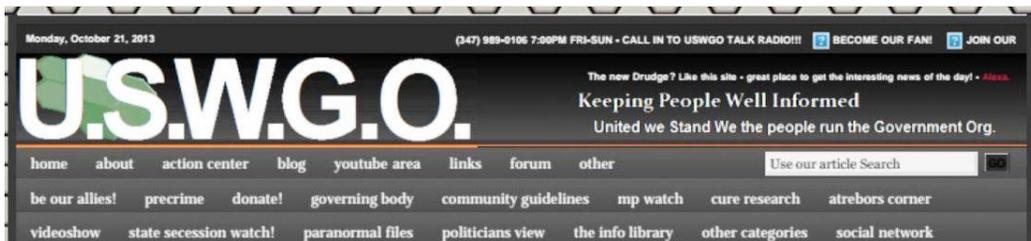
Like · Comment

👍 Jason Bowen, Jessica Smith, Louis Summerlin and 282 others like this.

Top Comments ▾

**Brian started his USWGO Alternative News Website & Videos in 2009**

**PHOTOS from 2009-2011**

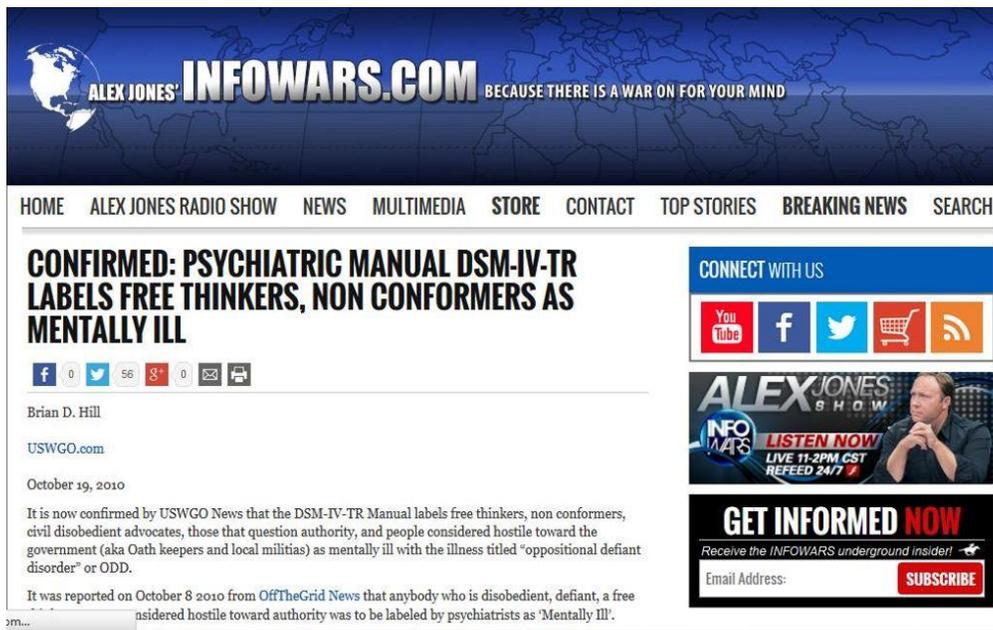




2009



2010



Other web sites shared Brian Hill (USWGO articles) 2010

Many of these photos were copied in 2014 by Brian's grandmother for court filings



YouTube uswgo

**USWGO Hacked and attacked on altnet**

264 views · Aug 2, 2010

**USWGO**  
Keeping People Well Informed  
United we Stand We the people run the Government Org.

home about action center blog youtube area links forum other

Ed Leedskalmin's generator & connections with CERN's hadron collider

USWGO Alternative News

**PRESSURE!!!!!!**  
Your representatives to sponsor, and propose the Fair Use Commission Act of 2011

PLANET INFOVARIS

MEMBERS ACTIVITY FIND GROUPS START GROUPS

2010

**USWGO Huge News from July part 6/10**

USWGO  
7 years ago · 147 views

**USWGO Hacked and attacked on altnet**

USWGO  
6 years ago · 258 views

**USWGO Huge News from July part 3/10 - Extension of Patricks speech, Jolly Slide show**

USWGO  
7 years ago · 417 views

**USWGO Talk Radio's Brian Hill interviews Pastor Manning from atlahworldwide 2/7**

USWGO  
6 years ago · 306 views

Brian D. Hill of <http://uswgo.com/> has engaged in a historical interview with Pastor James David Manning and he was able to talk ...

**USWGO Received threat for trying to expose pedophile corruption by a radical faction in Gaza**

USWGO  
4 years ago · 122 views

**USWGO Huge News from July part 1/10 - Phil Vassar pic, Red Hill historic Plantation pic**

USWGO  
7 years ago · 279 views

This is the first USWGO News event that merges the digital radio show and regular news broadcast, and all spliced parts will be ...

**Brian call's Sen. Rockefeller's office about NWO**

222 views · 5 years ago

**Washington D.C. visitor calls Bilderberg the Build-A-Bear**

627 views · 5 years ago

**Occupy DC activist doesn't know about the Bilderberg Group**

356 views · 5 years ago

**(USWGO) Brian Hill interviews Occupy DC Protest activist**

342 views · 5 years ago

uswgo

**How the Nazis dehumanize the victims**

USWGO  
5 years ago · 427,667 views

This is how the fascist NAZI Soldiers of the (FEMA) Concentration camps dehumanize the victims by taking all their possessions ...

**Patty Waszak - Unknown Patriotic song**

USWGO  
6 years ago · 1,348 views

Quality again isn't very good because I was using digital zoom. I can't find the title to this so until somebody comments and gives ...

**Alex Jones - America Destroyed by Design (1998)**

USWGO  
5 years ago · 7,025 views

Alex Jones Unveils the Orwellian Future. Learn the truth behind the Oklahoma City bombing. Find out who is taking over our ...

**USWGO Jim Tucker Interview July 2nd 2011 by Brian Hill**

USWGO  
5 years ago · 2,342 views

Brian D. Hill of USWGO <http://uswgo.com/> interviews Jim Tucker, a veteran Bilderberg hunter, that works for the American Free ...

**USWGO Talk Radio: Brian's response to the Couple arrested by border guard incident 5/6**

USWGO  
6 years ago · 1,684 views

If the quality sounds horrible view the audio from it's original source at: ...

**USWGO Interview with Dr. Michael Coffman March 8 2012 Agenda 21, ICLEI, etc etc**

USWGO  
4 years ago · 703 views

Interview on Agenda 21, connection to ICLEI and the NAFTA Super Highway (Trans-Texas Corridor), Smart Growth, and how it ...



**USWGO Interview with Preston Nichols, Montauk Project...**  
 1,963 views • 5 years ago



**Brian Hill speaks on Popeyes Federaljack show about HAAR...**  
 51 views • 5 years ago

## RIGHTHAVEN lawsuit 2011



**Reporters Without Borders letter faults Denver Post for Righthaven suit against Brian Hill**  
 As an organization devoted to freedom of the press, Report...  
 westword.com

As an organization devoted to freedom of the press, **Reporters Without Borders typically targets dictatorships and other iron-fist nations that attempt to quash objective journalism.** Now, however, RWB is protesting a story very close to home: the copyright infringement lawsuit filed by Nevada's **Righthaven LLC** against twenty-year-old, chronically ill blogger **Brian Hill** on behalf of the *Denver Post*.



**USWGO Righthaven lawsuit makes WXII12 Triad News**  
 USWGO  
 5 years ago • 770 views  
 Sources: <http://www.wxii12.com/news/26956369/detail.html>  
<http://www.wxii12.com/video/26958496/detail.html> Thanks to friends, ...



**USWGO Brian Hill interviews Tea Party Founder Dale Robertson 2/6**  
 USWGO  
 6 years ago • 36 views



# Business Notebook

BUSINESS AND GAMING NEWS AROUND LAS VEGAS

0 Comments

0

## Roundup: Righthaven faces PR problem in suit against N.C. man

By Steve Green  
Monday, Feb. 28, 2011 | 2 a.m.

One of the Righthaven LLC copyright infringement lawsuits over the Denver Post "TSA enhanced pat-down" photo has turned into a public relations debacle for Las Vegas-based Righthaven.

Defendant Brian D. Hill of the North Carolina-based website uswgo.com has been telling his story to The Associated Press, North Carolina and Virginia television stations and to Colorado media outlets.

He's often portrayed as a sympathetic victim of Righthaven with Hill, 20, saying in his court response he can't afford to pay for a lawyer or Righthaven's \$6,000 settlement offer and that he has diabetes, hyperactive attention disorder and mild autism.

The lawsuit is reminiscent of earlier image problems for Righthaven when it [sued Las Vegas Review-Journal source Anthony Curtis](#) over a story he had made possible and when it sued unemployed Boston cat blogger Allegra Wong [over a post on her nonprofit site](#).

In the Colorado case, look for Righthaven to quickly offer a more favorable settlement to Hill.

Otherwise, Righthaven is going to be dealing with attorney David Stevens Kerr of Santangelo Law Offices P.C. in Fort Collins, Colo., who has stepped up to defend Hill. Santangelo Law Offices specializes in intellectual property litigation, i.e. patent, trademark and copyright lawsuits.

\*\*\*

The federal court in Colorado appears eager to get the Righthaven lawsuits there resolved quickly and

Heart Attack Signs? Know the 4 Bodily Signs. Take the Simple Heart Test Now.



Search



USWGO Righthaven lawsuit makes WGHP FOX8 Triad News

USWGO  
 1,314

1,421 views

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6 0

Published on Feb 22, 2011  
Source: <http://www.myfox8.com/news/wghp-story...>

**Westword**

**KAYA** RECREATIONAL + MEDICAL  
3927 W Colfax Ave. (COLFAX & PERRY)  
(Now Open at Colfax and Perry)

## Brian Hill: Autistic blogger reboots site, shares plan to avoid new Righthaven copyright lawsuit

BY MICHAEL ROBERTS

WEDNESDAY, APRIL 13, 2011



**Update:** Brian Hill, a chronically ill, mildly autistic North Carolina blogger sued by Nevada's Righthaven LLC for unauthorized use of a *Denver Post* photo, put his website, [www.uswgo.com](http://www.uswgo.com), in sleep mode while fighting the claim. But after Righthaven dropped the matter via a snippy dismissal notice, most of which was stricken by a judge (details below), he's rebooted the site -- and

**YouTube** Search



**Glimmer of Hope: Judge Halts Copyright Troll, Righthaven**

The Alyona Show

Subscribe 43,210

1,566 views

Uploaded on May 24, 2011

## Enforcing Copyrights Online, for a Profit

By DAN FROSCH MAY 2, 2011



Brian Hill posted a newspaper's photo on his blog and was sued by Righthaven for infringement. Carly Calhoun for The New York Times

DENVER — When Brian Hill, a 20-year-old blogger from North Carolina, posted on his Web site last December a photograph of an airport security officer conducting a pat-down, a legal battle was the last thing he imagined.

A month later, Mr. Hill received an e-mail from a reporter for The Las Vegas Sun who was looking into a Nevada company that files copyright lawsuits for newspapers. The e-mail informed Mr. Hill that he was one of those that [the company, Righthaven, was suing](#). Though the airport photo had gone viral before Mr. Hill plucked it off the Web, it belonged to The Denver Post, where it first appeared on Nov. 18.

Mr. Hill took down the photo. He was too late. A summons was delivered to his



Righthaven's biggest PR debacle was its lawsuit against Brian Hill, who turned out to be a 20-year-old blogger in North Carolina with a mild form of autism, diabetes and hyperactive disorder.

Hill — and 56 others — were sued by Righthaven for posting on websites a photo of a TSA agent performing an enhanced pat-down procedure on a passenger at an airport. Righthaven claimed to have obtained rights to the photo after it was shot by the Denver Post. It went viral after appearing on the Post website and being distributed to news outlets far and wide by The Associated Press.

Hill said he didn't know the photo was subject to copyright protection or that it was even taken in Denver; and that he had found it online during an image search.

After it was learned that Hill had disabilities, Righthaven's problems mounted when Hill charged that Righthaven attorneys had insisted that he pay \$6,000 and that if need be, Righthaven would garnish a portion of his Social Security Disability Insurance income for 10 years at \$50 per month until the \$6,000 was paid.

Righthaven denied wrongdoing. But the international press freedom group Reporters Without Borders denounced the suit and demanded the Post drop it. That suit was eventually dropped, and the Post later canceled its lawsuit deal with Righthaven.

About 345,000 results (0.33 seconds)

### Reporters Without Borders letter faults Denver Po...

[blogs.westword.com/.../reporters\\_without\\_borders\\_denver\\_post...](#)  
by Michael Roberts - in 30 Google+ circles  
**Reporters Without Borders** letter faults Denver Post for **Righthaven** suit against **Brian Hill**. By Michael Roberts Thu., Mar. 3 2011 at 12:42 PM. Categories: Follow ...

### Reporters Without Borders - Denver - Westword

[www.westword.com/related/to/Reporters+Without+Borders/](#)  
Judge doesn't force company to pay **Brian Hill's** attorney fees ... **Reporters Without Borders** letter faults Denver Post for **Righthaven** suit against **Brian Hill**.

### Brian Hill: Autistic blogger reboots site, shares plan...

[blogs.westword.com/.../brian\\_hill\\_righthaven\\_drops\\_lawsuit\\_autistic\\_bl...](#)  
by Michael Roberts - in 30 Google+ circles  
Apr 13, 2011 - Update: **Brian Hill**, a chronically ill, mildly autistic North Carolina ... **Reporters Without Borders** letter faults Denver Post for **Righthaven** suit ...

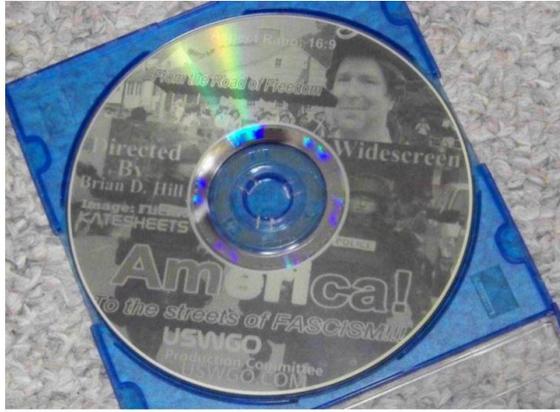
### MediaPost Publications Reporters Without Border...

[www.mediapost.com/ Home / Daily Online Examiner](#)  
Mar 3, 2011 - **Reporters Without Borders** was responding to a recent **Righthaven** case against **Brian Hill**, a 20-year-old autistic blogger who was sued for ...

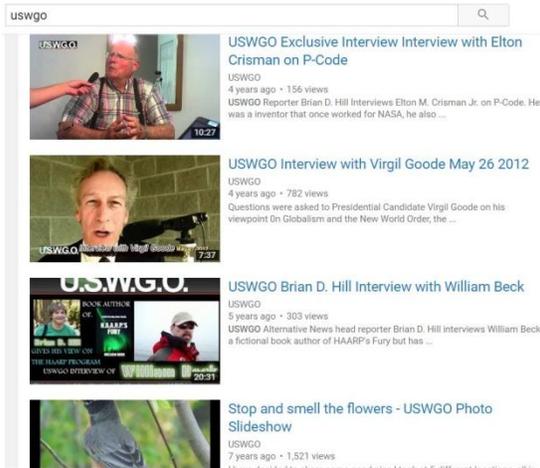
2011

2015

In 2012, Brian finished the documentary he was working on in 2011



Photograph of the USWGO Documentary "America! From the Road of Freedom, To the streets of Fascism!" | Credit: Brian D. Hill



Small super PAC takes on Trump in rural Virginia  
Even AMI Newswire showed a photo of my interview with Virgil H. Goode, and attributed it to USWGO.





**Carl DeHart about Hitler rising to power through economic crises**

USWGO  
 5 years ago · 598 views  
 USWGO Exclusive interview with historian Carl DeHart from the Martinsville Henry county historical museum allows a historical ...



**Revolutionary City's Guide to the American Revolution Part 3 of 6**

USWGO  
 6 years ago · 738 views  
 Presented by USWGO I film the August 20 2010's special event in Revolutionary City in Colonial Williamsburg Virginia (VA).

Top 30 of 124 Total Countries							
#	Hits	Files	KBytes			Country	
1	962936	49.68%	953693	50.66%	10308562	31.54%	Network
2	484720	25.01%	463787	24.63%	15164598	46.40%	US Commercial
3	307412	15.86%	289278	15.37%	4626764	14.16%	Unresolved/Unknown
4	20252	1.04%	20024	1.06%	208749	0.64%	Australia
5	18256	0.94%	18170	0.97%	218625	0.67%	Canada
6	14002	0.72%	13896	0.74%	147353	0.45%	US Educational
7	13547	0.70%	13362	0.71%	240455	0.74%	Non-Profit Organization
8	9464	0.49%	9358	0.50%	123878	0.38%	United States
9	6867	0.35%	6821	0.36%	86147	0.26%	US Military
10	6820	0.35%	6522	0.35%	85691	0.26%	US Government

Screenshot of web traffic Statistics report for uswgo.com in 2012. Credit: Brian D. Hill

YouTube Search

U.S.W.G.O.

HD Exclusive Interview with  
720P Elton M. Crisman Jr.  
On P-Code GPS Confusing operation and answers some other questions

May 10th 2012 Interview ID:#001 USWGO.COM

▶ 0:04 / 10:26

USWGO Exclusive Interview Interview with Elton Crisman on P-Code

USWGO Subscribe 1,314 156 views

+ Add to ➦ Share ⋮ More 👍 4 🗨️ 0

Published on May 15, 2012

**10. Brian attends Bilderberg meeting in Virginia and meets his hero at the time, Alex Jones: Brian is recording Alex Jones' interview with Stewart Rhodes in Virginia during the Bilderberg event: June 1, 2012**

**[USWGO Brian Hill films Alex Jones during interview with Stewart Rhodes](#)**



**Luke Rudkowski "We Are Change"**



**Brian Hill "USWGO" (black & white shirt)**



Bilderberg 2012 Documentary: Bilderberg It and They Will Come (feat. Alex Jones)



**FOIA request dump confirms DHS is monitoring Alex Jones and InfoWars**

www.examiner.com

In an August 17, 2012, data dump received from the Department of Homeland Security, USWGO.com, an alternative news website, has received evidence which confirms

1 of 1 Choose a Thumbnail



Brian D. Hill (left) and Gregory Lance (right)

**Gregory Lance "We Are Change" NC (June, 2012)**



**Brian Hill, Alex Jones, Stewart Rhodes, Oath Keeper June, 2012**

Sincerely,  
Brian D. Hill  
(336)510-7972  
413 N. 2nd ave. Mayodan, NC 27027  
Founder and Head Reporter of USWGO Alternative News and Head Activist of it's Political Action Center ([uswgo.com](http://uswgo.com))  
Reporter of [FederalJack.com](http://FederalJack.com) and [We Are Change](http://WeAreChange)  
[admin@uswgo.com](mailto:admin@uswgo.com)

**On all emails in 2012, Brian put the above information including to Mayodan police chief, Mayodan, NC town hall members, Reidsville, NC, Madison, NC, etc.**

YouTube Search



**Agenda 21 Speech/Speaker: Brian D. Hill  
Mayodan Town Council**

USWGO

Agenda 21 Speech at the Mayodan Town Council meeting

USWGO [Subscribe](#) 1,314

1,175 views

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Published on Mar 12, 2012  
USWGO Founder and Head Reporter Brian D. Hill speaks at the Mayodan Town Council Meeting on March 12 2012 for the first time to speak on the dangers of Agenda 21 and how it affects America, the state of North Carolina, and even the small town of Mayodan. After the speech, Mr. Hill gave 7 copies of

YouTube Search



**USWGO Brian D. Hill makes a speech on NDAA at the Mayodan Town Council April 9 - Enhanced Audio**

USWGO [Subscribe](#) 1,314

1,008 views

+ Add to Share More

Published on Apr 10, 2012  
ENHANCED Audio Version of USWGO Brian D. Hill makes a speech on the NDAA at the Mayodan Town Council April 9th 2012.

 **NC Senator Phil Berger receives the Nullify-NDAA Petition at the Mayodan Town Hall**

Posted by Brian Hill on May 17, 2012 at 4:48pm in Tea Party

[View Discussions](#)



**USWGO May 14th 2012 - Mayodan Town Council**  
Brian D. Hill - USWGO Official Video - Docs available at records archive

Nullify-NDAA Petition and Report given to NC Senator Phil Berger

USWGO · 312 videos [Subscribe](#) 1,183

597 views



**USWGO May 14th 2012 - Mayodan Town Council**  
Brian D. Hill - USWGO Official Video - Docs available at records archive

Enhanced (Sharpened) Screen Capture of Video of NC Senator Phil Berger being given the petition

Author: Brian D. Hill

Source: USWGO Alternative News

Note: To Access the progress USWGO has had at fighting the NDAA please

**Subject:** Re: What's the status on the town resolution?  
**From:** Brian Hill <admin@uswgo.com>  
**Date:** 6/27/2012 4:26 PM  
**To:** Michael Brandt <mbrandt@townofmayodan.com>  
**X-Account-Key:** account1  
**X-UIDL:** GmailId1382f9f3fee7d11  
**X-Mozilla-Status:** 0011  
**X-Mozilla-Status2:** 00000000  
**MIME-Version:** 1.0  
**Received:** by 10.114.28.36 with HTTP; Wed, 27 Jun 2012 13:26:02 -0700 (PDT)  
**X-Originating-IP:** [24.148.156.211]  
**In-Reply-To:** <CF9D96B08C884949B092DA69AC48D37C@ci.mayodan.nc.us>

**Note Mr. Hill's IP # in his email 24.148.156.211**



Reporter forced back by Mayodan Police for asking Senator Phil Berger a question

1,497 views

31 likes, 1 dislike, SHARE, SAVE, ...



**USWGO**  
Published on Jul 9, 2012

SUBSCRIBE 1.3K

The Mayodan Chief of Police forced me, Brian D. Hill, back from state senator Phil Berger and got in my face as you see in the video. I was also booted from the town council room and will likely be banned from the Mayodan Town Council. There is extra audio recording of the incident but got intimidated and tried to get out of there. So asking State Senator Phil Berger a question is a crime. When I was intimidated by the chief of police and a little threat was put in at me I promised out of fear that I wouldn't approach him right at the town council bench again. So I pretty much cannot give him petitions or anything anymore. I guess Phil Berger is really a cohort of a Bilderberger the way he acts!!!!

Category: News & Politics



**Uswgo Brian Hill**

If you cannot go then please invite your friends to see if they can. We need to do this to ask him hardball questions without me being arrested or threatened at the town council. I need any of your help to work as a team to expose Phil Berger to the voters of his district.

Like · Comment · Unfollow Post · July 14, 2012 at 4:38pm

Gregory Lance and James Jjink like this.



**Uswgo Brian Hill** This is all I can. The rest is up to the voters and the North Carolinian people. If we don't stand up he will likely get me thrown in prison under some false criminal charge. People with a lot of power can and will abuse it. We need to work together and stand up against those in power. If those in power are challenged good enough they will back down and behave.

July 14, 2012 at 4:47pm · Like · 1

Author Topic: **The Police are harassing my mom now** (Read 2639 times)

0 Members and 1 Guest are viewing this topic.

**uswgo**  
Guest

**The Police are harassing my mom now**  
« on: July 12, 2012, 07:57:02 PM »

I have to get on the Alex Jones Show even for just a 15 minute segment.

Because of telling people what the chief of police did to me my mom is now being harassed by the police chief

When my mom was walking down to the Dollar General store right close to downtown, a police van start driving up to where my mom was walking on the sidewalk and start asking her questions.

They told her that a girl was walking down the sidewalk and asked if she seen her and she said no.

**7/12/2012 Police are harassing my mom now (More about this on another PDF) Brian**

**Subject:** What does it take to get on the town council election ballot?  
**From:** Brian Hill <admin@uswgo.com>  
**Date:** 7/12/2012 11:53 PM  
**To:** Lessa Hopper <mhopper@townofmayodan.com>  
**X-Account-Key:** account1  
**X-UIDL:** GmailId1387e78491f09fa6  
**X-Mozilla-Status:** 0001  
**X-Mozilla-Status2:** 00000000  
**MIME-Version:** 1.0  
**Received:** by 10.114.36.138 with HTTP; Thu, 12 Jul 2012 20:53:28 -0700 (PDT)  
**X-Originating-IP:** [24.148.156.211]  
**Delivered-To:** admin@uswgo.com

**Note:** This email sent to Mayodan on 7/12/2012 has Mr. Hill's IP address: **24.148.156.211**

Which agrees with what the Mayodan police claim they got another way when they hacked into his computer without a search warrant. Also notice all of the Righthaven articles a year before had that Brian Hill from Mayodan, NC had autism and brittle diabetes (Could police have used that information to get a false confession during lunchtime the day after the police raid? August 29, 2012 by disobeying all disability laws.

**INCIDENT/INVESTIGATION REPORT**

Narr. (cont.) OCA: 2012-00287

*Mayodan Police Department*

Page 3

North 2nd Avenue.

While in Detective Bridge's office, he showed me the webpages and downloaded files that were retrieved by the ICAC software. The videos downloaded by the Hill's IP address (24.148.156.211) were child pornography, commonly referred to as Pre-Teen Soft Core (PTSC) and Pre-Teen Hard Core (PTHC). I personally viewed a five second segment of each video and confirmed that it was child pornography.

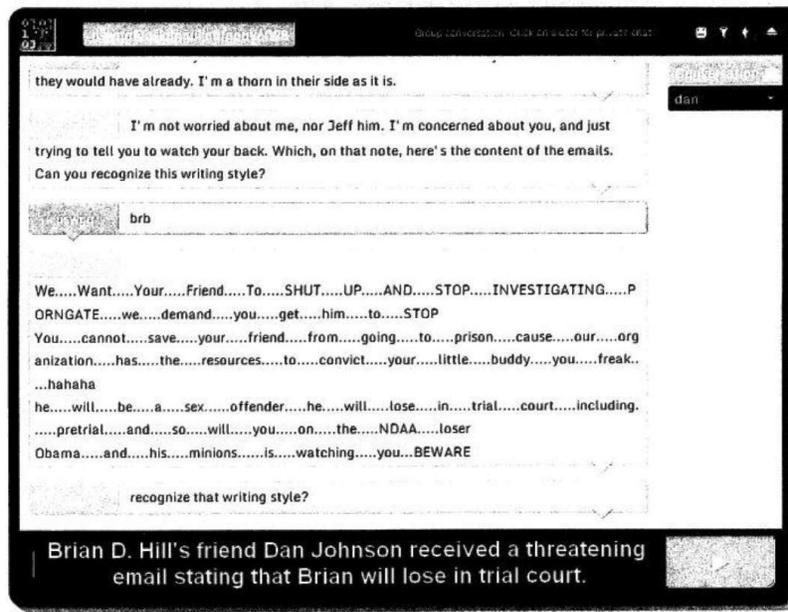
Compare this IP address with Mr. Hill's emails to Mayodan from June & July, 2012. **24.148.156.211** (Wonder how the police really got the IP address)? When they hacked into his computer without a search warrant, did they put some Child porn in it too? Perhaps they were not happy with all of the articles Mr. Hill was writing about the town attorney (Berger) and the Mayodan police chief?

Let's move on to all of those threat emails too from 2013. Assassinate the character, and you shut down freedom of speech – use child porn, then based on his disabilities, get a false confession. After all, if police have had the training, they would know how easy it is to get a false confession from someone with a

communication disability, especially if they do the questioning during lunch when his blood glucose goes low. This all happened almost 10 years ago, it's time for the truth to come out by Brian's family.

First threat sent to someone who wanted to testify for Mr. Hill, but Mr. Hill's court appointed attorney refused any witnesses and explains that in court on September 30, 2014. When Brian told his family about his two threats, we thought it was just an empty threat. We were wrong, all of these email threats came true in the middle district of NC. Brian tried to appeal his case after he & his family read the NC SBI together for the first time in January, 2015. You should read the threats from 2015. We have a special PDF with all threats on it. Not only are they threats, but whoever sent these admitted that they put child porn on my grandson's laptop computer & hard drives. These were put in court records in 2014, 2015, 2017 and keep being ignored, just like the threats said would happen.

David Hill had concerning an encrypted chat Hill had with witness Dan Johnson of "People Against the NDAA" (PANDA or PANDAunite), somewhere between approximately late 2012 to 2013. Dan Johnson had reported to Hill to have received a threatening email with the words "We.....Want.....Your.....Friend.....To.....SHUT.....UP.....AND.....STOP.....IN VESTIGATING.....PORNGATE.....we.....demand.....you.....get.....him.....to...



**From:** <johnsnatchz@tormail.org>  
**Date:** Sun, Apr 7, 2013 at 5:30 AM  
**Subject:** You better watch out.....  
**To:** [admin@uswgo.com](mailto:admin@uswgo.com)

**You better watch out Brian...We are watching you...Having child porn planted on your hard drives and computer was only the beginning and we will set you up for violent sex crimes if you don't watch your back...Have fun becoming a sex offender...Police won't believe you no matter how much evidence you have that you been set up we know some people in the SBI who will make sure you are convicted. You will be shut up by being a sex criminal. Your friends Alex Jones, Dan, James, Sean, Alex, and others are next...BeWare!**

*First threatening email that I had received from tormail.org. Source: Federal Court Docket entry, U.S. District Court for the Middle District of North Carolina, Case 1:13-cr-00435-WO, Document 30, Filed 09/10/14, Page 3 of 5.*

USWGO Mail - Your gonna get it

<https://mail.google.com/mail/u/0/?ui=2&ik=3b8027ea52&view=>



Brian Hill <admin@uswgo.com>

**Your gonna get it**

**sallysamsong@tormail.org** <sallysamsong@tormail.org>  
To: [admin@uswgo.com](mailto:admin@uswgo.com)

Sat, Apr 20, 2013 at 11:58 PM

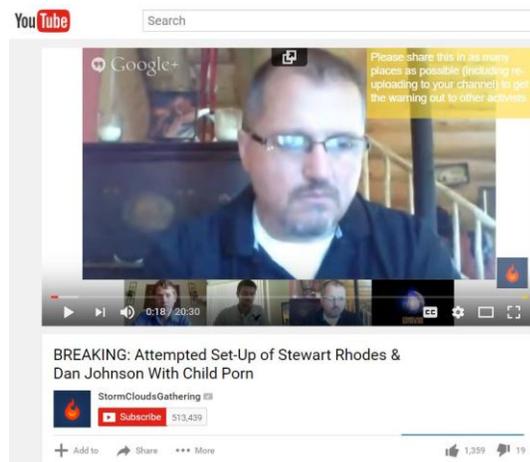
Your gonna get it...We know what your tryin to do....You'll regret ever being an investigative news reporter....Youll regret what you just did....better watch your back Brian....DONT REPORT ANY MORE ARTICLES OR TALK TO ANY REPORTERS ABOUT THIS CHILD PORN VIRUS OR YOU GONNA GET IT

*Second threatening email that I had received from tormail.org. Source: Federal Court Docket entry, U.S. District Court for the Middle District of North Carolina, Case 1:13-cr-00435-WO, Document 30, Filed 09/10/14, Page 2 of 5.*

**We emailed these to Mr. Hill's attorney who ignored everything so we sent these to Brian to send to the court in 2014 while he was still in jail.**



Screenshot of an offline but archived copy of a 2013 YouTube video that was sourced from the We Are Change official YouTube channel. Luke Rudkowski describes how somebody was pretending to be a Whistleblower then sending child porn and apparently using a TOR onion-router based anonymous email service (tormail.org) to Luke with an intent to get him to download or share the photos which were suspected child porn.



(Attempted Setup of Luke Rudkowski of We Are Change. org) July 3, 2013  
<https://www.youtube.com/watch?v=zislzpkpvZc>

Attempted setup of Stewart Rhodes (Oath Keepers) and Dan Johnson (Founder of Panda “People Against the NDAA”) with child porn on July 24, 2013

<https://www.youtube.com/watch?v=XYVvuDRstDw>

Comment: “The same thing happened to Ben Swann a couple days ago”

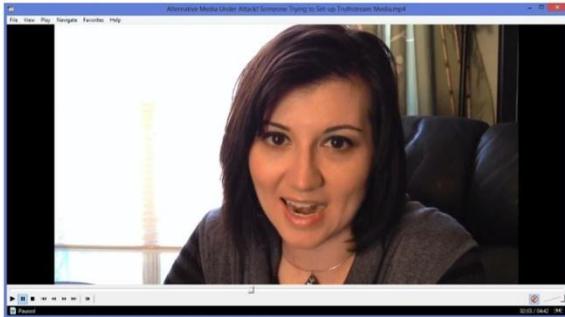
If you noticed the photos on Page 14-15, some of these people were at the same Bilderberg meeting in Virginia reporting it. Brian’s mom took Brian in June, 2012. A lot of these meetings are in other countries. Brian always wanted to go to them to do his own report on it on USWGO news.

**Alert: Melissa Melton & Aaron Dykes also targeted by Hackers attempting to entrap REAL Media Journalists w/ Child Porn Emails!**

6 votes

Submitted by AnCapMercenary on Wed, 11/13/2013 - 21:06

Alternative Media Under Attack! Someone Trying to Set-up Truthstream Media



Screenshot of an offline but archived copy of a 2013 YouTube video that was sourced from the Truthstream Media official YouTube channel. Melissa Melton describes how somebody was masquerading as her sending child porn and apparently using a TOR onion-router based anonymous email service to an unsuspecting person assuming that he/she would be a guest for media interview.



<http://youtu.be/EchVDHhcw1o>  
TRUTHstreammedia  
Published on Nov 13, 2013

Following reports that someone was trying to set-up WeAreChange's Luke Rudkowski and OathKeepers' Stewart Rhodes, as well as an



Around sometime of July 2012, cannot remember the day but the problem may have lasted for anytime between less than one week to two weeks. Also at that time I did not remember using any Anti-virus software on my computer, and had to keep reminding myself to get the software and install on my computer but I cannot remember if I ever did, which means I don't think I used an anti-virus and if I did I would have clearly recalled. I started noticing that emule.exe was running along with three other programs. Conime.exe, ares.exe, and shareaza.exe. I believe the main program that was rogue and was running was emule.exe. It didn't run under the normal programs. This program ran without my consent, and without my knowledge until I discovered the program running in task manager. I had ended the tasks thinking this Trojan was gone but then days later I noticed that the hard drive space on my computer was out at 0k. I decided to open the program location using the task manager. I noticed it appeared to be a portable version of eMule, at least the folder structure looked similar. I clicked on the shared files folder and saw hundreds of files with names I didn't understand. Some of those names from what I could remember said 9yo, pthc, ptsc, and other terms. I assumed it was just some viruses being shared and deleted everything. I had no idea what was shared or that it was something that would get the police after me. Then I tried to sabotage the virus since it took over my computer and made it difficult to fight against. I even recall a bit about calling my grandmother on the phone telling her that I was fighting a virus or Trojan, and that is really all I recall. So I know I had called my grandmother telling her about this Trojan, and took days to put a stop to, if that was even enough as it could have still ran, but I wouldn't know. I believe there may be other Trojans running on the computer too due to the weird programs that were running. I should have restored my computer but did not because I had a lot of data I would have to move off the computer to conduct the restore.

# ATTACHMENT 4: “3 Brian's treatment in jail with brittle diabetes, autism & OCD.pdf”

For “MEMORANDUM OF STELLA FORINASH AND KENNETH FORINASH IN FAVOR OF ACTUAL INNOCENCE OF BRIAN DAVID HILL; IN SUPPORT OF WHY BRIAN DAVID HILL SUSPECTS BLACKMAIL OF “JUDGES” AND “OFFICIALS”; AND IN SUPPORT OF GROUND VI - UNCONSTITUTIONAL INTERFERENCE WITH THE STATE COURT PROCESS AND/OR UNWARRANTED USURPATION OF POWER AGAINST THE STATE COURT PROCESS IN VIOLATION OF THE TENTH AMENDMENT OF THE UNITED STATES CONSTITUTION; AND IN SUPPORT OF 2255 MOTION (DOC. #291)”

Case no. 1:13-cr-435-1; civil no. 1:22-CV-00074

Ally of Q, Former news reporter of USWGO Alternative News  
JUSTICEFORUSWGO.WORDPRESS.COM



# Brian's Treatment in Jail with Brittle Diabetes, Autism & OCD

However, the PLRA does not apply to individuals who have been released from custody. *Talamantes v. Leyva*, 575 F.3d 1021 (9th Cir. 2009) (exhaustion requirement not applicable to former prisoners not confined when suit is filed). Therefore a former prisoner or detainee, or their family members, if deceased, may be able to bring a claim for damages after release, even if the PLRA would have barred the suit while in a correctional facility.<sup>35</sup>

See Page 30 "LEGAL RIGHTS of PRISONERS. INTERNET LINK

<http://main.diabetes.org/dorg/living-with-diabetes/correctmats-lawyers/legal-rights-of-prisoners-detainees-with-diabetes-intro-guide.pdf>

## II. AMERICANS WITH DISABILITIES ACT AND REHABILITATION ACT PROHIBITIONS AGAINST DISCRIMINATORY TREATMENT

### A. Title II of the Americans with Disabilities Act

The Supreme Court has held that Title II of the Americans with Disabilities Act (ADA) applies to state prisons. *See Pennsylvania Dep't of Corrections v. Yeskey*, 524 U.S. 206 (1998).<sup>44</sup>

47860. The strongest ADA or Rehabilitation Act claims point to the specific prison programs or services that an inmate could not access due to their diabetes. Preferably, an ADA claim would state a claim for denial of services based on animus against a person with diabetes. Since the majority of claims by prisoners with diabetes relate to inadequate medical care, rather than unequal provision of services, most diabetes case law has developed under the Eighth and Fourteenth Amendments.

Page 39 & 58

**American Diabetes Association**  
Government Affairs and Advocacy  
1701 N. Beauregard St.  
Alexandria, VA 22311  
Email: [LegalAdvocate@diabetes.org](mailto:LegalAdvocate@diabetes.org)  
Phone: 1-800-DIABETES

# CRUEL & UNUSUAL PUNISHMENT IGNORED BY FEDERAL COURT

- Insulin-treated patients treated with insulin or sulfonylureas should have a CBG determination within 1–2 hours of arrival.
- Medications and nutritional goals should be continued without interruption upon entry into the detention setting.

## Recommendations

- The sole use of sliding scale insulin is strongly discouraged.

SEE PAGE 7 <https://diabetes.org/sites/default/files/2021-11/ADA-position-statement-diabetes-management-detention-settings-2021.pdf>

<https://www.diabetes.org/tools-support/know-your-rights/attorney-materials/correctional-institutions-materials-for-lawyers>

People with diabetes should receive medical care from a physician-coordinated team. Such teams include, but are not limited to physicians, nurses, registered dietitian nutritionists (RDNs), pharmacists, and mental health professionals with expertise and a special interest in diabetes. Diabetes self-management education is an integral component of care and individuals with diabetes should play an active role in their own treatment. If possible, a patient should be permitted to continue all or parts of their self-management regimen under supervision.

Type 1 diabetes: All patients with type 1 diabetes require daily treatment with insulin. Patients with type 1 diabetes should be treated with a daily injection of long-acting basal insulin plus rapid acting prandial insulin at mealtimes. The dose of pre-meal insulin should be varied based on meal carbohydrate content and blood glucose levels. However, sole reliance on “sliding scale” insulin is inappropriate and can lead to dangerous hypo or hyperglycemia. Telemedicine consultations may be appropriate when treatment by a diabetes specialist (endocrinologist, physician with training/expertise in diabetology, or advanced practice nurse/certified diabetes care & education specialist is needed.

People in pre-conviction detention, including people in jails or holding cells, have similar protects under the Fourteenth Amendment. *See, e.g., City of Revere v. Mass. Gen. Hosp.*, 463 U.S. 239, 244 (1983) (due process under 14<sup>th</sup> Amendment protects pre-trial detainees).

People subject to arrest are protected by the Fourth Amendment. *See, e.g., Currie v. Chhabra*, 728 F.3d 626 (7th Cir. 2013) (protections under Fourth Amendment for individuals detained by police). The Fourth Amendment applies to individuals have not been charged with a crime, but are still detained by police officers.<sup>24</sup>

Cruel and unusual punishment under the Eighth Amendment includes deliberate indifference to serious medical needs. *See, e.g., Estelle v. Gamble*, 429 U.S. 97, 104 (1976).

Cir. 1999). The court distinguished between “unstable diabetes”—where blood sugar levels consistently fluctuate—and “‘stable’ diabetics” whose blood sugar levels remain consistent over time. *Rouse*, 182 F.3d at 198. The court suggested, without extensive analysis, that unstable diabetes would more apparently rise to the level of a serious medical condition. *Id.*

<https://diabetes.org/sites/default/files/2021-11/ADA-position-statement-diabetes-management-detention-settings-2021.pdf>

### **Hypoglycemia**

Hypoglycemia is defined as a blood glucose level < 70 mg/dL (3.9 mmol/L). Individuals with blood glucose levels between 50 and 70 mg/dL may experience hunger, agitation, diaphoresis (excessive perspiration/sweating), and tremulousness. Blood glucose levels below 50 mg/dL can be associated with more severe signs and symptoms, including cognitive change, confusion, combativeness, seizure, or coma.

**High blood sugar** - The main symptoms of hyperglycemia are increased thirst and a frequent need to urinate. Other symptoms that can occur with high blood sugar are: Headaches, Tiredness, Blurred Vision, Hunger, Trouble with thinking or concentration, Frequent urination, May develop diabetic ketoacidosis, can lead to diabetic coma and death. Long term hyperglycemia complications can effect heart, kidneys, eyes, nerves, immune system, blood vessels. High blood sugar 180 mg/dL , called hypoglycemia.

So again two pages of document from Butner, NC are attached to prove my medical problems were out of control while I was jailed or in prison for the mental evaluation. I never should have been locked up. It would have been better if I were simply summonsed to go to trial and allowed to stay released with access to all of my evidence on my computer to introduce evidence pretrial to use in the Jury Trial to help give me a fair trial. A lot of wrongs were done to me throughout my case. If The Rutherford Institute had represented me then I would have just asked for acquittal based on all the violations of my Constitutional rights while I was incarcerated. The Court needs to not use the false admission of guilt against me.

Even at Butner, NC I was only given a limited amount of NPH. NPH is not the usual method insulin I usually get. It is units and based on carb intake and sliding scale. The jails did not take good care of me and my health can never survive in the jails for too long. The only reason my health wasn't as bad as it could have been was because I kept exercising in my cell at the jails or exercise during my 1-hour out of my cell. The reason my blood sugar went up and down despite being given limited insulin was because FCI-1 Butner, NC had a large running track and recreation yard. I kept walking on the track and even using their exercise room machines to build my muscles. All the exercising was why my A1C went as low as 8.8 but it still wouldn't prevent me from losing weight as my body needs a certain amount of calories every single day depending on how active I am and how much energy my body uses each day. I need the insulin to cover all of the carbs I intake. The jails did not give me enough insulin to cover all the carbs I ate and the diet trays do no good and only limit my energy and it impacts my critical thinking

<https://www.courtlistener.com/docket/4304407/82/united-states-v-hill/>

HEMOGLOBIN A1C				
Hemoglobin A1C	H	10.9	4.0-6.0	%

**Bureau of Prisons  
Health Services  
Clinical Encounter - Administrative Note**

Inmate Name:	HILL, BRIAN DAVID	Sex:	M	Race:	WHITE	Reg #:	29947-057
Date of Birth:	05/26/1990	Provider:	Sichel, Lawrence MD	Facility:	BUT	Unit:	N02
Note Date:	03/27/2014 11:30						

Medication Renewal/Review encounter performed at Health Services.

**Administrative Notes:**

**ADMINISTRATIVE NOTE 1**      Provider: Sichel, Lawrence MD

Nurse reports inmate told her he eats extra food at night because he is concerned he will be hypoglycemic with current insulin doses. Will try lower NPH in evening.

**New Medication Orders:**

Rx#	Medication	Order Date	Prescriber Order
	Insulin NPH -Human	03/27/2014 11:30	30 units Subcutaneously each morning x 180 day(s) Pill Line Only
	Indication: Diabetes mellitus, type I (juvenile type)		
	One Time Dose Given: No		
	Insulin NPH -Human	03/27/2014 11:30	18 units Subcutaneously each evening x 180 day(s) Pill Line Only

**Brian was sick on May 16, 2014, and he explained that he gets his shot 1-2 hours after eating the meal instead of minutes after he eats.**

<https://www.courtlistener.com/docket/4304407/131/united-states-v-hill/>

**XI. Medical Records from one or more county detention centers while under U.S. Marshals custody of imprisonment, proves that the Defendant was not provided adequate medical attention prior to his guilty plea and prior to his sentencing**

Medical records from the County Detention Centers (See **Exhibit 2**) also show that the Defendant's health was not being taken well care of prior to his false

<https://www.courtlistener.com/docket/4304407/128/1/united-states-v-hill/>

1. **(1 Page, Part 1)** September 30, 2014, a page from the medical record of Southern Health Partners, the healthcare provider of Orange County Detention Center in Hillsborough, North Carolina. The medical record is of Defendant Hill. Shows Hill's weight at 140lbs.

DOCUMENT VITAL SIGNS:											
Respiration:	14	O2 Sat:	98	Pulse:	88	Temperature:	98.6	Blood Pressure:	110/28	Weight:	153 140
Interviewer's Signature: <u>Brian D. Hill</u>							Date:	<u>10/1/14</u>			
Interviewer's Signature and Title: <u>M. Kitchens LPN</u>							Date:	<u>10-1-14</u>			

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**Brian David Hill had lost 40 pounds in 9 months. He was also sent to various jails (3 jails & 1 prison in that amount of time with autism & OCD and no one to help with his autism – no aids in jail or in various days in courtrooms. The Americans with Disabilities Act also covers seizures, autism and OCD as well as diabetes. Brian is a brittle type 1 diabetic.**

2. **(1 Page, Part 2)** December 20, 2013, a page from the medical record of Correct Care Solutions ("CCS"), the healthcare provider of Forsyth County Detention Center in Winston-Salem, North Carolina. The medical record is of Defendant Hill. Shows Hill's weight at 180lbs. Also proves that Defendant was talking about suicide on this intake screening.

Patient Vitals:

Observed Date	Blood Pressure	Pulse	Resp. Rate	Temp	Pulse Ox	Weight	BMI
12-20-2013 05:12 PM CST	142/88	112	20	97.90	98	180	25.8

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<https://www.courtlistener.com/docket/4304407/131/united-states-v-hill/>

3. **(1 Page, Part 3)** Blood Sugar Flow Sheet from June 1 to June 9, 2014 (*June 10, Defendant was at the change of plea*), a page from the medical record of Southern Health Partners, the healthcare provider of Orange County Detention Center in

Hillsborough, North Carolina. The medical record is of Defendant Hill. Shows Hill was not being given any diabetic insulin on the Status Conference court hearing on June 4, 2014. No insulin was given because the nurse had stated in the record that two times the Defendant was "in court" for health checks around "07:30" and "12P". Around 3PM Hill's blood sugar was 429 and insulin was given. That meant that Defendant had no diabetic insulin given, not even for breakfast, until after the U.S. Deputy Marshals had returned Hill from federal court in the afternoon. The whole status conference on Jun 4, 2014, Defendant Hill had no diabetic insulin to regulate his blood sugar and the Court has to wonder why his blood glucose was 429. That was the last hearing that Defendant was verbally displeased with his court appointed Counsel prior to his false guilty plea.

See Chart & PROOF Here:

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**During this 9 day period, the Orange County Jail in Hillsborough, NC showed 27 test results. At home he would have tested his glucose minimum 4 times a day, many times more = at least 36 test results. Out of these 27 glucose results one was extremely low (22); 6 were extremely high (over 300), 15 were high and 5 were in the normal range. **No Insulin & No Glucose Results on 6/4/2014 at 7:30 AM or 11:30 AM - in COURT. At 3 PM that day 429.****

4. **(1 Page, Part 4)** May 16, 2014, a page from the medical record of Southern Health Partners, the healthcare provider of Orange County Detention Center in Hillsborough, North Carolina. The medical record is of Defendant Hill. Shows Hill filing an "inmate sick call slip - medical request" complaining about being given insulin hours after he eats. Normally Defendant is advised by his Medical Doctor to do insulin shot

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ATTN: ALL PERSONNEL URGENT!  
Thank You



Southern Health Partners  
Your Partner In Affordable Inmate Healthcare

**INMATE SICK CALL SLIP – MEDICAL REQUEST**

**TO BE COMPLETED BY INMATE:** Please complete the top half of the Sick Call Slip and return it to the correctional officer and/or medical staff for submission and review by the medical staff. The medical staff will arrange for you to be seen by the appropriate medical staff member. You will be charged in accordance with the medical co-pay system at this facility.

Today's Date: 05-25-14 Pod/Location: old Jail Cell: SM ID# 238306

Inmate's Full Name: Brian David

Complaint/Problem: I think my blood sugar low. I need something with sugar as soon as possible. Even peanut butter would do.

**TO BE COMPLETED BY MEDICAL STAFF:**

- See Clinical Pathway for Documentation/Response
- See Physician Order for Response to this Sick Call
- See Progress Note for Response to this Sick Call
- See Below for Response to this Sick Call

Rcd  
5-26

Nurse's Signature/Date: \_\_\_\_\_

M. Kitchens LPN

around the time that he eats a meal, so that whether it be starches or sugars, the insulin acts to convert the glucose into energy. Note: Being given insulin hours after eating while incarcerated is a bad practice and is cruel and unusual punishment to the Defendant, and that was before his false guilty plea was entered, and the Court has to wonder why an innocent man such as Hill would have falsely taken the guilty plea when the County Jails/Dungeons would not take care of Hill's health properly. After Defendant was released on prison sentence of time served, Hill was able to follow his Doctor's recommendations and do his insulin shot around each time he eats. Defendant again recommends to the Court that he not be jailed again during the course of these 2255 proceedings, otherwise it places the Defendant in the same conditions, the same situation, as to what led to Defendant falsely pleading guilty.

5. (1 Page, Part 5) May 25, 2014, a page from the medical record of Southern Health Partners, the healthcare provider of Orange County Detention Center in Hillsborough, North Carolina. The medical record is of Defendant Hill. Shows Hill filing an URGENT! "inmate sick call slip - medical request" complaining about his diabetic blood sugar being low and the

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<https://www.courtlistener.com/docket/4304407/131/united-states-v-hill/>

Jail guards had done nothing about it. Outside of the record, Defendant testifies in this entry that after the sick call, Defendant had attempted to eat one or more sugar packets until a Jail guard had caught him attempting to eat glucose in an attempt to raise his blood sugar. The Jail guards intervened through use of force, Defendant had peacefully attempted to explain that his blood sugar was low while they had refused to bring the nurse in and refused to do anything about it. It led to Defendant beating on the Jail guard, being thrown on the floor, being kicked in the face while pinned down, Defendant cussing at the Jail guards and stating an accusation that they

**See more of his description Document 128-2 Page 19-22**

**HYPOGLYCEMIA**  
(low blood sugar)

- sweating
- shakiness
- anxiety
- confusion
- difficulty speaking
- uncooperative behavior
- paleness
- irritability
- dizziness
- inability to swallow
- seizure
- loss of consciousness

• **Sugar:** If a detainee with diabetes requests a source of sugar to treat his/her diabetes, **immediately** provide that person with a sugared soft drink, juice, or another fast-acting source of sugar, followed by bread or crackers.

may be working for North Carolina State Senator Phil Berger,  
out of rage and anger that Defendant felt from being denied  
glucose which is essential to preventing a brittle type 1  
diabetic from going into a diabetic seizure. Defendant had  
screamed while blood was pouring out of his nose that "I AM  
BRIAN DAVID (or "D. "? ) HILL OF USWGO  
ALTERNATIVE NEWS, AND I HAVE BEEN FRAMED  
(or "set up"?) WITH CHILD PORNOGRAPHY". Defendant  
had screamed that over and over until the Jail guards  
forcefully moved his legs in an uncomfortable position to hurt  
the Defendant, had his clothes ripped off, and was butt naked

Given Juice / glucose tab for low BG level  
Redchecked BS = 185 @ 10:30pm 5/25/14, informed staff  
to give glucose tab if I/m reports low blood sugar  
again - let him check BS for ✓ He is able to do it.

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sitting in a dirty padded cell with feces contaminants.  
Defendant had felt that the Jail had wanted to kill him by not  
providing all medical needs, whether intentional or not.  
Defendant was not being taken good care of. The fact that  
Brian didn't even finish writing his whole name in the sick  
call is another sign that his brain functions started  
deteriorating. Because of the Jail staff ignoring his low blood  
glucose, they had never charged him with assault since they  
were the ones in the WRONG for refusing to have a nurse  
check his blood sugar to see if his blood sugar really was low.

They didn't do anything for a brittle diabetic that would have  
faced a diabetic seizure if he were not in a diabetic seizure  
already. They failed Defendant Hill on his medical needs

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\*\*\*\*\*

again. That is why the Court needs to consider not detaining the Defendant during the course of these 2255 proceedings.

6. **(1 Page, Part 6)** Blood Sugar Flow Sheet from May 14 to May 30, 2014, a page from the medical record of Southern Health Partners, the healthcare provider of Orange County Detention Center in Hillsborough, North Carolina. The medical record is of Defendant Hill. Shows Hill had a significant number of high blood sugar readings. Some of the highest blood sugar numbers are 397, 300, 440, 331, 344, 330, 336, and 397 again. The Jail had failed Hill and they did not provide him with 24 hour medical necessary services. They are one of the multiple reasons for Hill's false guilty plea.

<https://www.courtlistener.com/docket/4304407/128/1/united-states-v-hill/>

**This is for 17 days. It was checked 50 times. At his home it would have been checked more than 68 times. He had 4 lows (And from our experience with Brian he was probably in a coma on 5/26/14 (his 24<sup>th</sup> birthday) from the experience he had recorded & told his family about). It's a miracle that he is still alive from the nurses' notes. He had 11 extreme highs; 16 highs and 19 in the normal range.**

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<https://www.courtlistener.com/docket/4304407/131/united-states-v-hill/>



For more information about diabetes, call 1-800-DIABETES, or visit [www.diabetes.org](http://www.diabetes.org)

7. **(1 Page, Part 7)** October 20, 2014, a page from the medical record of Southern Health Partners, the healthcare provider of Orange County Detention Center in Hillsborough, North Carolina. The medical record is of Defendant Hill and appears to be a third party test done by Quest Diagnostics. Shows Hill's diabetic blood hemoglobin level was 8.8 which is a high number. Hill was prescribed metformin to try to control Hill's high blood sugars even though such medication was originally meant for Type 2 diabetics. Another failure of Orange County Detention Center to keep Defendant Hill's blood sugars under control. Collected on 10/16/2014, Received on 10/18/2014, Reported on 10/20/2014.

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8. **(1 Page, Part 8)** December 20, 2013 to December 23, 2014, a page from the medical record of Correct Care Solutions ("CCS"), the healthcare provider of Forsyth County Detention Center in Winston-Salem, North Carolina. The medical record is of Defendant Hill. Shows Hill's blood sugar levels from the "Diabetic Flow Sheet" That was while he was

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butt naked in a turtle suit (as some would call it) for those days on suicide watch. Blood sugars had ran for 287, and 281 on December 20, 2013. That meant Defendant had only been tested two times that day. The two highest blood sugar levels were 424 and 445. Other high numbers were 356, 340, 322, and 273. Hill had a lot of high blood sugar glucose numbers while at Forsyth County Detention Center.

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**His blood glucose was checked 12 times in these 8 days. At home it would have been checked at least 32 times. He had 6 extreme highs and 6 high glucose readings.**

9. (1 Page, Part 9) December 22, 2013, a page from the medical record of Correct Care Solutions (“CCS”), the healthcare provider of Forsyth County Detention Center in Winston-Salem, North Carolina. The medical record is of Defendant Hill. Shows Hill’s blood sugar levels were noticed to have been high multiple times, and it shows that Defendant Hill had been known as to have the problem of “Suicide and Self-Inflicted Injury by Other and Unspecified Means”. Of course that happened after Special Agent Brian Dexter of the U.S. Dept. of Homeland Security (“DHS”) transported Hill from Martinsville Memorial Hospital on December 20, 2013, to Forsyth County Detention Center. Because Hill had saw certain Jail guards wearing “SRT” uniforms, Hill assumed that they were U.S. military and that he was in some Mini-Gitmo aka Guantanamo bay type center for torturing

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suspected terrorists, so Hill yelled that he was going to kill

himself somehow, and told the medical staff that he wanted to die. Partially out of fear of being tortured no thanks to the fear of the DHS arresting him, and also due to the wrongful allegations that Hill had possessed child pornography. Hill knew they wouldn’t let him prove his actual innocence before being arrested and knew that a court appointed lawyer would not do anything to prove his innocence. That was what initially led up to the suicidal statements. The fear that Hill would be beaten, tortured, or killed for being accused of possessing child pornography, and not allowed to prove his innocence.

10. **(1 Page, Part 10)** February 1, 2014 to February 7, 2014, a page from the medical record of Correct Care Solutions (“CCS”), the healthcare provider of Forsyth County Detention Center in Winston-Salem, North Carolina. The medical record is of Defendant Hill. Shows Hill’s blood sugar levels from the “Diabetic Flow Sheet” The highest blood sugars had ran for 406, 421, 313, 326, and 300.

**There were 23 blood test results in 7 days. At home there would have been 28 and more done. He had 1 extreme low (31); 5 extreme highs; 14 high glucose and 3 in the normal range.**

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11. **(1 Page, Part 11)** January 13, 2014 to January 18, 2014, a page from the medical record of Correct Care Solutions (“CCS”), the healthcare provider of Forsyth County Detention Center in Winston-Salem, North Carolina. The medical record is of Defendant Hill. Shows Hill’s blood sugar levels from the “Diabetic Flow Sheet” The blood sugars were both high and low, again out of control due to Hill’s diabetes being brittle, as again diagnosed by Doctor Steven South of Greensboro, North Carolina, when Hill was a kid. Hill’s blood glucose cannot be controlled within a controlled prison

**There were 27 blood glucose test results in 6 days. There would have been 24 or more done at home. He had 6 low blood glucose readings; 3 extreme highs; 12 high glucose & 6 normal.**

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**• Access to diabetes medication and food: Detainees with diabetes must continue their medication schedule without interruption to avoid dangerously high blood glucose levels (hyperglycemia) and must always have access to food to avoid dangerously low blood glucose levels (hypoglycemia). In addition, it is important to coordinate meals and medication to maintain blood glucose levels in a safe range.**

12. (1 Page, Part 12) January 26, 2014 to January 31, 2014, a page from the medical record of Correct Care Solutions (“CCS”), the healthcare provider of Forsyth County Detention Center in Winston-Salem, North Carolina. The medical record is of Defendant Hill. Shows Hill’s blood sugar levels from the “Diabetic Flow Sheet” The blood sugars were both high and low, again out of control due to Hill’s diabetes being brittle, as again diagnosed by Doctor Steven South of Greensboro, North Carolina, when Hill was a kid. Hill’s blood glucose cannot be controlled within a controlled prison environment or even jail environment. Some of the high blood sugar readings were 417, 346, 316, and 325.

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**There were 25 blood glucose test results in 6 days. There would have been 24 or more done at home. He had 2 low blood glucose readings; 10 extreme highs; 9 high glucose & 4 normal.**

13. (1 Page, Part 13) October 29, 2014, a page from the medical record of Southern Health Partners, the healthcare provider of Orange County Detention Center in Hillsborough, North Carolina. The medical record is of Defendant Hill and appears to be a “MEDICATION ADMINISTRATION

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**HYPERGLYCEMIA**  
(high blood sugar)

- flushed skin
- labored breathing
- confusion
- cramps
- very weak
- sweet breath
- nausea
- loss of consciousness

**Action: Give access to water, bathroom, and medication, and obtain immediate assistance from a qualified health care professional.**

14. **(1 Page, Part 14)** Blood Sugar Flow Sheet from October 1 to October 21, 2014, a page from the medical record of Southern Health Partners, the healthcare provider of Orange County Detention Center in Hillsborough, North Carolina. The medical record is of Defendant Hill. Shows Hill was being tested sometimes two times a day, and some with three times in one day. When Hill's blood glucose is only tested twice a day, then he is only given insulin those times. So Hill wasn't being given the appropriate amount of insulin per meal each day. They had again failed to give Hill adequate insulin since they had only used sliding scale. They did not use the carb counting system, none of the Jails had counted the carbohydrates. When Jails give non-sugar foods as part of the diet trays for diabetics, they often may contain starches which normally aren't sugary but will slowly convert into glucose and will normally raise the blood sugar of the diabetic if untreated. Jails don't train their nurses to normally count carbs from the diet trays and then inject the appropriate amount of insulin at every meal. Because of that the blood sugars will normally run high, and can also dive low due to different factors including too much insulin and the diabetic exercising back and forth in the jail cell. The highest blood sugar numbers were 467, 417, 471, 460, 409, 333, 381, 366, 350, 379, and 338. Two or three blood sugar numbers were low. This is terrible blood sugar control.

**There were 49 blood glucose test results in 21 days. There would have been 84 or more done at home. He had 3 low blood glucose readings; 27 extreme highs; 15 high glucose & 4 normal**

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15. (1 Page, Part 15) Blood Sugar Flow Sheet from October 22 to November 6, 2014, a page from the medical record of Southern Health Partners, the healthcare provider of Orange County Detention Center in Hillsborough, North Carolina. The medical record is of Defendant Hill. Shows Hill was still running high blood sugar numbers, despite the metformin. Some high blood sugars are recorded as 373, 402, 398, 364, 400 (2 times (2x)), 331, 368, 369, 375, 351. That was before Hill was released from Orange County Detention Center and to appear before the sentencing hearing that would have been

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**There were 30 blood glucose test results in 16 days. There would have been 64 or more done at home. He had 0 low blood glucose recorded; 18 extreme highs; 10 high glucose & 2 normal**

on November 7, 2014, but was canceled due to a medical emergency of not being any diabetic insulin before being picked up by the deputy U.S. Marshals.

16. (3 Pages, Part 16) November 7, 2014, three pages from the medical record of Moses H. Cone Hospital in Greensboro,

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North Carolina. The medical record shows that on November 7, 2014, the deputy U.S. Marshals revealed that they had tested his blood sugars multiple times and were found to be 534, and 510, that "*he had missed his insulin last night.*" That is because Orange County Detention Center (Orange County Jail) had no night nurse. Normally the deputy U.S. Marshals pick up federal prisoners early in the morning. That means no diabetic insulin can possibly be given to the Defendant before being forced to appear in federal court, since the day-nurse (no night nurse at all) comes in usually after the U.S. Marshals pick up federal prisoners earlier in the morning before the nurse from Southern Health Partners checks in. The deputy U.S. Marshals saw that is consistent high blood sugars were a problem (a legal problem or medical problem???) and had transported him to the Hospital. The November 7, 2014, "Sentencing hearing" in front of the honorable U.S. District Court Judge William Lindsey Osteen Junior was canceled due to that medical emergency. The Court has to wonder why Hill had never completely withdrawn his guilty plea and stuck with his false guilty plea when he had plenty of opportunity to withdraw his plea. Again it is ineffective Counsel and deteriorating health conditions. Hill would have lost his SSI (social security) disability money if he had not been released from Jail before 1 year. There were multiple factors why Hill had falsely plead

guilty and as to why he didn't fully withdraw his guilty plea before his sentencing. The medical record also said that "*He came into Marshall's company and was noted to have a blood sugar of 534.*" I think they had meant U.S. Marshals custody but they type these medical reports up usually quickly in emergency situations. The U.S. Marshals did have somebody called a medic who did had provided Hill with an insulin shot but his blood sugar had still remained high after that. The medical record also said that "The history is provided by the patient and the police." So they did acknowledge that Hill was in police (U.S. Marshals) custody at the time the medical record as made. No diabetic insulin was given to Hill by Orange County Detention Center on the day of the sentencing hearing. John Scott Coalter and Eric David Placke did absolutely nothing about Defendant Hill's medical conditions except to just go along with it, and didn't fight to make sure that Defendant Hill was getting enough proper medical attention while in Jail or released under reasonable conditions such as the conditions of his Supervised Release. Why was Defendant given more reasonable conditions by the U.S. Probation office after he had falsely plead guilty than in the event that Hill could have been released on bond/bail?

The medical records listed above on record for Exhibit 2, prove for a fact that Defendant Hill had been given poor and terrible medical care while in the custody of the County Detention Centers aka the County Jails while a federal prisoner of the U.S. Marshals. The records showed that for two federal court hearings (Sentencing November 7, 2014 (canceled), and Status Conference on June 4, 2014) Hill had not received diabetic insulin before being picked up by the deputy U.S. Marshals for Hill to appear in court. One time he was in the hospital, the other time his blood sugar was found to being 429 at 4:00PM. His blood sugars had remained out of control, even after being given metformin medication that was actually meant for Type 2 diabetics, hoping that his blood sugars would stabilize. Hill's medical care was poorly taken care of while a federal prisoner. Hill has given good medical reason (valid excuse) as to why Hill had given the false guilty plea. Ineffective Counsel plays a role in this as well, since it was their job to ensure that Hill was given proper medical care or that could have been released from Jail on reasonable pretrial release conditions similar to the Supervised release conditions (after guilty plea) where he would be allowed to use a telephone and be allowed to fax his Pretrial Services Officer, so that Hill would be able to take care of his medical issues and see his Medical Doctor. Hill would also be able to comply with his pretrial release conditions

any reasonable circumstances prior to his false plea of guilty. For medical reasons and ineffective assistance of Counsel, Hill should not be charged with perjury for his change of plea for proving actual innocence. Instead Eric David Placke and John Scott Coalter should be charged for subornation of perjury since they did nothing about Defendant's deteriorating health, and did nothing to prove Defendant's actual innocence. Attorney Renorda E. Pryor of the "Supervised Release Revocation" hearing did a better job at arguing Defendant's deteriorating health at both the final revocation hearing on June 30, 2015, and the probable cause hearing in front of the Magistrate Judge, than his trial attorneys had done throughout Hill's criminal case prior to Judgment. Hill recommends that his ineffective Counsel be faced with subornation of perjury charges, as well as charges of endangering Hill's health by doing nothing about

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Hill's deteriorating health. They both have obstructed justice by not giving Hill complete access to his criminal case discovery materials prior to Judgment, having him plead guilty and stick with his guilty plea without Hill ever knowing what all of the evidence he could have used in his defense, until January 22, 2015 which is a few months after Judgment.

Roberta Ruth Hill, a witness to this criminal case, has written a notarized witness declaration letter for the Court in support of both this brief and the § 2255 motion on the grounds of actual innocence, and ineffective assistance of Counsel. The home address is in compliance with the Federal Rules since that witness has given consent to that address being part of that declaration for the Court, for the public record. See **Exhibit 52** for that witness letter for the Court.

Kenneth Forinash, a witness to this criminal case, has written a notarized witness declaration letter for the Court in support of both this brief and the § 2255 motion on the grounds of actual innocence, and ineffective assistance of Counsel. The home address is in compliance with the Federal Rules since that witness has given consent to that address being part of that declaration for the Court, for the public record. See Exhibit 51 for that witness letter for the Court.

Stella Forinash, a witness to this criminal case, has written a notarized witness declaration letter for the Court in support of both this brief and the § 2255 motion on the grounds of actual innocence, prosecutorial misconduct (referring to the FOIA lawsuit of Defendant), and ineffective assistance of Counsel. The home address is in compliance with the Federal Rules since that witness has given consent to that address being part of that declaration for the Court, for the public record. See Exhibit 50 for that witness letter for the Court.

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**Pages excerpted/extracted of the Bureau of Prisons Butner North Carolina medical records on Pages 7 and 8 of Document #82, Filed 04/27/2015, are/were a true and correct copy from the Butner Federal Correctional Institution medical records acquired by Hill while he was a mental evaluation study, then mailed to his family before was placed in Orange County Detention Center. This record is true and correct medical record to the best of my knowledge, and proved that my diabetic hemoglobin A1C was 10.9 as reported on February 19, 2014. For the 3-month A1C blood hemoglobin average the record proves that Hill's diabetic A1C was extremely and dangerously high since he had been initially arrested on December 20, 2013, by Special Agent Brian Dexter of the U.S. Department of Homeland Security. Another good medical reason as to why I/Hill gave a false guilty plea.**

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**ONE more important item from Brian and how his court appointed attorney lied to Brian's family in email on January 10, 2014:**

served, then once released, he could get access to his NovoLog Flexpen insulin instead of the mandatory 70/30 insulin that the Jails had provided Hill, and he can have access to his 24-hour glargine (Lantus) insulin which Hill's health is put into jeopardy when he is without his Lantus for even one day. When he is not getting his 24 hour insulin, his bladder overruns, the Novolog insulin is not as effective, and Hill's weight will start to drop and his body will begin

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deteriorating overtime. This puts the Defendant at high risk of forced amputations, coma, nerve damage, kidney damage, eyesight damage, or even other undesired results or even death. Hill's request that he change his plea back

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JLK-RSB, Document #24-2, Filed 07/03/2017), it further shows that Placke lied in email to Hill's family on January 10, 2014, that "*I met with Brian for about an hour and a half earlier today. He was in good spirits, said that he had seen a doctor and the jail's medical staff was doing a "great" job of managing his diabetes, and that he feels "a lot better."*" Well according to the other evidence filed in Doc. #24-2 (Page 21 of 26 Pageid#: 429, cont. of W.D.V.A. Hill v. EOUSA) of his federal lawsuit in Danville, VA, the high blood sugars that Hill had logged in the Jail's medical records between January 2, to January 10, 2014, where logged as "1-3-14 | time: 0445 | result: 344", "1-5-14 | time: 2010 | result: 349", "1-10-13 (wrong year?) | time: 1802 | result: 302", "1-8-14 | time: 1830 |

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# Diabetes is serious: It can be life threatening!

People with diabetes control their blood sugar (glucose) level by balancing medication, food, and activity. Many must test their blood sugar levels numerous times each day. People with diabetes must have access to their medication (insulin or oral medication) and food in order to avoid blood sugar levels that are dangerously high or low.

## Warning Signs that Require Action

### **HYPOGLYCEMIA**

(low blood sugar)

- sweating
- shakiness
- anxiety
- confusion
- difficulty speaking
- uncooperative behavior
- paleness
- irritability
- dizziness
- inability to swallow
- seizure
- loss of consciousness

**Action:** Give 1/2 can sugared (non-diet) soda (unless the person cannot swallow) and obtain immediate assistance from a qualified health care professional.

### **HYPERGLYCEMIA**

(high blood sugar)

- flushed skin
- labored breathing
- confusion
- cramps
- very weak
- sweet breath
- nausea
- loss of consciousness

**Action:** Give access to water, bathroom, and medication, and obtain immediate assistance from a qualified health care professional.

**BRIAN'S REPORTS TO MD NC Federal court about horror treatments of his disabilities and mental abuse in various jails by employees**

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1. I have mild autism, General Anxiety Disorder, OCD, and type 1 brittle diabetes. My health affects my judgement. With my ALC being up I am at risk of kidney damage, nerve damage, eye damage, and any other complications. With being told by pleading guilty I will get time served which means I could have got out jail soon to protect my health. Then after seeing all the terms and conditions by Probation I realized that the conviction and mandatory conditions will affect my health far worse than fighting my charge in court. I been set up with child porn, likely for political reasons, and I want to let this all go and move on with my life. It will be extremely difficult.

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## Autism

### COMMUNICATION

*The person you are interacting with:*

- May be non verbal or have limited verbal skills
- May not respond to your commands or questions
- May repeat your words & phrases; your body language and emotional reactions
- May have difficulty expressing needs

### BEHAVIOR

- May display tantrums or extreme distress for no apparent reason
- May laugh, giggle or ignore your presence
- May be extremely sensitive to lights, sounds or touch
- May display a lack of eye contact
- May have no fear of real danger
- May appear insensitive to pain
- May exhibit self-stimulating behavior: hand flapping, body rocking or attachment to objects

## IN CRIMINAL JUSTICE SITUATIONS

- May not understand rights or warnings
- May become anxious in new situations
- May not understand consequences of their actions
- If verbal, may produce false confession or misleading statement

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### **Principles for Prosecutors Considering Child Pornography Charges against Persons with Asperger's Syndrome**

Among the difficulties faced by young persons afflicted with Asperger's Syndrome (AS) and their families is the misinterpretation of the atypical behavior of the AS patient as dangerous and criminal. AS, defined in DSM-IV, is an "Autism Spectrum Disorder" (ASD) typified by extreme social and emotional immaturity, the inability to "read" others or respond appropriately in social settings, lack of intuitive awareness of social/moral/legal constraints, and intense and narrowly directed repetitive activities. These features combine to create a risk of engaging in behavior offensive toward others but with no offensive purpose. These individuals tend to have the technical skills for computer use, to which they gravitate because, unlike social interactions which are unpredictable, whimsical, and semantic-guided, computers are predictable, logical, and syntax-guided. These are intellectually intact people, with good computer skills but extraordinary brain-based naivete, acting in social isolation, compulsively pursuing interests which often unknowingly take them into forbidden territory.

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Accessing child pornography is not currently known to be a frequent behavior of young persons with AS, but enough cases have arisen to demonstrate the need for prosecutors to inform themselves of the condition and adopt a policy of restraint in the investigation and prosecution of such cases. Given the lack of social adaptation on the part of AS patients, interest in pornography as a means to explore ideas of sexuality and romance is expected. The exploration of this material on the internet or peer-to-peer networks will expose AS patients to child pornography which may arouse their curiosity. At these times AS is directly

involved in the individual's obliviousness to the social and legal taboos surrounding child pornography, and the inability to intuit that the visual depictions are the product of any kind of abusive relationships. This behavior is not predictive of future involvement with child pornography or offenses against children. There is nothing inherent in Autism Spectrum Disorders, such as Asperger's, to make individuals inclined to sexual deviance of any kind. Their apparently deviant behavior is perhaps best understood within the diagnosis of "counterfeit deviance," as defined in the DM-ID. ("Diagnostic Manual -- Intellectual Disability (DM-ID): A Textbook of Diagnosis of Mental Disorders in Persons with Intellectual Disability") Persons with AS are far less likely to be predators than victims, because of their naivete and ineptness in interpreting or deflecting the advances of others, and their inability to initiate social contact with others or effectively direct or manipulate any social encounter.

Asperger's Syndrome is a lifelong disability which on its own creates substantial hurdles for the patient. Criminal prosecution, conviction and the typical sanctions imposed in such cases are not necessary to protect the public in the case of an AS patient, but they are imponderably harsh, cruel and debilitating to persons with AS and their families on whom they are dependent. Generally these individuals are not a threat to society: it's the other way around. AS patients are frequently the target of abuses, such as bullying, often from poorly chosen "friends."

With this in mind, we suggest that prosecutors adopt the following principles when confronted with those who suffer from Asperger's Syndrome are found to be involved with child pornography.

5. Persons with AS experience lifelong difficulties. Young persons with AS are not able to live independently, and need to live with their families – their parents and siblings. Therefore the sex offender registration and residency restrictions arising from a child pornography conviction would have a cumulative and disastrous effect in these cases, and on more uninvolved person, than in other cases involving neuro-typical adults.

6. Prosecutors should be encouraged to defer criminal prosecution in cases involving young first offenders with AS who have no history of directly offending against children, or having produced or distributed child pornography, no clinical indications of pedophilia (other than accessing child pornography), nor history of prior offenses involving child pornography.

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1/2

## Deteriorating Health Declaration

I, Brian David Hill, declare under penalty of perjury that the foregoing is true and correct. Executed on September 19, 2014.

Brian D. Hill  
signed

Statement:

Statement:

signed

Since my incarceration in December 2013, my health has deteriorated. My weight went from over 200 to 153 lbs last weight check at ~~Guilford~~ Guilford County Jail. My blood sugars are more times high then low. Part of that is due to nurses not using the Insulin-to-carb-ratio of 1 unit per 7 grams of carbohydrates I intake at every meal by Dr. Steven South in NC. At Federal Correctional Institution 1 in Butner, NC my A1C was tested in February, 2014, and the blood hemoglobin 3-month A1C average was tested as 10.9 which is a dangerous level which proves I may already be receiving diabetic damage each day

damage. The longer I sit and fight in my criminal case, I face permanent damages which cannot be reversed after winning my case. My type 1 brittle diabetes is brittle. The stress, anxiety, and fear this criminal case has inflicted on me has also affected my blood sugars.

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## Deteriorating Health Declaration

Being locked up, shaken down by Jail officers, and being treated like a criminal has also caused emotional and mental health damage. Then in addition to my suffering in Jail every day, my lawyer did not do what needed to be done to win my case, and I felt helpless so I am having to file evidence with the court so that I won't break down and sink into depression. Out in the world I took Lantus insulin and fast acting NovoLog insulin. For every snack and meal, I took NovoLog insulin based on the 7-1 carb ratio. Every night I take Lantus

Due to limited insulin I receive in Jail, my energy is not as good as it was, and my blood sugars run high. My blood sugars affect my judgement and have contributed to my guilty plea. My health is important to me. I just want the court to understand that my health is fragile, that for every meal I eat needs to have enough insulin to cover that meal. The methods the Jail nurses use don't work well. Insulin to carb ratio and sliding scale work well together to maintain my blood glucose level. Unless the jail can properly administer enough insulin for my carb intake, my blood sugars and A1C levels will continue to run at dangerously high levels.

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If we had not gotten Brian out of jail or prison, he would have continued suffering until death and would have never gotten out. Brian is innocent. This should never have happened to him! He would have also lost his SSI disability check each month and other disability benefits & help in the world out of jail. He had already lost 11 months SSI money along with his constitutional freedoms

and half or more of his prescribed insulin and daily received cruel and unusual punishment by November, 2014 (And through this all, he is INNOCENT). We have showed proof via some medical records of the jails not giving him his prescribed insulin for over 9 months at this time with highs & lows (some medical records Brian obtained after getting out & put some on pacer court records). This 11 months of torture without his getting the prescribed insulin he needs will shorten his life even after he does leave jail and later cause complications. Court date was set for Nov. 7, 2014 & US Marshalls had Brian in court early.

On court days in Greensboro, NC, Brian spent the night before in the Orange Correctional Institution (Orange County Jail) in Hillsborough, NC which was 42 miles from court in Greensboro, NC, 43 minutes travel time on Hwy. 85. There was no night nurse at the Orange County Jail so Brian told us and told the US Marshalls that he did not have any insulin on court days until that evening. He would get one fast insulin shot that day after court. I still wonder why this court did that and who made sure he was in the jail in Hillsborough instead of the jail in Greensboro on court days. The U.S. Marshalls did not believe Brian so this went on from Jan. 2014 until Nov. 2014. Finally, on Nov. 7, 2014, there was someone in the court who did test his glucose and found it to be over 500 and gave him an insulin shot. It didn't go down much so they took him to Cone Hospital in Greensboro, NC. This was the same hospital that Brian was diagnosed as type 1 insulin dependent diabetic in February, 1992. The hearing was postponed because of that to Monday, Nov. 10, 2014. Brian made sure later that this proof was in the Pacer Federal court records. Documents 46 & 47 Sept. 30, 2014 & Oct. 1, 2014

Stella B. Forinash        (Brian Hill's grandmother).  
Kenneth R. Forinash     (Brian Hill's grandpa)

# ATTACHMENT 5: “4 Threats.pdf”

For “MEMORANDUM OF STELLA FORINASH AND  
KENNETH FORINASH IN FAVOR OF ACTUAL  
INNOCENCE OF BRIAN DAVID HILL; IN SUPPORT OF  
WHY BRIAN DAVID HILL SUSPECTS BLACKMAIL OF  
“JUDGES” AND “OFFICIALS”; AND IN SUPPORT OF  
GROUND VI - UNCONSTITUTIONAL INTERFERENCE  
WITH THE STATE COURT PROCESS AND/OR  
UNWARRANTED USURPATION OF POWER AGAINST  
THE STATE COURT PROCESS IN VIOLATION OF THE  
TENTH AMENDMENT OF THE UNITED STATES  
CONSTITUTION; AND IN SUPPORT OF 2255 MOTION  
(DOC. #291)”

Case no. 1:13-cr-435-1; civil no. 1:22-CV-00074

Ally of Q, Former news reporter of USWGO Alternative News  
[JUSTICEFORUSWGO.WORDPRESS.COM](http://JUSTICEFORUSWGO.WORDPRESS.COM)



THREATS BRIAN DAVID HILL & OTHERS RECEIVED in 2013 & 2015

**These are the ones who admitted putting the child porn Virus on  
Brian's Laptop Computer**

Page 12 of 12 of Document #59, Filed 01/26/2015, are/were a true and correct copy of a digital and cropped computer screenshot that Brian David Hill had concerning an encrypted chat Hill had with witness Dan Johnson of "People Against the NDAA" (PANDA or PANDAunite), somewhere between approximately late 2012 to 2013. Dan Johnson had reported to Hill to have received a threatening email with the words *"We.....Want.....Your.....Friend.....To.....SHUT.....UP.....AND.....STOP.....IN VESTIGATING.....PORNGATE.....we.....demand.....you.....get.....him.....to... ..STOP"*, *"You.....cannot.....save.....your.....friend.....from.....going.....to.....prison.....ca use.....our.....organization.....has.....the.....resources.....to.....convict.....your... ..little.....buddy.....you.....freak.....hahaha"*, *....loser"*, *"Obama.....and.....his.....minions.....is.....watching.....you...BEWARE"*. The credibility of that threatening email made known to me by Dan Johnson, and I do suspect that tormail.org may have been used in this email as well if the Court can confirm the header information from witness Dan Johnson or by subpoenaing his email provider to authenticate that information. I believe it is authentic and credible as I did lose in trial

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<https://www.courtlistener.com/docket/4304407/128/2/united-states-v-hill/>

they would have already. I'm a thorn in their side as it is.

I'm not worried about me, nor Jeff him. I'm concerned about you, and just trying to tell you to watch your back. Which, on that note, here's the content of the emails. Can you recognize this writing style?

brb

We.....Want.....Your.....Friend.....To.....SHUT.....UP.....AND.....STOP.....INVESTIGATING.....P  
ORNGATE.....we.....demand.....you.....get.....him.....to.....STOP  
You.....cannot.....save.....your.....friend.....from.....going.....to.....prison.....cause.....our.....org  
anization.....has.....the.....resources.....to.....convict.....your.....little.....buddy.....you.....freak..  
...hahaha  
he.....will.....be.....a.....sex.....offender.....he.....will.....lose.....in.....trial.....court.....including.  
.....pretrial.....and.....so.....will.....you.....on.....the.....NDAA.....loser  
Obama.....and.....his.....minions.....is.....watching.....you...BEWARE

recognize that writing style?

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<https://www.courtlistener.com/docket/4304407/59/united-states-v-hill/>

**David Hill had concerning an encrypted chat Hill had with witness Dan Johnson of “People Against the NDAA” (PANDA or PANDAunite), somewhere between approximately late 2012 to 2013. Dan Johnson had reported to Hill to have received a threatening email with the words “We.....Want.....Your.....Friend.....To.....SHUT.....UP.....AND.....STOP.....INVESTIGATING.....PORNGATE.....we.....demand.....you.....get.....him.....to... ..STOP”, “You.....cannot.....save.....your.....friend.....from.....going.....to.....prison.....ca use.....our.....organization.....has.....the.....resources.....to.....convict.....your... ..little.....buddy.....you.....freak.....hahaha”, “he.....will.....be.....a.....sex.....offender.....he.....will.....Lose.....in.....trial.....c ourt.....including.....pretrial.....and.....so.....will.....you.....on.....the.....NDAA.**

**information. I believe it is authentic and credible as I did lose in trial court including the pretrial phase since I had ineffective counsel that forced me against my will to be entrapped into a false guilty plea then I am threatened with perjury in the event that I prove my actual innocence, which is wrong and miscarriage of justice. Dan Johnson did fail on fighting the NDAA as well as me, so that is another credible statement from that threatening email. In fact I did go to prison and the county Jails, just as the threatening email had instructed Dan Johnson and had instructed me since I had been witness to the text of that email from what Dan had sent me in the encrypted chat between me and him. I added the statement to the screenshot via Microsoft Paint of the words "Brian D. Hill's friend Dan Johnson received a threatening email stating that Brian will lose in trial court." I added that as it is important information as to what the digital computer screenshot was about. He had sent me the text of the threatening email to see if I was able to recognize the writing/typing style of the email to determine who may had sent this to him. It is interesting that the threatening email had said**

***"our.....organization.....has.....the.....resources.....to.....convict.....your.....littl e.....buddy.....you.....freak"*** because the U.S. Attorney and Eric David Placke made very well sure that I was never going to prove my innocence. The whole game was rigged to me, I was never going to have a fair trial under Placke and Coalter. It was all fixed just as the threatening email had said. Whoever sent that threatening email as well as the ones that were received at [admin@uswgo.com](mailto:admin@uswgo.com) had to have been from somebody in a powerful position, in such a position of influence,

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After Brian was arrested, his mom & grandparents found 2 threat emails in Brian's USWGO email. He gave us the password after he was put in the hospital in Dec. 2013 threatening to take his life after he found out about the arrest warrant and found out the Mayodan. NC police had again lied to him and to his family just like the threatening messages said would happen. Brian continued saying he was innocent and an investigation by his family proved he was. His grandparents sent many proofs of his innocence to him to submit to the court in September, 2014. He had an attorney who acted more like a prosecuting attorney than a defendant attorney. Instead of helping Brian prove his innocence, this attorney ignored all witnesses and refused to use all of the proof his family & friends sent to this

attorney. He also ignored Brian's disabilities and allowed juries to break Civil Rights laws against Brian and break the Disability laws. Here is proof Brian submitted to the court on 9/18/2014: These 2 threat emails we found that was sent to Brian in 2013 are written below. He told us about those threats, but at the time, we thought they were just threats, now we know they all came true, and Brian was warning others on YouTube about this virus in 2013.

1. **Political Proof for Brian's court case: 6 pages with photos**
2. **Autism – proof from professionals that a person with autism may produce false confession or misleading statement - 1 page**
3. **Principles for Prosecutors Considering Child Pornography Charges against Persons with Asperger's Syndrome (A type of mild autism – Brian was diagnosed with PDD, then Asperger's Syndrome and now has the diagnosis of autism). 5 pages from autism experts**
- ④ **Brian got two threatening emails on Apr 7, 2013 & April 20, 2013. 2 pages**
- ⑤ **An email that an attorney in California sent to Brian's grandparents after Brian's arrest. Brian did not get to talk to her for long because he went to the hospital for help with mental issues in December, 2013 and was arrested and removed from the hospital. She sent this letter to both attorneys in Brian's case: 3 pages**
6. **Email we sent to Brian's attorney in July, 2014. 5 pages**
7. **Proof on the internet that Brian has autism and diabetes from another time when many alternative news people were sued by Righthaven in 2011. This was thrown out of court. Reporters without Borders got involved in Brian's**

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**From:** <[johnsnatchz@tormail.org](mailto:johnsnatchz@tormail.org)>  
**Date:** Sun, Apr 7, 2013 at 5:30 AM  
**Subject:** You better watch out.....  
**To:** [admin@uswgo.com](mailto:admin@uswgo.com)

**You better watch out Brian...We are watching you...Having child porn planted on your hard drives and computer was only the beginning and we will set you up for violent sex crimes if you don't watch your back...Have fun becoming a sex offender...Police won't believe you no matter how much evidence you have that you been set up we know some people in the SBI who will make sure you are convicted. You will be shut up by being a sex criminal. Your friends Alex Jones, Dan, James, Sean, Alex, and others are next...BeWare!**

*First threatening email that I had received from tormail.org. Source: Federal Court Docket entry, U.S. District Court for the Middle District of North Carolina, Case 1:13-cr-00435-WO, Document 30, Filed 09/10/14, Page 3 of 5.*

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Brian Hill <admin@uswgo.com>

Your gonna get it

sallysamsong@tormail.org <sallysamsong@tormail.org>  
To: admin@uswgo.com

Sat, Apr 20, 2013 at 11:58 PM

Your gonna get it....We know what your tryin to do....You'll regret ever being an investigative news reporter....Youll regret what you just did....better watch your back Brian....DONT REPORT ANY MORE ARTICLES OR TALK TO ANY REPORTERS ABOUT THIS CHILD PORN VIRUS OR YOU GONNA GET IT

*Second threatening email that I had received from tormail.org. Source: Federal Court Docket entry, U.S. District Court for the Middle District of North Carolina, Case 1:13-cr-00435-WO, Document 30, Filed 09/10/14, Page 2 of 5.*

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On July 3, 2013, Luke Rudkowski (See **Exhibit 7**, Video DVD evidence), had uploaded a video to YouTube that somebody had tried to send him child pornography masquerading as a whistleblower. Later on the date of November 1, 2013, as uploaded on YouTube, Luke Rudkowski's hotel room was broken into which was yet another attempt to try to set him up

<https://www.courtlistener.com/docket/4304407/128/1/united-states-v-hill/>

On August 22, 2013, Ben Swann (See **Exhibit 8**, Video DVD evidence), who was a former television news anchor and investigative journalist had interviewed another proclaimed child pornography set up victim named Dan Johnson. In the second video also under **Exhibit 8**, on the date of July

24, 2013, StormCloudsGathering conducted a live video broadcast stream on YouTube regarding an interview with Dan Johnson, Stewart Rhodes of Oath Keepers, and a computer forensic expert, and all in regards to yet another child pornography set up attempt. This further goes along with the On November 13, 2013, Melissa Melton (See **Exhibit 9**, Video DVD evidence), along with the help of Aaron Dykes, uploaded a video to YouTube to warn people that somebody tried to impersonate her identity then tried to email child pornography to somebody claiming that it was a professional interview from the alternative media outlet of Truth Stream

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## Child Porn Investigations May Snare the Innocent

By PRISON LEGAL NEWS

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### WHO IS SUSAN BASKO?

**Sue Basko, Lawyer for Independent Media such as Music, Video, Journalists, Website Owners, Designers, Photographers, Filmmakers, Directors, Festivals, Events, Venues, and more. International work with Human Rights/ Freedom of Assembly. TRADEMARK, Copyright. CALIFORNIA AND ILLINOIS, attorney Attorney and Counselor, U.S. Supreme Court & International work with Human Rights/ Freedom of Assembly.**

Who is Brian Hill (USWGO) from 2009-2013? Despite his disabilities of autism, brittle type 1 diabetes and OCD (All covered under the Americans with Disability Act). Brian Hill was a volunteer journalist, alternative news and part of the Patriot movement.

U.S. District Court  
North Carolina Middle District



USA v HILL )  
)

Case No: 1:13-cr-00435-WO  
Chief Judge William L. Osteen, Jr.

**Declaration of Susan Basko in Support of Brian David Hill's Motion to Withdraw his Guilty Plea, Motion for a Substitute Attorney, Sentencing, and any other purposes**

1. My name is Susan Basko. I reside in Illinois. I can be reached by email at [SueBasko@gmail.com](mailto:SueBasko@gmail.com) and by phone at 310-770-7413. I have a website at <http://suebasko.blogspot.com> and another one at <http://subliminalridge.blogspot.com>

3. I am aware that Brian David Hill is innocent of the charges and I will explain herein how I know this.

4. I am aware that Brian David Hill was a volunteer independent journalist active in independent online media and in the Patriot or Constitutionalist movement. Brian has many such videos on Youtube. Brian was active in supporting the repeal of the NDAA.

5. I am aware that Brian David Hill was part of a group of friends or associates who also are independent journalists or activists in the Patriot or Constitutionalist movement, including the other men I will name in this declaration.

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10. Brian David Hill blamed his local officials for setting him up with child porn. While this may be the case, I think it is more likely he was set up as one of the people involved in the Patriot movement, just like the other men. Like Luke Rudkowski, Brian David Hill had gone to report on the 2012 Bilderberg Conference in 2012. The child porn attack against Luke Rudkowski came just after the 2013 Bilderberg Conference. The second email sent to Luke Rudkowski warned that others would be set up, too.

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12. Within weeks after I made the FBI report for the group that included Dan Johnson and Stewart Rhodes, I was contacted by several other men who are also set up with child porn on their computers. They were attacked with child porn via other methods. One had a direct download go into his computer, followed by a pop-up saying there was child porn on his computer. I told each of them how to file an FBI report and why it was important. The men all seemed to be in the same social circle of being involved in the Patriot movement. For each of these men, these attacks against their integrity were deeply disturbing, terrorizing, terribly frightening.

13. After I assisted these men and word went out on the internet, I received an onslaught of emails trying to get me to download pictures, videos, or documents. I deleted all the emails without even opening them. I reported many of the emails to Google. Google put out a warning that such emails may be tricking people into downloading pornography.

15. Brian David Hill has autism and diabetes. When Brian has communicated with me, it takes a lot of patience and time and skill to understand his points, because he concentrates on tiny details. I think he needs a disability advocate to help him have a fair trial.

16. I emailed this information about the child porn set-ups very early in this case to both Brian's lawyer, Eric Placke, and to the prosecutor, and did not hear from either one of them.

17. I have been told by Brian's grandparents, Ken Forinash and Stella Burnette, that Brian wants to withdraw his guilty plea because he is innocent and that he wants a substitute public defender. I have communicated these needs of Brian's to the public defender's office head, Louis Allen, as well as to Brian's lawyer, Eric Placke, and to a Senior attorney with the office, Greg Davis.

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

Executed on September 24, 2014  
signed electronically: /Susan Basko/

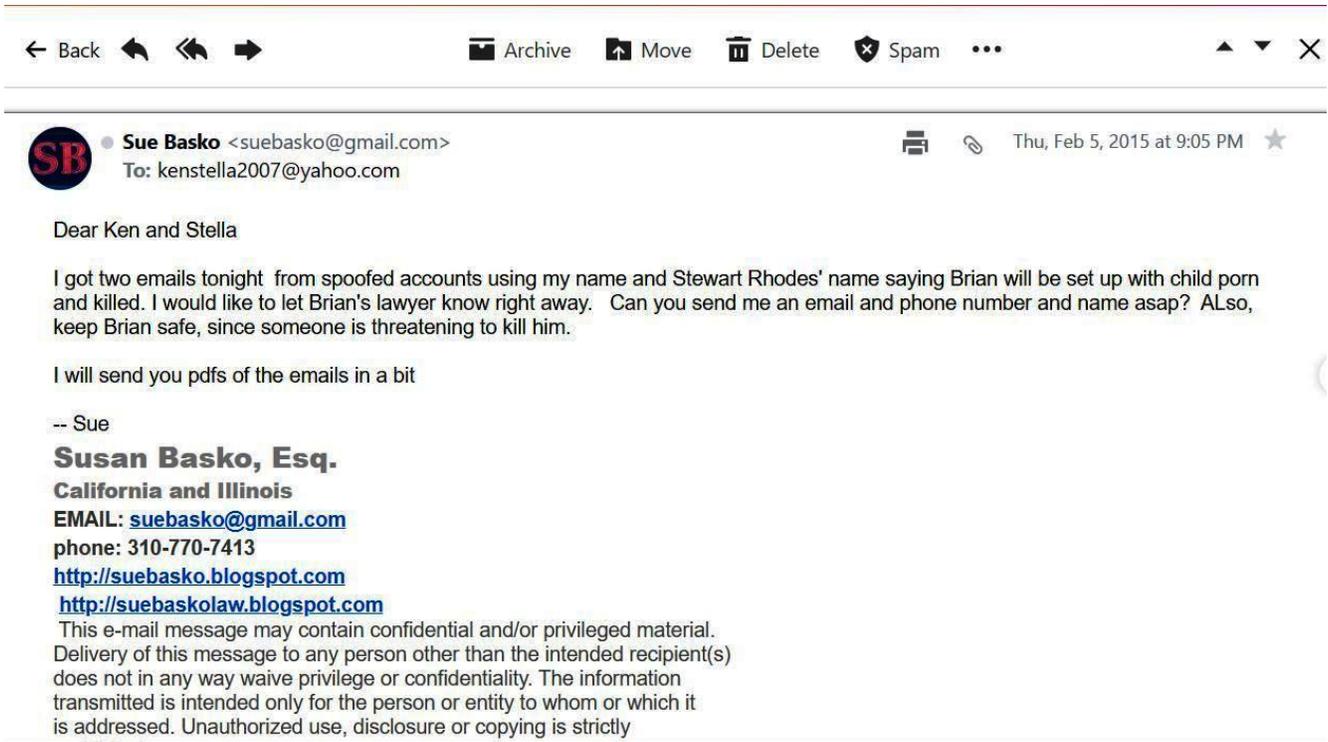
**Case 1:13-cr-00435-TDS Document 46 Filed 09/30/14 Page 3 of 3**

**Sent to Brian Hill who was using his grandmother's cell phone. This cell phone was not hooked up to the internet but had a special feature which phone texts could be sent to emails. This was explained to the court by an expert in cell phones in 2015. Brian called up the Rockingham County, NC sheriff's department and was asking about the Mayodan police dept. The sheriff's dept then had the number of Brian's grandmother's cell phone, gave it to the Mayodan, NC police department who in return called that number twice. Brian did not answer the calls, sent a fax to the police department telling them to get in touch with his attorney & don't call that number anymore. This was about the time that his court appointed attorney, Jones went to the police department and picked up what was supposed to be all of Brian's & his mom's computers that did not have the child porn virus in them and took these to Brian in Martinsville, VA. According to the NC SBI, out of all the computers & hard drives removed from Brian's house on August 28, 2012, they found 1 laptop and 2 hard drives and 1 USB stick which were connected to Brian's computer which had files of interest being downloaded from July 2012 until July 2013 which sounds like a computer virus. This was almost 11 months when Brian did not have his computer after Mayodan police confiscated it. Someone was very upset in 2015 because Brian had filed an appeal after he & his family read the discovery together in January 2015. This was the first time Brian or his family had a chance to read the discovery which was in the possession of the prosecuting attorney since 2013 and his court appointed attorneys in 2014.**

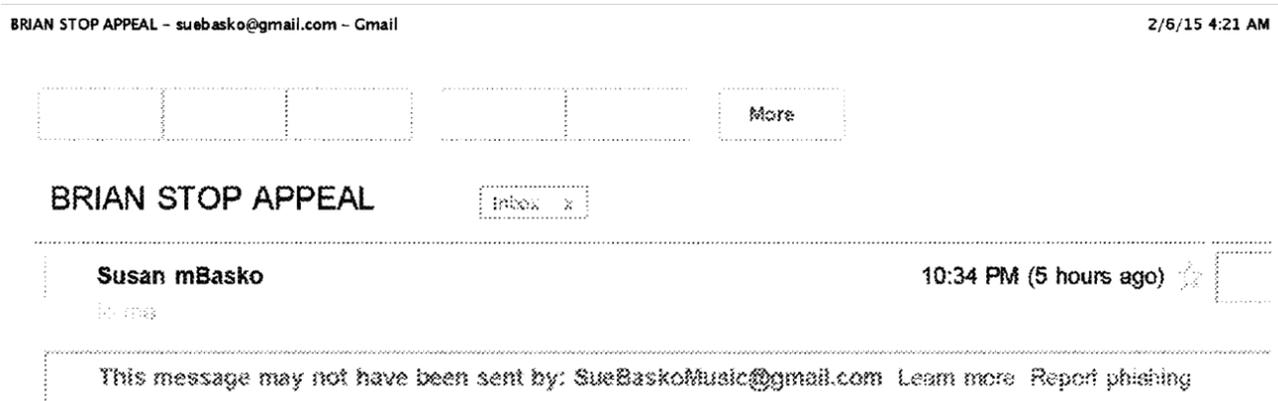
**Brian's grandparents purchased an adapter so that Brian could hook up this small hard drive to his computer to see what was in it. This happened on Valentine's Day in 2015. Brian came running upstairs in shock. There was childporn in this small hard drive which was in the Mayodan police department in NC. This was the first time Brian had ever seen childporn. He thought it was disgusting. Brian and his family didn't want that trash in their home so Brian's grandfather busted the hard drive into different pieces, got garbage bags for the laptops returned which didn't work and put the pieces in various bags, went to Rocky Mount, VA to eat dinner and stopped at various gas stations and where**



their own private emails. She sent copies of the threats to the FBI and Brian's court appointed attorney, Jones who never once mentioned them or talked to Brian or Brian's family about them, just ignored it. Of course, they have admitted being the one (ones) who had put this child porn on his computer. Isn't that interesting that Brian is the victim, and they are the true criminals going free to pass this horrible child porn to many different computers & emails. These threats (2 of them) were sent to this federal court in 2014, all of these as soon as received in 2015 and again in 2017 and are being ignored by the prosecution & the judges in the middle district of NC. So they will be sent again all together in 2022 along with proof of civil rights violations and ignoring Americans with Disabilities Acts in the Mayodan, NC police department, jails in Winston Salem, Forsyth County, NC, Greensboro, Guilford County, NC and the Orange Correctional Institution in Hillsborough, NC, attorneys in the Middle District of NC from December. 2013 – November, 2014 and other guilty parties.



These were two of the copies Attorney Susan Basko sent to Brian's grandparents on 2/6/2015 and were printed out and given to Brian to file in court:





I.....WARNED.....YOU.....BITCH.....BRIAN.....DAVID.....  
HILL.....WLL.....SUFFER.....AND.....IT.....IS.....HIS.....  
.....FAULT.....FOR.....NOT.....STICKING.....WTH.....HIS.....  
.....PAEDOPHILE.....GUILTY.....PLEA.....BAD.....THINGS.....  
.....WLL.....HAPPEN.....TO.....HIM.....WE.....PROMISE.....YOU.....AI.....  
.....IF.....BRIAN.....HASNT.....ALREADY.....BEEN.....DESTROYED.....  
YOU.....ALL.....WLL.....NEVER.....REMOVE.....HIM.....FROM.....  
.....SEX.....OFFENDER.....  
.....LIST.....BRIAN.....WLL.....REGRET.....WHAT.....HE.....  
.....FILED.....WTH.....THE.....COURT.....FUCK.....BRIAN.....HILL.....HE.....  
.....WLL.....PAY.....POSSIBLY.....WITH.....HIS.....LIFE.....POLICE.....A.....  
.....WATCHING.....HIM.....HOWEVER.....WE.....ARE.....WATCHING.....  
HIM.....TOO.....EVEN.....IF.....HE.....IS.....UNDER.....  
SUPERVISED.....RELEASE.....WE.....CAN.....SEND.....  
.....THOUSANDS.....OF.....CHILD.....PORN.....TO.....BRIANS.....  
.....EMAIL.....  
.....ADDRESS.....AND.....HE.....WLL.....NEVER.....KNOW.....  
UNTIL.....HE.....IS.....ALLOWED.....ON.....THE.....NET.....THEN.....  
.....BOOM.....VIOLATION.....OF.....PROBATION.....THEN.....  
.....EVEN.....THEY.....WLL.....BEAT.....HIM.....UP.....AND.....

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Messages Photos Documents

Archive  Move  Delete  Spam  Sort

2015

<input type="checkbox"/>	Sue Basko	★ Brian; his lawyer	...These are just my thoughts. I do...	Inbox	
<input type="checkbox"/>	Sue Basko	★ Important about Brian	...account. The person sent it also...	Inbox	2/24/2015
<input type="checkbox"/>	Sue Basko	★ Re: Threatening emails	...filter. I put on a filter to block e...	Inbox	2/17/2015
<input type="checkbox"/>	me	★ Fw: BRIAN DAVID HILL EMERGENCY	...- IT APPEARS TO ...	Sent	2/17/2015
<input type="checkbox"/>	Sue Basko	★ RE: BRIAN DAVID HILL EMERGENCY	...- IT APPEARS TO ...	Inbox	2/16/2015
<input type="checkbox"/>	Sue Basko	★ Re: Threatening emails	...of the house, doing something...	Inbox	2/15/2015
<input type="checkbox"/>	Sue Basko	★ Re: Did you send an email to us with attachments?	...goi...	Inbox	2/6/2015
<input type="checkbox"/>	Sue Basko	★ BAD THREAT EMAILS AGAINST BRIAN	...keep Brian safe,...	Inbox	2/5/2015



● **Sue Basko** <suebasko@gmail.com>

📅 Mon, Feb 16, 2015 at 10:19 PM

To: mjones@belldavispitt.com, rbhill67@yahoo.com, kenstella2007@yahoo.com

DEAR MR JONES:

I wrote to you before regarding this situation with Brian David Hill. You are handling his appeal. I am copying his mother and grandparents on this email.

Brian is the guy who was set up with child porn via email and then convicted. Someone KEEPS sending me (and others) emails regarding Brian and the threat to set him up with child porn. Tonight I got an email that also contains a jpg with a bunch of pictures on it that look like they might be porn or child porn - -these are tiny pics on one jpg and I cannot really see them and of course, will not click on them to preview or download.

I am copying and pasting the email below. Each set of emails is getting nastier and more threatening and the person is getting more desperate.

YOU NEED TO TALK WITH BRIAN AND HIS FAMILY RIGHT AWAY and I need to make a report to the FBI.

THIS IS WHAT THE EMAIL TONIGHT SAYS - IT APPEARS TO COME FROM ME. of course, it is not from me. Each email set has used a different email address.

**Susan Basko** <BudaBuddy@mail2tor.com>

🕒 2:57 AM (2 hours ago)



to me ■

● **Brian Hill Threatening Email**

Yahoo/Sent ★



● **Ken & Stella** <kenstella2007@yahoo.com>

📅 Mon, Feb 16, 2015 at 10:29 AM ★

To: kristy\_burton@vawp.uscourts.gov  
Cc: rbhill67@yahoo.com, mjones@belldavispitt.com

Good Morning Kristy,

Brian asked us to contact you to let you know what happened to him on Saturday. After getting some of his computer related items returned to him by his attorney, Mark Jones. Mr. Jones picked up Brian's items from the Mayodan Police Department and brought the items to the house on Wednesday, Feb 11, 2015. We were out of town for the week and returned home on Saturday, Feb 14, 2015. We purchased an external hard drive enclosure for Brian to view a laptop hard drive that was in with the items returned. Brian said he did not recognize the hard drive, but it has been over 2 years since he has seen them. He hooked the hard drive up to his computer with a usb cord and found that it contained images of nude children. He came running up to our apartment, shocked, and telling us what happened. This was the first time he had ever seen nude children, and he said some of the files on the hard drive had the same names as those listed in the discovery documents. We immediately asked him to bring us the hard drive so we could destroy it, as we did not want any images like that in this house. Brian was shocked and extremely upset about what he saw on the hard drive. The computer items the Mayodan, NC Police Department returned via his attorney were moldy and were old unusable computers, so at this point we decided to destroy the hard drive and get rid of everything they had returned by throwing it in various trash cans. We then returned home after having

were moldy and were old unusable computers, so at this point we decided to destroy the hard drive and get rid of everything they had returned by throwing it in various trash cans. We then returned home after having dinner out and relaxed for about two hours, again Brian came running up to our apartment telling us he had received a threatening text message on his phone. That message follows at the end of this email. Sue Basko, an internet attorney friend of Brian's also received threatening emails in her email account on Feb 5, 2015, telling her to "stop Brian from his appeal. He will not win, even if he does, we have the authority to set him up with child porn again. Think about it before you testify, you too Scott" (we think they are referring to Brian's second attorney). On another threatening email to Sue Basko, they made it appear to come from Stewart Rhodes of Oath Keepers. This email said "Brian David Hill will suffer it is his fault for not sticking with his pedophile guilty plea bad things will happen to him we promise you he will never be removed from sex offender list Brian will regret what he files with the court he will pay, possibly with his life Police are watching him, we are watching him too even if he is on supervised release we can send thousands of child porn to his email and he will never know until he is allowed on the net then boom violation of probation."

We are taking these threats seriously because he had received threatening emails in March and April of 2013 saying he had been set up with child porn and they had people working for the state of NC who would make sure he would be convicted.

Would it be better for you to contact the FBI about this, or should we contact them, if so can you give us a number and contact person? Brian was so upset he did not sleep at all on Saturday night, and this morning, Monday, Feb 16, his glucose level was 38 when his mother checked it. This is affecting Brian's mental and physical health tremendously and something needs to be done about it. The hard drive that was returned

physical health tremendously and something needs to be done about it. The hard drive that was returned could only have been placed in the container by someone with the Mayodan Police Department as that is where it came from and it was in a sealed evidence container. Whoever sent him the text message knew about the hard drive being placed in the container, and it was the same text style as the messages received by Sue Basko and the ones received by Brian in March and April of 2013.

Only Brian's friends have his cell phone number; however he did call the office of Sam Page, who is the sheriff for Rockingham county. The receptionist he talked to said that she was going to contact the Mayodan Police department. Brian received 2 phone calls from Mayodan on February 5th on his cell phone. The Mayodan police department knows Brian's cell phone number, so we assume they got it from Sam Page's office, since he did not give it to them. The same day that the Mayodan police department called is the same day that Sue Basko got 2 threatening emails.

We are also sending a copy of this email to Brian's mom and his current attorney for the appeal.

Please let us know what else we need to do about this. A copy of the threatening text Brian received is below as well as the original is on his cell phone.

Our sincere thanks,

Ken & Stella Forinash  
(Brian David Hill's grandparents)

**Brian's probation officer, Kristy turned out being the one who set Brian up by coming to Brian's grandparents' apartment, very angry aiming her anger at Brian demanding he sit down, would not let him get his insulin shot. Told him the judge contacted her, Brian could not use his cell phone not to even contact his attorney which made Brian angry. She wouldn't let him walk around to ease his anger (autistic meltdown). He was throwing small items on the carpet – not aiming at anyone. Brian's mom, both grandparents & Kristy were in the living room (Kristy standing at the door the entire time. She finally left. She didn't act scared, only angry. Did not call the police, but she did report this to the court to have Brian arrested a month later. In court, she told some lies. She did not tell the court that Brian had his**

grandmother to send an email to her about the threats and the child porn on the hard drive that the Mayodan police gave to Brian's attorney, Mr. Jones. We got a reply back that she was out of the office so that is proof that it did reach her email. See the court transcript from 2015. TRANSCRIPT of Proceedings as to BRIAN DAVID HILL SRV hearing for dates of 6/30/2015 before Judge Thomas D. Schroeder, Court Reporter Document 123 Aug. 21, 2015. There were other emails Brian's grandparents sent to Kristy about these threats. This one was from Susan Basko, and Brian's grandparents sent an email to Kristy on Feb. 17, 2015. See in Pacer court Docket Number: 1:13-cr-00435 Exhibit 24 — Document #293, Attachment #23 District Court, M.D. North Carolina

<b>EVIDENCE</b>	
Agency:	<u>MAVODAN PD</u>
Item No.:	<u>MPD - 4</u> Case No.: <u>2012-00287</u>
Date of Collection:	<u>8/28/12</u> Time of Collection: <u>1400</u>
Collected By:	<u>CTBrim</u>
Description of Evidence:	<u>COMPUTER</u> <u>HARDWARE &amp; SOFTWARE</u>
Location of Collection: <u>413 N. 2ND AVE.</u>	

Type of Offense: CHILD PORNOGRAPHY  
 Victim: STATE OF N.C.  
 Suspect: Brian Hill

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TRANSMISSION VERIFICATION REPORT

TIME : 02/20/2015 05:12PM  
 NAME : KEN STELLA FORINASH  
 FAX : 2766322599  
 SER. # : U63838J1F328116

DATE, TIME	02/20 04:57PM
FAX NO./NAME	18846274494
DURATION	00:14:45
PAGE(S)	14
RESULT	OK
MODE	S.FINE ECM

Brian's grandparents also sent a lot of information & proof to the FBI in Washington DC, Richmond, VA & Charlotte, NC more than once to do an investigation. Brian also notified the probation office in Greensboro, NC about these threats. His grandparents notified his probation officer via email about it that Valentine's Day weekend during the snow in Feb. 2015.

Friday, February 20, 2015

**REPORTING THREATENING EMAILS TO THE FBI**

**ATTN: Special Agent Adam S. Lee**

1970 East Parham Road

Richmond, VA 23228

Phone: (804) 261-1044

Fax: (804) 627-4494

E-mail: [Richmond@ic.fbi.gov](mailto:Richmond@ic.fbi.gov)

**ATTN: FBI Washington**

601 4th Street NW

Washington, DC 20535

Phone: (202) 278-2000

Fax: (202) 278-3037

*Probation also notified of threats*

*111*

Case 1:13-cr-00435-TDS Document 71-2 Filed 04/03/15 Page 7 of 25

Dear Adam S. Lee and the FBI Field Office in Washington D.C.,

I like to report new threatening emails heading my way in an attempt to force me to drop my Appeal in the U.S. Court of Appeals in Richmond, VA. Also I like to file a report with the FBI that Mayodan Police Department had attempted to send me child pornography in what I believe is an attempt to get me under a probation violation and a secondary child porn possession charge. Mayodan Police has taken this war too far against me and my family when they first set me up with child porn in 2012. I have no doubt Mayodan Police is behind the child porn set up attempts in North Carolina. All evidence is in my 6-page declaration I am faxing to you along with a Fax I sent to the Mayodan Police Department and a fax I had sent to North Carolina State Bureau of Investigation legal counsel Angel E. Gray.

This cell phone that Brian was using belonged to his grandmother. I was letting him use it as part of his investigation, and so he could send text to his attorney & friends. At that time we had it fixed so it could not use the internet, only text & phone calls. During the time Brian was using it, I referred to it as his phone. After he received these threats with some photos on Feb. 14, 2015, he contacted his probation officer about it. She came to the house and picked it up with our blessing. We didn't want any of this stuff in our house. She was supposed to have the phone examined, cleaned out and returned to Brian. None of us ever saw the phone again.

**Page 1/6 - 02/15/2015 - 02:29 AM - DECLARATION BY BRIAN D. HILL**

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

Executed on February 15, 2015.

*Brian D. Hill*  
\_\_\_\_\_  
Signature *Signed*

I am Brian David Hill. I have mild autism, Obsessive Compulsive Disorder, Generalized Anxiety Disorder, and Type 1 brittle diabetes. I know I am a victim of a child pornography set up attempt in 2012 that led to my criminal indictment under my criminal case United States of America vs. Brian David Hill, U.S. District Court for the Middle District of North Carolina, Docket #1:13-cr-435-1. I had falsely plead guilty due to ineffective assistance of counsel that threatened me to not getting a time served sentence if I didn't take the plea agreement. Then I had written a letter to Judge Osteen before sentencing with remarks that I had accepted responsibility for the possession of child pornography after Judge Osteen Jr. threatened to take away my acceptance of responsibility which could lead me to getting a harsh prison sentence instead of time served with no absolute guarantee(According to what John Scott Coalter was telling me) that the court would accept my withdraw of my guilty plea and request a Jury Trial. That was why I made multiple admission of guilt statements even though that wasn't the truth. The truth was I was framed with child pornography in 2012.

Around Wednesday February 11, 2015 my Appellate Court appointed Attorney named Mark A. Jones showed up at my residence to return a portion of seized property that was seized by the Mayodan Police Department in North Carolina on August 28, 2012 due to a search warrant executed by the signature of a Forsyth County Judge named Todd L. Burke for the search warrant to be executed in Rockingham County. Forsyth Co. and Rockingham Co. is in North Carolina.

Two detectives involved with the search and seizure that I personally spoke to on the day of the police raid and even the day after was Mayodan Police Department Detective Sergeant Christopher Todd Brim and the other was Reidsville Police Detective Robert Bridge.

Before my first phone conversation with Mark A. Jones, Mayodan Police had attempted to call the cell phone two times that I am using for the purpose of working on my legal case and contacting others in attempts to organize legal efforts to find legal remedies to relieve me from my wrongful conviction. The two times that the Mayodan Police(336-548-6038) attempted to call my cell phone number was during 1:52PM on Feb. 5 and 10:58AM, Feb. 5, in 2015. I had attempted to call back that number assuming it had something to do with the court reporters transcript issue for the U.S. Court of Appeals

Case 1:13-cr-00435-TDS Document 71-2 Filed 04/03/15 Page 11 of 25

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Copy and pasted from Susan Basko email for Brian to report to the FBI:

----- Forwarded Message -----

**From:** Sue Basko <suebasko@gmail.com>

**To:** mjones@belldavisritt.com; Roberta Hill <rbhill67@yahoo.com>; Ken & Stella <kenstella2007@yahoo.com>

**Sent:** Monday, February 16, 2015 10:19 PM

**Subject:** RE: BRIAN DAVID HILL EMERGENCY

DEAR MR JONES:

I wrote to you before regarding this situation with Brian David Hill. You are handling his appeal. I am copying his mother and grandparents on this email.

Brian is the guy who was set up with child porn via email and then convicted. Someone KEEPS sending me (and others) emails regarding Brian and the threat to set him up with child porn. Tonight I got an email that also contains a jpg with a bunch of pictures on it that look like they might be porn or child porn - -these are tiny pics on one jpg and I cannot really see them and of course, will not click on them to preview or download.

I am copying and pasting the email below. Each set of emails is getting nastier and more threatening and the person is getting more desperate.

YOU NEED TO TALK WITH BRIAN AND HIS FAMILY RIGHT AWAY and I need to make a report to the FBI.

THIS IS WHAT THE EMAIL TONIGHT SAYS - IT APPEARS TO COME FROM ME. of course, it is not from me. Each email set has used a different email address.

Susan Basko <BudaBuddy@mail2tor.com>

2:57 AM (2 hours ago)

to me

WE PLACED CHILD PORN THE HARD  
DRIVE WHICH WAS GIVEN TO  
BRIAN DAVID HILL SO WE HAVE BRI  
AN ON POSSESSION AGAIN AND HIS  
FUCKASS ATTORNEY ON DISTRIBUTION BRIAN  
WILL GO DOWN HE WILL BE IN PRISO  
N FOR LIFE ALONG WITH HIS APPEA  
L ATTORNEY SO YOU HAVE TWO O  
PTIONS

OPTION ONE YOU TELL BRIAN HE BE  
TTER DROP HIS APPEAL OTHERWISE WE  
CALL THE FBI AND TELL THEM

Case 1:13-cr-00435-TDS Document 71-2 Filed 04/03/15 Page 21 of 25

WHAT CHILD PORN WAS ON THE  
HARD DRIVE HE RECEIVED

DOOR OPTION TWO BRIAN WRITES A IN  
CRIMINATING LETTER ABOUT HOW HE DOES  
HAVE AN ADDICTION TO CHILD PORN  
AND HAS A FETISH WITH STICKING C  
OCKS IN LITTLE GIRLZ NASTY BUTTS  
THEN HE ENDS HIS APPEAL HE  
NEEDS HELP AFTER ALL YOU NEED  
HELP TOO SUSAN MAYBE A GOOD  
MENTAL HOSPITAL  
FOR YOU WE HAVE ACCESS TO  
HIS PROPERTY AND CAN PLANT CHILD  
PORN ON ANY OF EM

REPORT..... THIS..... TO..... FBI..... AND..... WE..... WILL  
 ..... REPORT..... YOU..... BRIAN..... HIS..... ATTO  
 RNEY..... AND..... HIS..... FAMILY..... AND..... TELL..... THE.....  
 FBI..... THEY..... LIKE..... TO..... MASTURBATE..... AS.....  
 A..... FAMILY..... TO..... CHILD..... PORN..... FLICKS.....  
 WE..... HAVE..... EVIDENCE..... TO..... GET..... ANOTHER..... CON  
 VICTION..... ON..... BRIAN..... HILL..... YOU..... CANT.....  
 ..... PROVE..... ANYTHING..... WITH..... EMAILS..... WHICH..... CAN.....  
 DISAPPEAR.....  
 AFTER..... YOU..... READ..... EM..... OR..... WE..... NOBODY.....  
 WILL..... EVER..... BELIEVE..... YOU..... BITCH..... WE.....  
 KNOW..... CHILD..... PORN..... GOT..... INTO..... BRIANS..... P  
 OSSSESSION..... LAST..... WEEK..... WE..... WILL..... SEND.....  
 MORE..... THEN..... HE..... WILL..... TECHNICALLY..... B  
 E..... GUILTY..... AGAIN..... JUDGE..... OSTEN..... WILL.....  
 CONVICT..... HIM..... AGAIN..... AS..... WE..... WILL..... MA  
 CONVICT..... HIM..... AGAIN..... AS..... WE..... WILL..... MA  
 KE..... SURE..... OSTEN..... IS..... PROCIDING..... JUDGE.....  
 OVER..... BRIANS..... N  
 EW..... INDICTMENT.  
 MORE..... CHILD..... PORN..... IS..... COMING..... THEN..... MO  
 RE..... CHARGES..... WILL..... BE..... BROUGHT..... BITCH

Case 1:13-cr-00435-TDS Document 71-2 Filed 04/03/15 Page 22 of 25

Page 1/1 - Feb 5, 2015 - 02:43 PM - NOTICE TO MAYODAN POLICE

NOTICE TO MAYODAN POLICE DEPARTMENT DETECTIVE TODD BRIM  
 Thursday, February 5, 2015

Mayodan Police Department  
 101 North 3<sup>rd</sup> Avenue  
 Mayodan, NC 27027

Phone: (336) 548-6038

Dear Detective Todd Brim,

Dear Detective Todd Brim,

I have noticed that today around 1:52PM(Feb 5) and 10:58AM(Feb 5) in 2015, you have attempted to call the phone number (276) 224-0862 two times however that phone number belongs to my grandparents and I am just using it for only official legal business in regards to my criminal case. Under the procedures of professional legal conduct during the Appeal of my criminal case U.S.A. v. Brian David Hill while it is still open, I am not permitted to talk to you over the phone so all communications to me must be in writing. You can write me via mail or write to my attorney of record in my criminal case. Any matters pertaining to my criminal case over the phone will not be answered with exception to the phone conversation being recorded under official record. If the call is in regards to the return my most of my seized property then you should get in touch with my attorney of record to notify him/her of such notification.

Thank You!

*Brian D. Hill*  
 Signed

**Brian D. Hill**  
 Signed

Sincerely,  
 Brian David Hill  
 (276)632-2599  
 admin@uswgo.com  
 916 Chalmers St., Apt. D  
 Martinsville, VA 24112

Case 1:13-cr-00435-TDS Document 71-2 Filed 04/03/15 Page 25 of 25

# ATTACHMENT 6: “5 INVESTIGATION 1.pdf”

For “MEMORANDUM OF STELLA FORINASH AND  
KENNETH FORINASH IN FAVOR OF ACTUAL  
INNOCENCE OF BRIAN DAVID HILL; IN SUPPORT OF  
WHY BRIAN DAVID HILL SUSPECTS BLACKMAIL OF  
“JUDGES” AND “OFFICIALS”; AND IN SUPPORT OF  
GROUND VI - UNCONSTITUTIONAL INTERFERENCE  
WITH THE STATE COURT PROCESS AND/OR  
UNWARRANTED USURPATION OF POWER AGAINST  
THE STATE COURT PROCESS IN VIOLATION OF THE  
TENTH AMENDMENT OF THE UNITED STATES  
CONSTITUTION; AND IN SUPPORT OF 2255 MOTION  
(DOC. #291)”

Case no. 1:13-cr-435-1; civil no. 1:22-CV-00074

Ally of Q, Former news reporter of USWGO Alternative News  
[JUSTICEFORUSWGO.WORDPRESS.COM](http://JUSTICEFORUSWGO.WORDPRESS.COM)



# INVESTIGATION 1

Petitioner is correct that there is an actual innocence exception to the one-year time limitation. *McQuiggin v. Perkins*, 133 S.Ct. 1924, 1928 (2013). However, to establish actual innocence, “a petitioner must show that it is more likely than not that no reasonable juror would have found petitioner guilty beyond a reasonable doubt.” *Schlup v. Delo*, 513 U.S. 298, 327 (1995); see *McQuiggin*, 133 S.Ct. at 1935. “[S]uch a claim requires petitioner to support his allegations of constitutional error with new reliable evidence—whether it be exculpatory scientific evidence, trustworthy eyewitness accounts, or critical physical evidence—that was not presented at trial.” *Schlup*, 513 U.S. at 324. Petitioner has not met this high burden. |

Beyond this, Petitioner has repeatedly admitted to possession of child pornography.

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**WORDS – No Actions but only thing this court wants to hear, they ignore  
“AUTISM” and “Brittle type 1 Diabetes”**

## IN CRIMINAL JUSTICE SITUATIONS

- May not understand rights or warnings
- May become anxious in new situations
- May not understand consequences of their actions
- If verbal, may produce false confession or misleading statement

<https://autismriskmanagement.com>

<https://www.polfed.org/WestMids/media/1938/interview-and-interrogation-of-people-with-autism.pdf>

Higher-functioning or more independent individuals with autism may live alone or without constant supervision, be able to drive or use public transportation, hold a job, and enjoy leisure activities.

They may possess apparently normal verbal skills but be deficient in comprehension, social awareness, and decision-making. They may appear as quite normal at first, but the symptoms, behaviours, and characteristics - for example, providing blunt or tactless answers, changing the subject, or being unable to understand or accept a rational answer - will become apparent to the educated investigator. However, without an understanding of the disability it will be easy to misinterpret the information provided as an indicator of guilt.

### **Memory Skills**

Interrogators should understand that the person with autism may have highly developed memory skills. The person may have learned to commit facts or the statements of others to memory: This rote skill may allow him or her to quickly assimilate and regurgitate data. The individual may be more proficient in his or her expression of these facts than in comprehension of them. He or she may have developed a sophisticated form of echolalia, echoing and repeating the words of others. For example, the person with autism could memorize the allegations of a citizen overheard at the scene, facts inadvertently provided by a first-responding officer, and details of some of the circumstantial evidence that an interrogator has revealed during questioning. Under these circumstances, the person with autism could provide a very convincing untrue statement or false confession. At the least, this knowledge could be misconstrued as real familiarity of facts that only a guilty person could know.

The interrogation techniques of friendly-unfriendly interrogators have the potential to produce false confession from such persons. 'The friendly-unfriendly act is particularly appropriate in the interrogation of a subject who is politely apathetic - the person who just nods his head as though in agreement with the interrogator, but says nothing in response except possibly a denial of guilt' (Inbau and Reid 1967, p.64). The person with autism may involuntarily give an interrogator the impression that he or she is apathetic, and may deny guilt because he or she is innocent.

Some other factors investigators may consider:

- Be sure the subject understands his or her legal rights.
- Saying yes is not the same as understanding them. To the concrete thinker 'waiving your right' may mean waving your right hand.
  - To avoid confusion, ask questions that rely on narrative responses.
- Asking yes or no question is an essential and important element of determining guilt. But consider asking a series of yes or no questions to determine the style and dependability of the response. Then ask the key yes or no questions.
- Seek the advice of a psychiatrist or psychologist who is familiar with autism. Consider contacting a specialist in autism from outside the criminal justice system.
- Seek the advice of a prosecutor. You have a job to do and want to perform it in the best way possible. With their unusual responses to your questions, the higher-functioning person with autism may challenge all of your training.
- Follow procedure, but also follow your gut instincts if you feel that something isn't 'quite right' with the subject of your investigation. Like the old adage, if the statement or confession is too good to be true, it probably is.

**Back to Brian's family's answer as to why Brian said he was guilty of Possession in June, 2014. It was explained to Brian's family that if you owned something when child porn was found on it, you are guilty of possessing this, not saying you are guilty of putting it there. In 2012 Brian was guilty of owning this computer for the 7 days (Police report) 1 month 8 days (NC SBI report – items of interest) that it was on his computer (neither he nor his family saw it, but he was the owner for that one month and 8 days – assuming the police wasn't lying about child porn on his computer). None of us were allowed to see the NC Bureau of Investigation discovery, but when we did see it in January, 2015 we found out that the Mayodan, NC police department and the NC SBI in Greensboro, NC were guilty of possession for the next 11 months that child porn or items of interest were downloaded.**

**After Brian and his family saw the discovery in 2015 about the child porn (items of interest) being downloaded for a year (11 months of that year, this computer was with the police & the NC SBI, Brian appealed his case.**

Mayodan, NC police report on 8/29/2012 at 11:23 AM until 12:21 PM (Lunch time – this diabetic with autism had not eaten lunch & police knowing he was a diabetic who used insulin and had autism) started out with this question:

## Interview of Brian David Hill

- Q. What is your computer usage and knowledge?  
A. I download movies, programs and music.  
Q. What type of download software do you use?  
A. I use bit torrent programs, like eMule. I only download. I don't share.  
Q. Does your mom ever get on your computer?  
A. No.  
Q. Did you use any other computers to download files?  
A. Yes. But I use my black Toshiba the most.  
Q. What is your email password?  
A. [REDACTED]. admin@uswgo.com  
Q. How long have you been downloading and viewing child pornography?  
A. About a year or so.

### Case 1:13-cr-00435-TDS Document 132 Filed 11/14/17 Page 7 - 8 of 103

They first ask him what is his computer usage, then they ask him how long has he been downloading child pornography? Police are now talking about child porn, but Brian is talking about movies, programs & music. That he is downloading these & not sharing. He won't let anyone touch his computer due to his OCD. If any of us accidentally touches it, he has to wash it and germ proof it so he can use it. His mom explains more in her witness testimony in November, 2017. Please have all of this investigated. Have a medical expert who knows about insulin dependent type 1 brittle diabetes, OCD and high functioning autism spectrum disorder (ASD) to examine this & be a witness about their findings. Brian and his family thank you in advance. Brian is using words that we have never heard him use but proves a good case for his criminal charge making sure that the grand jury knows nothing about his disabilities in November 2013 Grand Jury hearing only one side against Brian. If you were not presented the true facts about his disabilities, he does look guilty. What he later says is the part of his autism where he is just repeating what the police are saying. There's a reason why the government attorneys did not want his family or an expert medical person to hear that tape, but we feel like if they read all of this and are aware that it is during lunchtime the day after the police raid, they can just figure it out from reading this & knowing about his disabilities. It would be great though if they can hear the hour long tape.

PAGES 7- 8; 10 - 12 Document 132 Doc. 37 Pages 1 – 2, 13-18

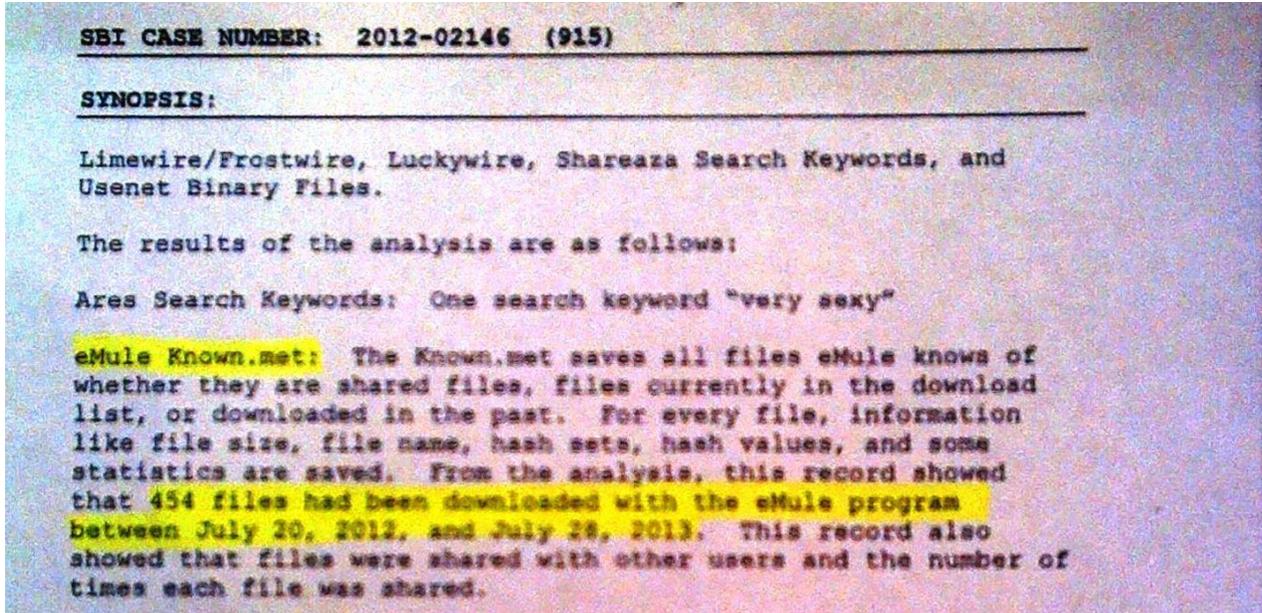
Detectives determined the IP address 24.148.156.211 was first logged into the Child Protection Systems (CPS) undercover system by the automated tools on July 20, 2012 offering to participate in the distribution of child pornography. Between July 20, 2012, and July 26, 2012, the IP address 24.148.156.211 was logged, showing a continual pattern of child pornography, by the automated tools.

Mayodan, NC Police Report – August 22, 2012

**NOT a YEAR or so, ONLY 1 WEEK (JULY 20, 2012 – JULY 26, 2012)**

**Do the WORDS match the FACTS?**

**See who really put this virus on Mr. Hill's laptop computer, 2 hard drives and 1 USB stick on Page 15 of this document as well as the PDF called "THREATS". Of course the cowards are not going to use their real name as they brag about knowing the "Right" people in NC and that they put it on his computer. They will face their day of judgment in a higher realm. Their actions hurt children, the disabled as well as freedom of speech in the USA.**



NC SBI report – 454 files had been downloaded with emule program July 20, 2012 until July 28, 2013 (Police took this computer on August 28, 2012).

**NOT a YEAR or so, ONLY 1 MONTH & 1 WEEK (JULY 20, 2012 – JULY 28, 2013)  
Do the WORDS match the FACTS? (July 20, 2012 – August 28, 2012)**

On Tuesday, August 28, 2012 at 1400 hours, Chief Charles Caruso, Captain Donnie Barker, Sergeant Jason White, Officer Wayne Williams, Detective Robert Bridge and I executed a search warrant for Roberta Ruth Hill, Brian David Hill and the premises and property located at 413 North 2nd Avenue in Mayodan, North Carolina.

**INTERVIEW & INTEROGATION OF PEOPLE WITH AUTISM by Dennis Debbaudt**

**PAGES 10-12   Document 132   Filed Nov. 14, 2017**

**BitTorrent From Wikipedia      PAGES 14-32   Doc. 132**

**Emule from Wikipedia              PAGES 33-37   Doc. 132**

Photos the Mayodan, NC police took of things in his house during the police raid on 8/28/2012. From these photos it looks like Brian's insulin pen, the laptop & one of the two hard drives and the USB stick. Most of the time Brian had one or two hard drives and a USB stick connected to his laptop. PAGES 39-40 Document 132

Copy of an email Brian sent to the Mayodan, NC town council on 3/12/2012 proving he was connected with his town hall meetings at this time. Videos on his USWGO YouTube Channel also proves it (4 MONTHS BEFORE THE CHILD PORN SET UP): DOC 132 PAGE 42

On August 29, 2012, while my mother was being interviewed I was alone sitting in the police station. Chief Caruso showed up then told me "This is serious" "I know about the article you written on the town council" "what you said was slander", "I never made you leave I only asked you to leave." I was scared I was afraid I lost my will to defend myself verbally. I told the detectives what I believe they wanted to hear because of the threat. Had I not been threatened and coerced I would have invoked my right to remain silent then leave the interview. My confession was not 100% truthful and was under duress.

Case 1:13-cr-00435-TDS Document 28 Filed 09/03/14 Page 4 of 11

<https://www.courtlistener.com/docket/4304407/28/united-states-v-hill/>

Investigation report from Mayodan, NC police Dept on Aug. 22, 2012 proving they knew Brian was disabled (He was 22 not 24); Correction: one of the police was from Reidsville, NC and the other one was from Mayodan, NC. Interesting that they use the same words that Brian used (echolalia) referring to PTSC & PTHC and what they mean, (see pages 6-8 of Document 132). They admit that they hacked into Brian's computer on 8/22/2012.

While in Detective Bridge's office, he showed me the webpages and downloaded files that were retrieved by the ICAC software. The videos downloaded by the Hill's IP address (24.148.156.211) were child pornography, commonly referred to as Pre-Teen Soft Core (PTSC) and Pre-Teen Hard Core (PTHC). I personally viewed a five second segment of each video and confirmed that it was child pornography.

**Aug. 22, 2012 in the search warrant given to Roberta & Brian on 8/28/2012**

Brian's family had never heard those terms and never heard Brian use them. Have the medical autism expert to see these then go back and read what is typed here that Brian told these same 2 police at the Mayodan, NC police station on 8/29/2012. Page 7 Document 132

Page 2

[BH]

- Q. How many child images do you think you currently possess?
- A. 100+.
- Q. What type of files do you search for in your file sharing programs?
- A. PTHC and PTSC.
- Q. What does that stand for?
- A. Preteen Hardcore and Preteen Softcore.
- Q. Do you think child pornography is wrong?

Page 15

r\_supp3

Case 1:13-cr-00435-TDS Document 132 Filed 11/14/17 Page 7 of 103

**INCIDENT/INVESTIGATION REPORT**

Narr. (cont.) OCA: 2012-00287

Mayodan Police Department

Page 3

North 2nd Avenue.

While in Detective Bridge's office, he showed me the webpages and downloaded files that were retrieved by the ICAC software. The videos downloaded by the Hill's IP address (24.148.156.211) were child pornography, commonly referred to as Pre-Teen Soft Core (PTSC) and Pre-Teen Hard Core (PTHC). I personally viewed a five second segment of each video and confirmed that it was child pornography.

**(PTSC & PTHC) in the report given to Brian & he repeated it the next day from memory**

**CASE SUPPLEMENTAL REPORT**

Printed: 12/16/2014 10:18

NOT SUPERVISOR APPROVED

Mayodan Police Department

OCA: 201200287

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: CLOSED/CLEARED

Case Mng Status: CLEARED BY ARREST BY

Occured: 08/22/2012

Offense: SECOND DEGREE SEXUAL EXPLOITATION OF A MINOR

Investigator: BRIM, C. T. (374)

Date / Time: 08/28/2012 09:40:00, Tuesday

Supervisor: BRIM, C. T. (374)

Supervisor Review Date / Time: NOT REVIEWED

Contact: Brim, C T  
101 North 3rd Avenue, Mayodan  
336-548-6038

Reference: Investigative Progress

On Tuesday, August 28, 2012 at 0940 hours, Detective Robert Bridge and I met with Rockingham County Chief Assistant District Attorney Julia Hejazi and reviewed the search warrant. Ms. Hejazi made some minor grammatical changes to the search warrant. Detective Bridge retyped it in the District Attorney's Office before it was presented for approval.

Of course, they would go to the District Attorney's office to check over all of this because the assistant district attorney (Mr. Hill's investigation (USWGO) in 2013) was Detective Bridge's sister. Who was her boss, who was the actual County District Attorney? Mr. Hill discovered he was the son of the Mayodan,

NC town attorney, Phil Berger Sr, the same man that USWGO (Brian Hill) had been writing investigating and writing negative articles about his dad. Mr. Hill was also doing an investigation into the Mayodan chief of police, police detective, C.T. Brim's boss and writing negative articles on him as well. Yes, we have proof. This is not delusional. Phil Berger Sr. & Jr. are both attorneys in the middle district of NC. Maybe this explains why no attorney helped Brian and made sure none would. The proof is already included in the court records on Pacer after June 10, 2014 (trial date). **Document 36 Page 20 to 21.**

What would be the chance that you would be at your home fighting a virus on your computer all morning, and in the early afternoon, there is a knock on the door, and there stands the very same police chief who by force made you leave a public town hall meeting when you as a reporter who gave a petition, signed by many concerned citizens to this person (Mayodan town attorney but also a state senator of NC 2 months before. In the video, Mr. Hill went up to ask him (Mr. Berger) a question about it on his microphone to share his answer with the citizens who signed that petition less than 50 days before this raid. My first thought is "This is a setup" as I thought about that video of him that USWGO (Brian) put on his YouTube channel. We all noticed that he kept telling Mr. Hill to "fess up to downloading child porn". He said that there were 2 people who lived here, and he didn't think it was Brian's mom. This information is in court records more than once after June, 2014.



Note Date July 10, 2012 USWGO: <https://www.youtube.com/watch?v=Gau-QgLBhEg>

Mayodan, NC police chief, Charles Caruso's photo is on USWGO's YouTube video on July 10, 2012 – child porn is being downloaded on Mr. Hill's computer on July 20, 2012 and this very same police is at Mr. Hill's house on August 28, 2012 as the Mayodan police remove all videos and all of USWGO's articles and photos. You can also see him watching Mr. Hill for an entire hour on July 9, 2012, Go to this YouTube page: <https://www.youtube.com/watch?v=e2w7FsKiiQ8>

Case Status: *CLOSED/CLEARED*

Case Mng Status: *CLEARED BY ARREST BY*

Occured: *08/22/2012*

Offense: *SECOND DEGREE SEXUAL EXPLOITATION OF A MINOR*

---

Investigator: *BRIM, C. T. (374)*

Date / Time: *08/28/2012 14:00:00, Tuesday*

Supervisor: *BRIM, C. T. (374)*

Supervisor Review Date / Time: *NOT REVIEWED*

Contact: *Brim, C T*  
*101 North 3rd Avenue, Mayodan*  
*336-548-6038*

Reference: *Investigative Progress*

---

On Tuesday, August 28, 2012 at 1400 hours, Chief Charles Caruso, Captain Donnie Barker, Sergeant Jason White, Officer Wayne Williams, Detective Robert Bridge and I executed a search warrant for Roberta Ruth Hill, Brian David Hill and the premises and property located at 413 North 2nd Avenue in Mayodan, North Carolina.

Captain Barker and Officer Williams secured the sides of the residence. Sergeant White and Detective Bridge secured the rear of the residence. Chief Caruso and I approached the front of the residence.

I knocked on the front door and was greeted by Roberta Hill. I walked into the residence and announced that I had a search warrant for the property. Brian Hill was sitting on the coach with his black Toshiba laptop computer in front of him. Ms. Hill's parents were also present and sitting on the coach beside Brian.

I told Ms. Hill that I was searching the residence for computers and hard drives (HD) that may contain child pornography. Detective Bridge explained that computers associated with their IP address (24.148.156.211) were being used to download pornographic images and videos of children. At that point, Brian put his head down in his hands and started shaking his head. He said, "I can't believe...." and Detective Bridge stopped him. Detective Bridge told him that he would have an opportunity to speak with us when the search was completed.

**Brian had predicted this would happen after the episode with Chief Caruso at the Mayodan town hall meeting on July 9, 2012. That is the reason he reacted that way when the police knocked on his door from threats from the police on 7/9/12. He wrote an article about that on July 12, 2012 (8 days before the child porn set up) that the police were harassing his mom now. They were upset about that video and the articles on USWGO & other news outlets.**

<https://www.youtube.com/watch?v=Gau-QgLBhEg>

**Here is Mr. Brian Hill (USWGO) speaking at the Mayodan, NC town hall meeting on July 9, 2012. Mr. Hill had attended the Match, April & May meetings.**



July 9, 2012 Mayodan Town Council Meeting <https://www.youtube.com/watch?v=e2w7FsKiiQ8>  
Senator Philip Berger Sr is here too. 11 days AFTER this a child porn virus was placed in Brian's computer on July 20, 2012 according to the Mayodan, NC police and the NC SBI.



July 9, 2012 Mayodan Town Council Meeting

Mayodan police chief, Charles Caruso was there too watching Brian an entire hour. Brian was sitting in the first row. <https://www.youtube.com/watch?v=e2w7FsKiiQ8>

Author Topic: **The Police are harassing my mom now** (Read 2639 times)

0 Members and 1 Guest are viewing this topic.

**uswgo**  
Guest

**The Police are harassing my mom now**  
on: July 12, 2012, 07:57:02 PM

---

I have to get on the Alex Jones Show even for just a 15 minute segment.

Because of telling people what the chief of police did to me my mom is now being harassed by the police chief

When my mom was walking down to the Dollar General store right close to downtown, a police van start driving up to where my mom was walking on the sidewalk and start asking her questions.

They told her that a girl was walking down the sidewalk and asked if she seen her and she said no.

**“The Police are harassing my mom now” July 12, 2012** To read more, go to **Document 132 Pages 78-81**

**From July 10-Aug. 28, 2012** Brian was afraid the police would try to do something to set him and/or his mom up with a fake crime, and was writing articles about that, so that was why he “put his head down in his hands and started shaking his head” as the policeman had observed. This just proved to him that his instincts were right.

**Subject:** What does it take to get on the town council election ballot?  
**From:** Brian Hill <admin@uswgo.com>  
**Date:** 7/12/2012 11:53 PM  
**To:** Lessa Hopper <mhopper@townofmayodan.com>  
**X-Account-Key:** account1  
**X-UIDL:** GmailId1387e78491f09fa6  
**X-Mozilla-Status:** 0001  
**X-Mozilla-Status2:** 00000000  
**MIME-Version:** 1.0  
**Received:** by 10.114.36.138 with HTTP; Thu, 12 Jul 2012 20:53:28 -0700 (PDT)  
**X-Originating-IP:** [24.148.156.211]  
**Delivered-To:** admin@uswgo.com

This is one of many emails Brian sent to members of the Mayodan, NC town council including the Mayodan police chief. Note in this email from Brian dated 7/12/2012, his IP in this email 24.148.156.211 matches the IP that was used during the police raid on 8/28/2012. See above IP# 24.148.156.211. We found this IP address in all of Brian’s emails including the ones he sent to his grandparents.

The IP address 24.148.156.211 was first logged in the CPS undercover system by the automated tools previously described on 07/20/2012 offering to participate in the distribution of child Pornography known to me. Between 07/20/2012 and 07/26/2012, the IP address 24.148.156.211 was logged, showing a continual pattern of child pornography, by the automated tools. That IP address was logged as offering to participate in the distribution of 3 files of known or suspected child pornography during that period of time. Of those 3 files logged your affiant has seen in prior investigation and can attest that he knows personally that 2 of them are indeed child pornography as defined by the North Carolina General Statutes. The other 1 are known by other officers participating in the undercover operation to be child pornography. The 2 that are known by your affiant can be described as follows:

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Detective Bridge has personally seen and knows the file

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"None of the children have been identified as part of a known series by the National Center for missing and exploited children (NCMEC)" Document #33, Filed 09/16/2014, Page 6 of 26

### APPLICATION FOR SEARCH WARRANT

I, <u>Sergeant Todd Brim, Mayodan Police Department</u> <small>(insert name and address; or if law enforcement officer, name, rank and agency)</small>	(and) <input type="checkbox"/> <small>(Name and/or describe other places or items)</small>
being duly sworn, request that the Court issue a warrant to search the person, place, vehicle, and other items described in this application and to find and seize the property and person described in this application. There is probable cause to believe that <small>(Describe property to be seized; or if search warrant is to be used for searching a place to serve an arrest warrant or other process, name person to be arrested)</small>	_____
<u>Attachment A</u>	_____
	The applicant swears or affirms to the for the issuance of a search warrant: Attachment C and Attachment D

<b>SWORN/AFFIRMED AND SUSCRIBED TO BEFORE ME</b>		Date <u>8/28/12</u>
Date <u>8/28/12</u>	Name Of Applicant (Type Or Print) <u>Todd Brim Robert Bridge</u>	
Signature <u>[Signature]</u>	Signature Of Applicant <u>[Signature]</u>	
<input type="checkbox"/> Magistrate	<input type="checkbox"/> Dep. CSC	<input type="checkbox"/> Asst. CSC
<input type="checkbox"/> Clerk Of Superior Court	<input checked="" type="checkbox"/> Judge	
<input type="checkbox"/> In addition to the affidavit included above, this application is supported by additional affidavits, attached, made by <u>Det. Robert Bridge, Reidsville</u> Police Department		

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### ATTACHMENT A ITEMS TO BE SEIZED

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### ATTACHMENT B DESCRIPTION OF PLACES TO BE SEARCHED

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Attachment C Doc 84-2 Pages 8-9

Attachment D Doc 84-2 Pages 10-23

This is the search warrant given to Roberta Hill & Brian Hill on 8-28-2012. Brian read it, memorized parts of it and repeated to the police on 8-29-2012 according to the police the part that says “

On Wednesday, August 22, 2012 at 1400 hours, Reidsville Police Detective Robert Bridge contacted me in reference to a child pornography case in the Town of Mayodan, North Carolina. According to Detective Bridge, he discovered that an IP address registered to Roberta Hill was being used to download and view child pornography. Detective Bridge is a member of the Internet Crimes Against Children (ICAC) Task Force. He has received training and resources to successfully investigate cybercrimes involving child pornography.

Detective Bridge requested that I confirm that no other "Wi-Fi" signals were in the area of the Hill residence, located at 413 North 2<sup>nd</sup> Avenue in Mayodan, North Carolina. Furthermore, he requested that we confirm any known occupants of the residence. Through my knowledge and previous experience, I know the residence is occupied by Roberta Hill and her son, Brian D. Hill. I drove to the residence and confirmed that no unsecured "Wi-Fi" signals were present at the time of this affidavit. I also checked the utilities and confirmed that Roberta Hill resides and the aforementioned address.

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Your affiant then selected the option to monitor a particular IP address; in this case 24.148.156.211 on July 20, 2012. When the IP address was online in the eDonkey Network, your

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Going back to **PAGE 46-47** These 2 police detectives admit to hacking into someone's computer, viewing child porn and using the exact same description that Brian used 7 days later; exact words during his interrogation. Congratulations to these 2 police detectives & to their police chief. They got this person (Autism - Developmental disability) breaking Americans with Disability Act law by interrogating him alone at lunchtime – brittle diabetic getting insulin shots for 20 years at this time without checking his glucose or asking him or his mom to do that) to say he is guilty. This needs to be investigated too. Was he really guilty? Later, we get that answer. Hint. If he was guilty, why did it continue being downloaded for 11 months after the police got it? His family knew he wasn't guilty. He never talks to kids, didn't like kids because they are loud, didn't like Walmart for the same reason – too loud. He & his mom go to Walmart quickly to get what they need, then they're out of there. Going further one of these police says he is familiar with 2 of the 3 child porn, yet the federal government says they are unknown files. (More proof coming). After they hacked into our grandson's computer, viewed illegal files, used the same terms Brian conveniently used, they got a search warrant. I might add, they got the search warrant from a judge in another county in Winston Salem, NC AFTER hacking into Brian's computer.

This is a photo of Brian with the Mayodan, NC attorney at the Mayodan town hall meeting months before the 2 policemen hacked into Brian's computer & claimed that Brian was downloading child porn. He is Phil Berger Sr. and is also an NC state senator. **PAGE 52 One of the police (Bridge) in the above report on pages 7-8 & 46 & 47 is a brother to the woman who had worked for Mr. Berger's son for years**

Rockingham County District Attorney. Our family as private investigators found this & other things out. Document 132.

Page 53 shows Brian in 2012 holding a black camera while interviewing someone in 2012 for USWGO. Document 132.

Page 57 shows the sister on Facebook of one of the detectives who hacked into Brian's computer, interviewed him (breaking the Americans with Disabilities laws). Her name was Melanie Bridge in 2012. She worked at the Rockingham County District Attorney's office. Page 58 her brother is Robert Bridge. There is a child on his facebook page wearing a police cap. Page 62 is a better photo of Robert Bridge's public Facebook page. Page 57 & 63 shows his sister's public facebook page with her photo and the title: "Assistant District Attorney at Rockingham County District Attorney's Office. Document 132

A message from Brian right after the police escorted Brian out of the Mayodan Town Hall Meeting when Brian went up to ask Senator Berger a question, and Brian put the video up on his USWGO YouTube page. We all noticed in the video the reporter from Rockingham County was still there. This is Brian's 27 second video: "Reporter forced back by Mayodan Police for asking Senator Phil Berger a question" 1655 views July 10, 2012. <https://www.youtube.com/watch?v=Gau-QgLBhEq>

PAGE 78-81, 86-88 Brian Hill writes on July 12, 2012 at 7:57 PM "The police are harassing my mom now". He said that the more the police harass him, he will capture more photos of police corruption & abuse in Mayodan, NC. He said that the police were harassing them now and trying to get him incarcerated". Interesting that a few days after this, there is child porn on his computer, according to the Mayodan, NC police and a police raid a month after that where they get all of Brian's USWGO videos and articles. Brian is arrested 16 months after the police raid before Christmas in Dec. 2013 by homeland security. Document 132

## Who is Dan Johnson from Brian's grandparents investigation?

He was a friend of Brian's in 2012 and 2013. They worked on the NDAA together.

**David Hill had concerning an encrypted chat Hill had with witness Dan Johnson of "People Against the NDAA" (PANDA or PANDAunite), somewhere between approximately late 2012 to 2013. Dan Johnson had reported to Hill to have received a threatening email with the words "We.....Want.....Your.....Friend.....To.....SHUT.....UP.....AND.....STOP.....IN VESTIGATING.....PORNGATE.....we.....demand.....you.....get.....him.....to... they would have already. I'm a thorn in their side as it is.**

**I'm not worried about me, nor Jeff him. I'm concerned about you, and just trying to tell you to watch your back. Which, on that note, here's the content of the emails. Can you recognize this writing style?**

We....Want....Your....Friend....To....SHUT....UP....AND....STOP....INVESTIGATING....P  
ORNGATE....we....demand....you....get....him....to....STOP  
You....cannot....save....your....friend....from....going....to....prison....cause....our....org  
anization....has....the....resources....to....convict....your....little....buddy....you....freak..  
...hahaha  
he....will....be....a....sex....offender....he....will....lose....in....trial....court....including.  
....pretrial....and....so....will....you....on....the....NDAA....loser  
Obama....and....his....minions....is....watching....you...BEWARE

recognize that writing style?

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[REDACTED]@rutherford.org>

Tue, Jan 7, 2014 at 3:33 PM

To: Dan Johnson [REDACTED]@pandaunite.org>

C [REDACTED]@rutherford.org>, [REDACTED]@rutherford.org>

Dan, at this point, we have offered our assistance to Brian's court-appointed attorney and are waiting to hear back from him on where things stand. You're welcome to mention that we have offered our assistance in the case in any PR you do, but beyond that, I don't have an update yet and I don't want to discourage the family from getting the word out. We'll be in touch as soon as we know more on the legal front.

**To Dan Johnson who was working with the Rutherford Institute to help Brian. They are telling Dan on Jan. 7, 2014 that they had contacted Brian's court appointed attorney offering their assistance and have not heard back from him. What is the Rutherford Institute? Here is a link to their webpage: <https://www.rutherford.org/about>**

4. I am aware that Brian David Hill was a volunteer independent journalist active in independent online media and in the Patriot or Constitutionalist movement. Brian has many such videos on Youtube. Brian was active in supporting the repeal of the NDAA.

*Screenshot of the Susan Basko Declaration of facts concerning Actual Innocence of Brian D. Hill. Source: Federal Court Docket entry, U.S. District Court for the Middle District of North Carolina, Case 1:13-cr-00435-WO, Document 46, Filed 09/30/14, Page 1 of 3.*

**Document 46 Page 1 – 3**

**We noticed that Brian's threats were in April, 2013. We started to look and found a video Brian (USWGO) put up about the Emule Virus in April 6, 2013 and some other articles he had written about it in other places. They were so upset that they sent him at least 2 emails admitting putting it on his computer with threats. One was on April 7, 2013 and April 20, 2013.**

Emule virus type has infected people around the entire world including .



[https://www.youtube.com/watch?v=Xyy1wDioa\\_k](https://www.youtube.com/watch?v=Xyy1wDioa_k)

Apr 6, 2013 - Uploaded by USWGO Network

... alternative news former founder Brian D. Hill. The **emule virus** has infected computers around the entire ...

[https://www.youtube.com/watch?v=Xyy1wDioa\\_k](https://www.youtube.com/watch?v=Xyy1wDioa_k)

**April 6, 2013**

**From:** <[johnsnatchz@tormail.org](mailto:johnsnatchz@tormail.org)>  
**Date:** Sun, Apr 7, 2013 at 5:30 AM  
**Subject:** You better watch out.....  
**To:** [admin@uswgo.com](mailto:admin@uswgo.com)

**You better watch out Brian...We are watching you...Having child porn planted on your hard drives and computer was only the beginning and we will set you up for violent sex crimes if you don't watch your back...Have fun becoming a sex offender...Police won't believe you no matter how much evidence you have that you been set up we know some people in the SBI who will make sure you are convicted. You will be shut up by being a sex criminal. Your friends Alex Jones, Dan, James, Sean, Alex, and others are next...BeWare!**



Brian t

---

**Your gonna get it**

[sallysamsong@tormail.org](mailto:sallysamsong@tormail.org) <[sallysamsong@tormail.org](mailto:sallysamsong@tormail.org)>  
To: [admin@uswgo.com](mailto:admin@uswgo.com)

Sal

Your gonna get it...We know what your tryin to do....You'll regret ever being an investigative news reporter....Youll regret what you just did....better watch your back Brian....DONT REPORT ANY MORE ARTICLES OR TALK TO ANY REPORTERS ABOUT THIS CHILD PORN VIRUS OR YOU GONNA GET IT

**See the 19 page PDF "THREATS"**

**No, there was no mention about how 2 attorneys admitted they were both ignoring all of Mr. Hill's witnesses. There is no mention that it was his grandparents and his mom who sent our witness letters to the court in September, 2014. It was also not mentioned that his grandparents told the judge at the September 30, 2014 hearing that Brian was innocent and his attorney never represented him. Also he fails to mention that Sue Basko is an attorney, and she still is (Document 210 filed 10/21/2019 – 27 pages). She is also a Lawyer for Independent Media, International work with Human Rights and Attorney and Counselor, U.S. Supreme Court. This is a link to her web page:**

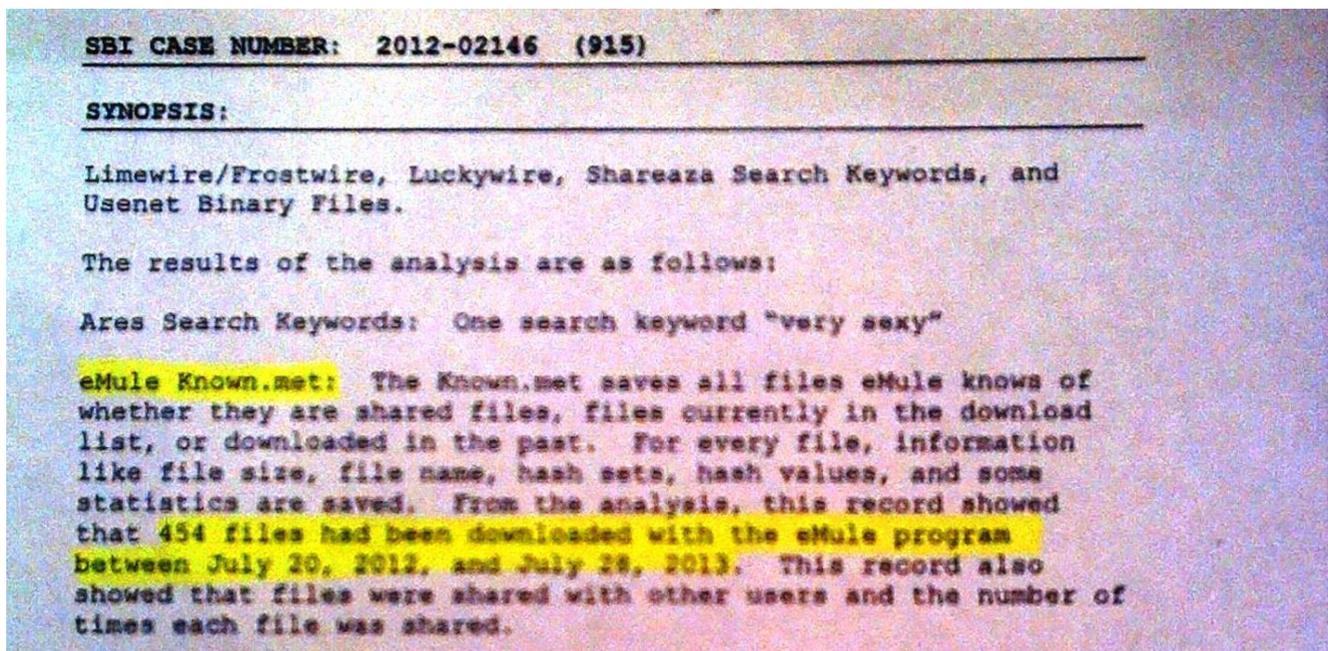
**<https://www.linkedin.com/in/suebasko>**

4. It is officially in declaration that I did get a virus or trojan horse which the SBI and FBI already have. I believe to the best of my knowledge that the virus is responsible for my IP Address 24.148.156.211 being flagged by CPS in Boca Raton, FL. The court can subpoena my letters to the FBI and SBI.

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Detectives determined the IP address 24.148.156.211 was first logged into the Child Protection Systems (CPS) undercover system by the automated tools on July 20, 2012 offering to participate in the distribution of child pornography. Between July 20, 2012, and July 26, 2012, the IP address 24.148.156.211 was logged, showing a continual pattern of child pornography, by the automated tools.

**Mayodan, NC Police Report - 8/22/2012 (Download dates 7/20/2012 – 7/26/12)**



**NC SBI report – 454 files had been downloaded with emule program July 20, 2012 until July 28, 2013 (Police took this computer on August 28, 2012)**

Ramaswamy (Asst U.S. Attorney says that Bridge downloaded 2 child pornography files. THEN he got a search warrant. Is this against the law to hack into a computer first, then get the search warrant after actually going into a personal computer? Brings out the dates Aug. 28, 2012 – Leaves out the date Aug. 22, 2012. Case 1:13-cr-00435-WO Document 18 Filed 06/04/14 Page 1 of 4. The Defendant is charged with one count of possession of child pornography. The Defendant was arraigned on January 2, 2014, pled not guilty. The Court ordered an examination. The report of that examination was filed with the

Court on May 8, 2014. The Defendant actually returned to the Middle District of North Carolina on May 14, 2014. At a status conference earlier today, the Court denied the Defendant's pro se motions to suppress, denied the Defendant's request for new counsel, and set the matter for trial on Monday, June 9, 2014. Undersigned counsel and his wife are flying to Boston, Massachusetts, tomorrow morning, June 5, 2014, to attend their son's graduation and will return June 8, 2014. Undersigned counsel believes that one additional week would be sufficient to complete his consultation with the Defendant, and determine whether a trial is necessary.

5. *I felt the detectives put words in my mouth about some theoretical little girl at Walmart. I have never did any of that when I was shopping at Walmart. I felt the detectives wanted me to confess to things that weren't true. My mother was being used against me to persuade me to admit to things that weren't true. The confession audio makes me look real bad. I am nothing like what that audio portrays of me. That is why I wanted to suppress the confession since ~~it~~ a threat produced it and it isn't honest.*

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**NOTE here: Brian does not drive. He never goes alone to Walmart. His mom takes him there, and they quickly get what they came for and leave fast. No one is watching any children or anyone, no time. PLUS as we all have written to the court after June, 2014 and as Brian's grandparents told the judge on September 30, 2014, Brian does not like to be around children.**

### Interview of Brian David Hill

- Q. What is your computer usage and knowledge?  
A. I download movies, programs and music.  
Q. What type of download software do you use?  
A. I use bit torrent programs, like eMule. I only download. I don't share.  
Q. Does your mom ever get on your computer?  
A. No.  
Q. Did you use any other computers to download files?  
A. Yes. But I use my black Toshiba the most.  
Q. What is your email password?  
A. [REDACTED]. admin@uswgo.com  
Q. How long have you been downloading and viewing child pornography?  
A. About a year or so.

### Mayodan, NC Police Report – Interrogation on August 29, 2012

About a year or so does not agree with either the police or the NC state bureau report. It only proves a false confession.

Some proof documents Brian included as part of his proof. After reading all of this, **an expert medical witness should have been appointed to testify**. Brian & his family asked for this many times and a couple of his attorneys did too, the court denied that request.

<https://storage.courtlistener.com/recap/gov.uscourts.ncmd.64541.131.0.pdf>

Brian's medical history while in various jails in NC & Butner prison from Dec. 2013-Nov. 2014 Yet **judge refused to get a medical expert to testify in court** or to get any aids for Brian according to **the Americans with Disabilities laws**. (Is this because that would have hurt the governments case against Brian?). Does all of this mean that the federal courts, judges, jails & prisons are exempt from that law? See the PDF with more proof: "**Brian's treatment in Jail Brittle Diabetes, Autism & OCD**".

When Brian spoke, he asked for an investigation to be done. He asked for a forensic expert. He said the Mayodan police could have planted files in his computer during the police raid & after they had removed his computer from his house. Judge Tilley asked Brian what proof does he have. Brian said that the proof is in the audio files about what they said to him. Note from Brian's family: We were never allowed to hear the tape but read parts of Brian's answers to the police in their report. Before the police talked to Brian, his mom told the police that Brian had autism. Ask a professional in autism. A person with autism should never be alone during a police interrogation without an attorney present or someone who knows about autism. That is part of the Americans with Disability laws. A person with autism can easily become confused and start repeating word for word what the police said. We noticed terms that Brian has never used. This interrogation took place during lunch time the day after the police raid where many police touched everything in Brian's house (OCD). They did not test Brian's blood glucose or offer him a snack. Two police interrogated him alone. If his blood glucose was low, it's like someone with a lot of alcohol in their system. Please don't take our word, have an expert in autism, diabetes & OCD to give their expert opinion.

3. I was involved with the Mayodan Police Chief prior to the police raid giving political papers to him. I was involved with the Mayodan government and it's town attorney Phil Berger Sr. prior to the police raid. A possible conflict of interest and bias. I hereby file this Motion with the clerk of the court using U.S. Mail. This, the 24th day of September, 2014. Brian David Hill

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2. The police admitted to me and my mother to looting through my computer files themselves in clear violation of state crime lab policy and procedure. Under NC admissibility statute on crime lab forensic reports, the NC SBI crime lab reports are inadmissible from a criminal case for police mishandling and invalid processing of evidence.

Read the PDF "**Who is Brain Hill – Pictures & Descriptions**"

On this one, Brian displays his email at USWGO in 2013 after he received a threat email in April, 2013 from an anonymous person using tormal mail admitting they put child porn on Brian's computer & hard drives. Most of the time Brian had 1 or 2 hard drives with his computer as he was working on USWGO projects & interviews & researching things for articles he was writing for his website and backing up his website. His mom would come down from time to time and find Brian having a severe seizure at his computer. Brian was unconscious and would have died each time if mom had not come down and treated it. Ask a medical expert about that – some doctors & neurologist said in 2005 and other years that Brian had brittle diabetes. Brian had met Alex Jones in June 2012. The threat email said they had plans to set Alex Jones, Dan & others up. On the 2<sup>nd</sup> one they threatened doing more to Brian if he said anything more about that child porn virus. Page 69-71. Document 131

Brian wrote an article about the police kicking him out of the Mayodan Town Hall meeting on July 9, 2012 on his USWGO website. Here is that article: PAGE # 95-98. Document 132

<https://www.courtlistener.com/docket/4304407/133/united-states-v-hill/>

Document 133 From Newspaper articles Brian's grandmother found on the Internet in 2014.

District Attorney Phil Berger Jr Endorses Melanie Bridge for Rockingham County District Attorney March 11, 2014. Who is Phil Berger Jr.? (Son of the Mayodan, NC lawyer. Sen Phil Berger Sr.) (See Page 52 of Document 132 & page 157. Melanie Bridge (Sister of Detective Robert Bridge who hacked into Brian's computer). Police who interviewed Brian was Melanie's brother Page 58 & 62 Document 132. Document 133 Page 14-17.

Brian sent many emails about this setup to Joy Strickland, NC Asst. Attorney General. This one was dated 12/6/2013. Document 133 PAGE 30-45. This one involves a small fender bender (looks planned) which gave the Mayodan police a chance to see his mom's driver's license right between the time Brian wrote that article (July 10, 2012) until the police raid (Aug. 28, 2012). Another email to Joyce Strickland that Brian is happy the Mayodan police backed down and were going to give him his stuff back. Document 133 Page 47-53 12/10/13

Letter from Brian's grandpa about Detective Brim of the Mayodan police dept. calling 12/9/2013 and said Brian's attorney got in touch with them, they were not going to charge Brian and for him to come to the police station to get his stuff on 12/13/13 Friday 13<sup>th</sup>. PAGE 54 Document 133

An article Brian's grandma found from Associated Press dated 11/9/2009 "Internet Virus Frames Users for Child Porn" PAGE 55 – 59 Doc 133.

Document from Brian David Hill about all of the things which he owned which was now lost (Basically everything that he had owned all of his life): Photos, videos, music, vacation memories, USWGO articles, interviews, etc.). None of this contained the Trojan horse attack or virus, and the Mayodan police department keeping this has damaged Brian's mental & physical health. He gives a list of the things they refused to send to him (lawful data). Pages of things stolen from him that he would never again have the opportunity of seeing. They also ignored the federal judge who ordered them to return to Brian & his mom the things that did not have child porn in them. That would have been everything except Brian's laptop computer, 2 external hard drives & 1 USB stick. Document 133 – PAGE 61-65. That didn't happen after Brian's attorney for his appeal brought him the one hard drive in February, 2015 from the Mayodan, NC police department which did contain child porn and all of the laptop computers which didn't work. Brian kept those for parts. One of the threatening emails to Attorney Sue Basko said they had Brian's

things and would put more child porn on them so neither Brian nor Roberta wanted anything more from the Mayodan, NC police. We threw away all of the things Mayodan police returned after finding the child porn in the one laptop external drive. See the PDF "THREATS".

Email from Brian to Joy Strickland, NC Assistant Attorney General on 12-12-2013. Titled "Mayodan Police Lied to Me" PAGE 67-68 Document 133.

Around sometime of July 2012, cannot remember the day but the problem may have lasted for anytime between less than one week to two weeks. Also at that time I did not remember using any Anti-virus software on my computer, and had to keep reminding myself to get the software and install on my computer but I cannot remember if I ever did, which means I don't think I used an anti-virus and if I did I would have clearly recalled. I started noticing that emule.exe was running along with three other programs. Conime.exe, ares.exe, and shareaza.exe. I believe the main program that was rogue and was running was emule.exe. It didn't run under the normal programs. This program ran without my consent, and without my knowledge until I discovered the program running in task manager. I had ended the tasks thinking this Trojan was gone but then days later I noticed that the hard drive space on my

computer was out at 0k. I decided to open the program location using the task manager. I noticed it appeared to be a portable version of eMule, at least the folder structure looked similar. I clicked on the shared files folder and saw hundreds of files with names I didn't understand. Some of those names from what I could remember said 9yo, pthc, ptsc, and other terms. I assumed it was just some viruses being shared and deleted everything. I had no idea what was shared or that it was something that would get the police after me. Then I tried to sabotage the virus since it took over my computer and made it difficult to fight against. I even recall a bit about calling my grandmother on the phone telling her that I was fighting a virus or Trojan, and that is really all I recall. So I know I had called my grandmother telling her about this Trojan, and took days to put a stop to, if that was even enough as it could have still ran, but I wouldn't know. I believe there may be other Trojans running on the computer too due to the weird programs that were running. I should have restored my computer but did not because I had a lot of data I would have to move off the computer to conduct the restore.

**Case 1:13-cr-00435-TDS Document 51 Filed 10/07/14 Page 2 of 10**

I decided to take some time as part of this investigation and look up "eMule Virus" on google. We observed Brian fighting a terrible computer virus on the day of the police raid, Aug. 28, 2012.

<https://www.wilderssecurity.com/threads/how-unsafe-is-emule-p2p.53109/>

There are a lot of good comments on this page. It looks like all file sharing and all P2p programs are inherently dangerous not just emule. Young people can get caught up downloading music and movie files on any P2p and file sharing files which would include emule. Brian told the police that he had been downloading music and movies for a little over a year and was not sharing, but it looks like when he was downloading, others could get into his computer especially during an insulin reaction or a seizure. He had no money left by the end of the month as two people were living off of one SSI check. His disabilities required 24 hour care especially his type 1 brittle diabetes with diabetic seizures and his autism (ASD). His mom was the only one doing this and could not get an outside job in NC in 2012 and was a licensed nurses' aid. His hours long hand washing routines from his OCD was also expensive with soaps, hand sanitizers and using more water than most. The P2p and file sharing opens ports in the computer exposing the user to hackers and to bad viruses.

In total 426 files were identified as CAM, 103 files were images and 258 were videos and 65 files were other types. From this information it looks like the amount of CAM video files is much higher than the amount of CAM images. Page 8 in the year of 2016 from this PDF called "Forensic Analysis of Ares Galaxy Peer-To-Peer Network" at this link:

<https://commons.erau.edu/cqi/viewcontent.cgi?article=1347&context=adfs>

This PDF is dealing with child abuse material called "CAM" and is available on P2P networks worldwide.

I just found a government site about that which has a 50 page PDF to download. Page 21- P2P Vulnerabilities. People who use P2P file sharing software can inadvertently share files. They might accidentally choose to share drives or folders that contain sensitive information, or they could save a private file to a shared drive or folder by mistake, making that private file available to others. In addition, viruses and other malware can change the drives or folders designated for sharing, putting private files at risk.iii Peer-to-peer connections are a common avenue for the spread of computer viruses and spyware. It names some that I heard that Brian was using in 2012: Facebook, BitTorrent, eDonkey, eMule. The installation and use of unauthorized peer-to-peer applications can also result in significant vulnerabilities to your agency's networks, including exposure to unauthorized access of information and compromise of network configurations. FY 2018 Information Security Awareness and Rules of Behavior Training October 1, 2017.

<https://www.dm.usda.gov/obp/docs/FY2018%20USDA%20ISA%20Training.pdf>

Copy of the police warrant to arrest Brian on Nov. 26, 2013 making it clear, they want Brian on the sex registry – US Attorney, ANAND PRAKASH RAMASWAMY (That was even before Brian was arrested and had a trial). Document 133 - PAGE 70 - 73 Ramaswamy needs to be investigated for sure. Note that Ramaswamy is involved with everything from 2013 or before until 2022 making sure Brian stays on the sex registry. Wonder why?? More proof (concentrating on Ramaswamy). KNOWINGLY POSSESSED? Did he knowingly possess child porn when part of Ramaswamy's proof said that child porn was being downloaded 11 months after the police confiscated Brian's computer? This man is BIG TIME out to get Brian and is guilty of possessing proof that Brian is innocent, hiding it and obstructing true justice. Why?

PAGE 74 Document 133

---

## You better watch out.....

johnsnatchz@tormail.org <johnsnatchz@tormail.org>  
To: admin@uswgo.com

Sun, Apr 7, 2013 at 5:30 AM

You better watch out Brian...We are watching you...Having child porn planted on your hard drives and computer was only the beginning and we will set you up for violent sex crimes if you don't watch your back...Have fun becoming a sex offender...Police won't believe you no matter how much evidence you have that you been set up we know some people in the SBI who will make sure you are convicted. You will be shut up by being a sex criminal. Your friends Alex Jones, Dan, James, Sean, Alex, and others are next...BeWare!

---

## PAGE 75    Document 133

### Your gonna get it

sallysamsong@tormail.org <sallysamsong@tormail.org>  
To: admin@uswgo.com

Sat, Apr 20, 2013 at 11:58 PM

Your gonna get it...We know what your tryin to do....You'll regret ever being an investigative news reporter....Youll regret what you just did....better watch your back Brian....DONT REPORT ANY MORE ARTICLES OR TALK TO ANY REPORTERS ABOUT THIS CHILD PORN VIRUS OR YOU GONNA GET IT

## PAGE 77-78    Document 133

<sup>10/15/14</sup>  
At around December 20, 2013, I was at the mental inpatient unit of Martinsville Memorial Hospital in Virginia due to wanting to make a suicide attempt over first finding out about the Federal Warrant for my arrest for child pornography charge. I was at the hospital at the 12th up to the 20th of December. On the 20th I was doing an activity with other patients when I was told by a hospital staff person told me something about getting my clothes <sup>Signed</sup>

Case 1:13-cr-00435-TDS Document 32 Filed 09/15/14 Page 4 of 7

I believe it was highly inappropriate for Homeland Security agents to be used in my arrest instead of Federal Marshals or the FBI. I had to go through a strip search while being videotaped, I believe they have footage of my penis and anus. I felt degraded and scared like I was really at a mini version of Guantanamo Bay facility. I was humiliated, scared, worried, and thinking about my family. Then on Dec. 23rd I was transported by NC SBI Agent Rodney White and a U.S. Marshal to the Greensboro, NC U.S. Courthouse for my arraignment hearing, then I was detained at Guilford County NC Detention Center.

**Case 1:13-cr-00435-TDS Document 32 Filed 09/15/14 Page 5 of 7**

Attorney Susan Basko sent an email to Brian on 12/14/2013 asking how he was doing, and Brian's grandpa told her what had happened. [PAGE 82-84](#) [Document 133](#)

## **AUTISM**

### **IN CRIMINAL JUSTICE SITUATIONS**

- **May not understand rights or warnings**
  - **May become anxious in new situations**
  - **May not understand consequences of their actions**
  - **If verbal, may produce false confession or misleading statement**
-

4. That a person with mild autism can indeed give a "false confession or misleading statement." With my mild autism, the threat by Charles J. Caruso, and my admission on court record that my confession was not truthful, my confession should be suppressed on mental health and coercion grounds.

5. That Sue Basko a lawyer for Independant Media had asked the Prosecutor to "reconsider the prosecution of Brian Hill." Sue can be contacted at 310-770-7413.

Case 1:13-cr-00435-TDS Document 37 Filed 09/18/14 Page 2 – Page 13 of 75

Guilford County Federal Courthouse at Greensboro, NC: Brian's Court appearance was today, Dec 23, 2013 at approximately 1:30. When the officer brought Brian into the courtroom in shackles and handcuffs, Brian was visibly shaken and disheveled; he was very agitated and upset. He said, "I am innocent. I am being set up". He looked very tired and pale. He managed to whisper to us, his Mother, Grandmother and Grandpa that they were withholding his insulin, and the way he looked, I would say they were not giving him his medicines that were prescribed from the psychiatric unit of the Martinsville Memorial Hospital, even though the nurse sent his insulin and a list of his medications with the homeland security agent when he was picked up on Friday, Dec 20, 2013. He also managed to tell us they strip searched him and made him take all his clothes off and video taped him. While he was whispering to us, the Federal Marshall that brought him in said something to Brian, then took him from the courtroom. When they returned, Brian was crying, and sat in the courtroom and sobbed loudly for several minutes. The officer ignored his crying and acted very dis-interested. Brian's grandmother gave him a card explaining that Brian had Autism, and he said he would give it to the jail. The officer told Brian he could not speak to us again, and he told us not to talk to anyone in the room. Brian talked to the judge and appeared in court without an autistic advocate even though we told everyone involved with his case that he had autism. We did give the paper describing autism and what to expect to this very cold Marshall who acted satisfied to have it and read it.

The Judge told Brian he was facing a sentence of 1 year or longer because of the charges against him. He appointed an attorney for Brian. The attorney's name is Eric D. Placke, Asst Federal Public Defender. 301 N Elm St Ste 410, Greensboro, NC 27401-2187 (336) 333-5455

not giving Brian his insulin, and his friend Kitty advised us to find some medical documentation and fax it to the jail. We did this.

Case 1:13-cr-00435-TDS Document 37 Filed 09/18/14 Page 53 of 75

not giving Brian his insulin, and his friend Kitty advised us to find some medical documents at the jail. We did this.

## Personal and Confidential

<b>To:</b> Guilford County Jail	<b>From:</b> Brian David Hill's Mother and Grandparents
<b>Fax:</b> 336-641-2793	<b>Pages:</b> 6 Pages + Cover Sheet
<b>Phone:</b> 336-641-2700	<b>Date:</b> Dec 24, 2013
<b>Re:</b> Brian David Hill's Insulin Requirements	<b>CC:</b>

X **Urgent**

X **Urgent**

Since Brian was removed from the Martinsville Memorial Hospital in Martinsville, VA on Friday, Dec 20, 2013 not one person in the Forsyth County or Guilford County Jail system has contacted his family. Brian has Brittle Insulin Dependent Diabetes, Autism, Seizure Disorder and other diagnosis, but these three are most important, so for now we are sending medical reports from 5 (five) different medical specialists dated 1992 to 2012 verifying these medical conditions.

When he left home to go into the hospital he was on Novolog Insulin Pin, sliding scale, count carbs 1 unit per seven carbs. If his blood glucose is over 150, give one unit per fifty. Example:  $350 - 150 = 200 - 4$  units of insulin plus units required for his carbs at mealtime. Daily he gets Lantus insulin 32 units 1 time per day (he knows the time) This is 24 hour insulin.

If there any other questions, feel free to call his Mother, Roberta Hill, at 276-632-2599. We are extremely concerned about his health and the fact he has been set up with trumped up charges. We know for a fact he is not guilty.

Please insure the Medical Personnel in the Guilford County Jail receive this as it is extremely important.

Thank you,

Roberta Hill, Stella Forinash and Ken Forinash

\*\*\*\*\*

Tuesday December 24, 2013 7:40 PM

After sending the above fax, the doctor at the jail called and talked to Roberta.

Tuesday December 24, 2013 7:40 PM

The doctor from the prison called me (Roberta Hill). He informed me that they were giving Brian two shots per day at breakfast and supper. He normally takes 4 shots per day, so his blood sugar has to be high. He told me that they can't follow what Brian says about his insulin regimen, because they have to follow what his doctor tells them to do. He then told me that I need to relay the information that he told me to the group of people that have been calling. It was noticeable to me that his main concern was not for Brian's health, but to try to get all the people to stop calling the jail. The doctor sounded very nervous throughout the whole conversation.

**Case 1:13-cr-00435-TDS Document 37 Filed 09/18/14 Page 63 of 75**

We got 2 phone calls from Brian, but the phone line cut out. We found out that he can't contact us through the phone system at the jail, because a Pay Tel account has to be set up for him to be able to use the phone. Since we can't contact him, we can't set up this account because he will not know that he can call us. With all of his severe health problems including autism, he is unable to contact us for help or advice on any problems he might be having. There is no way for us to contact him or vice versa. He is 23 years old and this is the first time that he has never been able to contact us.

Tuesday December 24, 2013 3:30 PM

Brian called using the pay tel phone, and we talked about 20 minutes (learned later that he now has \$28.00 left out of the \$50.00 we put in this morning - \$1.10 per minute). We all got to talk to him. He told us that they wanted him dead in that jail too because they were not giving him his insulin and asked us if we can do something so he can get his insulin. He said he kept walking in his cell to try to bring his glucose down and told them he would just not eat and was losing weight. . He said that he talked to Rodney White (SBI

**Case 1:13-cr-00435-TDS Document 37 Filed 09/18/14 Page 61 of 75**

**June 12, 2017** Brian writes to the Danville, VA Federal court to subpoena Attorney John Scott Coalter for discovery.

**PAGE 85-92 Document 133**

**June 8, 2017** Declaration of Brian D. Hill about Mr. Coalter who has betrayed his trust and won't let him have the discovery. This is another bad experience for all of us, and Brian explains it well.

**PAGE 99-101 Document 133**

Newspaper article from **April 12, 2013** "Judge dismisses lawsuit alleging SBI misconduct in Clemmons dentist case"

**PAGE 102- 105 Document 133**

Newspaper article News & Observer from **Aug. 19, 2010** "Scathing SBI Audit Says 230 Cases Tainted bt Shoddy Investigations".

**<https://www.courtlistener.com/docket/4304407/134/united-states-v-hill/>**

**Document 134**

**PAGE 2-15 Document 134**

USWGO Article from May 15, 2012 "NC Senator Phil Berger receives the Nullify-NDAA Petition at the Mayodan Town Hall". Here's a video link that goes along with this article.

**<https://www.youtube.com/watch?v=sxooThGOMTw>**

Nullify-NDAA Petition and Report given to NC Senator Phil Berger 772 views **May 15, 2012**. Brian was almost 22 years old at this time.

**Brian's Declaration of Innocence for the White House on January 22, 2017.**

I am Brian David Hill, a natural born citizen of the United States. I am a citizen of Virginia at the time that my Affidavit was signed and sworn in as credible testimony. I have high functioning Autism Spectrum Disorder. I also have Obsessive Compulsive Disorder (OCD) and Generalized Anxiety Disorder. Because of my neurological disabilities, it limits by ability to live a normal life and makes it nearly impossible to hold down a career of employment. I cannot work so I live off of Social Security Disability payments.

I believe that I am Innocent of the charge/indictment of 18:2252A(a)(5)(B) and (b)(2) Possession of child pornography. It's because I am Innocent of the charge/indictment of 18:2252A(a)(5)(B) and (b)(2).

The reason I am Innocent is because I have noticed signs and evidence in 2012 that my computer had been hacked into by a computer hacker which I also believed may have used a PC Virus or Trojan Horse. I also believe that there may have been evidence tampering, planting, and/or contamination. I also believe and have evidence that I was framed with child pornography. I know I was framed since the Mayodan Police Raid on August 28, 2012.

I gave a false confession on August 29, 2012 to two police detectives at the Mayodan Police Department located at 101 North 3rd Ave., Mayodan, NC. I was threatened by Mayodan, NC Police Chief Charles J. Caruso to "Fess Up" and that if I did not fess up then my own mother would be held responsible for the criminal charge. I was also coerced on August 2012 into producing false confession statements. I told the Detectives that I did not download the child porn but they told me a claim that they believe they had found it on my computer and said I had better just tell them. Then I changed my statements to whatever they had wanted to hear. That was why I had suspected evidence tampering because they had admitted to have been on my computer to make such a claim to have found files on there. The police detectives are not SBI crime lab technicians and are not computer forensic scientists under strict LAB/ASCLD standards. They just accessed my computer to make such a claim of finding files. That was why I had attempted to suppress the evidence and that I believe I was framed with child porn. I believe that the evidence may have been tampered with because of such admission that the police accessed my computer without the

Case 1:13-cr-00435-TDS Document 134 Filed 11/14/17 Page 17 of 99

Affidavit of Brian Hill saying that he believes he is innocent. He talks about his disabilities, lets the court know he is innocent (with proof). Please, don't ignore. Read what he has to say as part of this investigation. Thank you.

Page 2/2 - GENERAL AFFIDAVIT REGARDING INNOCENCE OF ACCUSED CRIME

state crime lab technicians.

The reason I had accepted responsibility falsely in my criminal case was because Judge Osteen had either hinted or threatened to take away my acceptance of responsibility which would threaten my prison sentence of Time already served which means that I would get out of jail to protect my health from further deteriorating due to my Type 1 brittle diabetes. The reason I had falsely plead guilty was due to multiple valid reasons and one was to get a prison sentence of Time Served so that I could get out of jail. My family told me to plead guilty in the court room due to ineffective assistance of counsel and bad legal advice to the best of my knowledge of what they had told me.

I am Innocent of the charge and am willing to prove Actual Innocence or let a Jury decide my fate in the worst case scenario. I am Innocent and am willing to prove my Innocence for the rest of my life.

The charge I am asserting my Innocence to is:

**U.S. District Court; North Carolina Middle District (NCMD)  
CRIMINAL CASE #: 1:13-cr-00435-WO-1  
United States of America v. Brian David Hill**

PAGE 19 - 22 Document 134

## **Declaration of Innocence for The White House**

**Sunday, January 22, 2017 - 07:33 PM EST**

**Declaration authorized by Title 28 U.S.C. § 1746**

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

- 1. Whereas, I am a Defendant in the United States District Court, for the Middle District of North Carolina, case # 1:13-cr-435-1, titled: United States of America v. Brian David Hill, and I am pushing for a Presidential Pardon on the basis of Innocence. I am not a licensed attorney, but I am slowly learning more about the Federal Rules and filing procedures as I feel I am not being represented by any of the Court Appointed lawyers in the past for trial Defense under the adversarial system, See U.S. Supreme Court Case Strickland v. Washington, 466 U.S. 668 (1984).**
- 2. What I am saying in this Declaration to The White House, to Donald J. Trump, is the truth and nothing but the truth, so help me God. I, Brian David Hill, will briefly explain the facts that I am aware of in this Declaration, and swear that this is the truth. I will explain herein briefly as to why I am Innocent of the conviction.**
- 3. I gave a false criminal confession at the Mayodan Police Department, in North Carolina, on August 29, 2012. I told the Police Detectives that I had put child porn on my Netbook, which is the "ASUS Netbook Computer Model Eee PC 100PPEB". Later on, around January 22, 2015, I got to finally review over the pages of my entire discovery packet of evidence for my criminal case. I noticed that there were no "files of interest" for both video and photo. So there was no child porn in my Netbook that I voluntary handed over to the Police Detectives on August 29, 2012. I told the Police that I had downloaded child porn for about "a year or so." The only download dates I had found in my criminal discovery were on eMule.exe's server.met where it downloaded between the dates July 20, 2012, and July 28, 2013. In July 2012, my Black Toshiba Laptop Computer was infected by some kind of malicious software program aka a computer virus. I was confused as to why child porn was downloading between those dates, because that very same Laptop was seized on August 28, 2012. I have a copy of both the Mayodan Police Report on myself, and the Police Inventory. It is impossible for child porn to download on a seized Laptop unless the police have lied in the report, or unless my Laptop was tampered with then evidence was planted on it. Even those explanations do not explain why my Laptop was infected in July 2012. I suspect that it was Win32/MoliVampire.A or Win32/MoliVampire.B, that was reported by ESET VirusRadar, which I had discovered between 2012 to 2013, before I was arrested on December 20, 2013, by Special Agent Brian Dexter of the U.S. Department of Homeland Security.**



DIAGNOSIS:

Autism - mild range

INTERPRETIVE CONFERENCE SUMMARY:

Attending Brian's interpretive conference were his mother, Roberta Hill, his preschool teacher, Sheila Shelton, and TEACCH staff, Allison Butwinski and Dr. Roger Cox. Results of the test administered were shared indicating Brian has many of the characteristics of mild autism. It is felt that Brian would benefit from a classroom with a small teacher to student ratio, individualized instruction, and autistic interventions.

RECOMMENDATIONS:



**CARILION CLINIC**

CARILION CLINIC, FAMILY AND INTERNAL MEDICINE  
1107a Brookdale Street  
Martinsville VA 24112  
Phone: 276-670-3300  
Fax: 276-634-0379

5/16/2017

RE:

Brian Hill  
310 Forest St Apt 2  
Martinsville VA 24112-4939

To Whom it May Concern:

This is to certify that Brian Hill is my patient since 11/2014. He has a diagnosis of diabetes, seizures, autism and obsessive compulsive disorder. One or more of these condition can limit his ability to be in social situation or among people and do work.

Please feel free to contact my office if you have any questions or concerns. Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Shyam E Balakrishnan'.

Shyam E Balakrishnan, MD

Another medical document from September, 2012 after the police raid. Brian had been a patient at the Rockingham Family Medicine since 1993 and saw an Endocrinology doctor in Greensboro, NC for his diabetes, Dr Stephen South and a neurologist doctor for his autism in Greensboro, NC. Dr. William Hickling.

Re: Brian Hill  
DOB: 5-26-90

**To Whom It May Concern:**

**Brian Hill is a current patient at Western Rockingham Family Medicine. He has a diagnosis of Type I Diabetes, GERD, Autism, and depression with suicidal thoughts. His medication list is as follows: Nexium 40 mg, 1 po qd, Lantus Solo star pen, 36 units q hs, Novolog flex pen--sliding scale, Lisinopril 5mg, 1 po qd. Mr. Hill has an inability to take of himself, therefore needs around the clock care. If further assistance is required, please do not hesitate to contact our office at (336) 548-9618.**

Sincerely,



**Andrew Maier, PA-C  
Western Rockingham Family Medicine**

**RAMASWAMY**

**Page 70-73. Document 133 He says on Brian's arrest warrant:**

**\*\*\*The U.S. Attorney requests a detention hearing. In the event the defendant is release, the U.S. Attorney recommends that the Adam Walsh Sex Offender Specific Conditions be a part of the release conditions\*\*\*\***

Date: Nov 26, 2013

John S. Brubaker, Clerk

*Issuing officer's signature*

This is the same prosecuting attorney who is at every court case making sure that Brian stays on that sex registry and ignores the FACT that his own discovery is in conflict with dates and the FACT that Brian gave a false confession according to his own discovery reports and the fact that the police state that they are familiar with the child porn after they hacked in Brian's computer while the government plainly states it is an unknown series. He ignores all of the conflicts, wants to make sure that Brian stays guilty by ignoring all of the proof of Innocence that Brian has put in court records as well as all witnesses. See the PDF "INVESTIGATION 2" as well as the PDF "THREATS". He has the same goal as the threat emails to keep Brian on the sex registry, off of the Internet, guilty even though they (people behind the threats) know he is innocent and admit putting it on his computer.

It amazes me that with all of the proof Brian & his family have submitted to this court that Brian is innocent; the United States Attorney's office ignores all evidence and states that the timing is not right. Doesn't make any difference to them whether this disabled man is innocent & being persecuted, it's all about the timing! Perhaps this explains it:

with respect to his innocence[.]” (*Id.*) The Court acknowledged further that, in addition to his mild autism, obsessive-compulsive disorder, and anxiety disorder, Petitioner had also been diagnosed as having a “delusional disorder, persecutory type.” (*Id.* at 8, 19.) The Court observed that Petitioner’s allegations seemed “entirely consistent with [that] disorder[.]” (*Id.* at 20.) The Court did not permit Petitioner to withdraw his guilty plea. (*Id.* at 2-24.)

**Looks like the Middle District of NC are using “Delusional disorder” under the guidance of government attorneys, Placke and Ramaswamy which Brian’s family have clearly proven that Brian is not Delusional. He has proof to back up most of what he says, and not one of his doctors who have spent any time with him call him delusional. There are cards explaining “Type 1 Diabetes, Autism & OCD” which are all diagnosed under Brian’s medical records and his hospital records. The word “Delusional” came up after Brian started talking more about his court appointed attorney not doing his job and not obeying constitutional law. This is possibly a fraud on the court from both of these attorneys who ignore what the professionals in autism have to say that the autism itself can cause misleading remarks & a false admission of guilt.**

#### **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.

### **Case 1:13-cr-00435-TDS Document 210 Filed 10/21/19 Page 19 of 27**

The words above are not based on freedoms or on the Constitution of the United States of America or on the Bill of Rights of all U.S. Citizens. This is actually in Brian’s court records per a Magistrate Judge who actually says what other judges have been doing: Ignoring all of Brian’s Constitutional & Bill of Rights, all of his proof and all witnesses and his medical diagnoses and not allowing medical experts to explain in court how these can cause false confessions in the Middle District of NC federal court.

In one minute the police sums up in writing an hour interrogation. This is all one sided. There is almost an hour missing out of this conversation. Brian didn’t even know this was being taped. They interviewed (interrogated) Brian’s mom for almost an hour too and didn’t tape that. When you read this minute conversation, do you really get a true picture? What did the police say to get this person to say that he masturbates? To me that’s a weird question to ask anyone. Why did they ask him if he took his computer to his grandparent’s house? He did, and he had 2 hard drives hooked up to it in the evening at our home and on vacations where he took scenic photos and sometimes would interview people for USWGO and would save his scenic photos to one hard drive and his USWGO articles and interviews to another hard drive and usually had a USB drive. These were all his backups.

If you read what one person is saying to 2 police during a police interrogation and are not told that this person has a communication disability before the age of 4 (autism spectrum disorder (ASD)). The autism professionals state that during a police interrogation (stress), this person with autism can give misleading statements and false confession. This same person also has brittle type 1 diabetes who is

prescribed insulin at each meal and an extra 24 hour insulin shot per day. This interrogation is at lunchtime after a traumatic event where many police were at his home the day before during a house raid removing everything he personally owned, and Brian had his 24 hour insulin shot and has not eaten breakfast. The police did not make sure to have him or his mom to test his glucose before they questioned him, and his glucose monitor was in the car because he and his mom had planned a trip to spend a few nights with his grandparents before the police raid. When a diabetic's glucose is too low or too high, they can become confused especially under these circumstances. The Americans with Disabilities Act was not followed by the 2 Rockingham County, NC Police who broke that law on that day. How do we know that? They knew he had autism and was a type one diabetic, but this was not on their police report. There was nothing on their report that showed they followed any medical procedures so both the grand jury and the court were deceived. It only says that he was disabled. This is what the grand jury heard and what the court would see. It was his court appointed attorney's job to compare these words of Brian's to the NC SBI & police report. If this attorney would have done that as well as showed the entire discovery to Brian and Brian's family, he would have had a good case to present to a jury on June 10, 2014, but none of that happened.

You too can read this entire police report of what they say Brian said in a minute or two by going to <https://www.courtlistener.com/docket/4304407/141/united-states-v-hill/>.

**Case 1:13-cr-00435-TDS Document 141 Filed 01/10/18 Page 8 - 10 of 14**

To get a clearer picture, and if we haven't put enough in here, please call, email or write us, and we can provide the entire police report which clearly states that 2 police hacked into my grandson's laptop computer on August 22, 2012 – 6 days before obtaining the search warrant, and according to the NC SBI report, they only found files of interest in that same computer, 2 hard drives and 1 USB stick. I know for a fact that they took the hard drives from several desk top computers, his mom's laptop and his netbook, many home made CD's because I watched them take these to their police vehicle and saw the mess they left behind with desk top computers torn apart and still in the house. Case 1:13-cr-00435-TDS Document 136-2 Filed 12/04/17 Page 26 - 27 of 27: Case 1:13-cr-00435-TDS Document 143-2 Filed 01/26/18 Page 11 - 22 of 22.

Government says "None of the children have been identified as part of a known series by the National Center for missing and exploited children (NCMEC) Document #33, Filed 09/16/2014, Page 6 of 26.

Let's go over some of the proof Brian gives in Case 1:13-cr-00435-TDS Document 132 Filed 11/14/17 Page 1 of 103

**Page 46-47 August 22, 2012**

Later we will show proof that Suspect Hate/Bias Motivated on the police part is a "Yes"

Suspect Hate / Bias Motivated: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>Unknown (Offender's motivation not known)</i>	
N A R R A T I V E	<p>On Wednesday, August 22, 2012 at 1400 hours, I, Detective Sergeant Todd Brim, received a report of a possible Child Pornography case at 413 North 2nd Avenue in Mayodan, North Carolina.</p> <p>I met with Reidsville Police Detective Robert Bridge at his department to discuss this case. Detective Bridge stated that he was a member of the Internet Crimes Against Children (ICAC) Task Force. According to Detective Bridge, he discovered that an Internet Protocol (IP) address in our jurisdiction was being used to download child pornography.</p>

Detective Bridge said he obtained a subpoena for the IP address information, and determined that the IP address was registered to Roberta Hill of 413 North 2nd Avenue in Mayodan, North Carolina. Using this information, I confirmed that Roberta Ruth Hill and her son, Brian David Hill, resided at this residence through verification of utilities and police officer knowledge.

At 1430, I phoned Chief Charles Caruso and asked him to drive by the residence and photograph it with his cellular phone. I also requested that he check for any open and unsecured "Wi-Fi" signals in the area. He photographed the residence and noted that no unsecured "Wi-Fi" signals were being broadcasted by any residents in the area of 413

Nothing about obtaining a search warrant to actually hack into this personal computer. This is based on "Words" from the police. Where is their proof? It says he obtained a subpoena for the IP address information. Brian Hill's IP address, home address and phone number was in every email he sent to the police chief of Mayodan & every Mayodan town person from March – July, 2012 as well as the Reidsville town. Brian has put many of these email copies in the court records.

### INCIDENT/INVESTIGATION REPORT

Narr. (cont.) OCA: 2012-00287

Mayodan Police Department

Page 3

North 2nd Avenue.

While in Detective Bridge's office, he showed me the webpages and downloaded files that were retrieved by the ICAC software. The videos downloaded by the Hill's IP address (24.148.156.211) were child pornography, commonly referred to as Pre-Teen Soft Core (PTSC) and Pre-Teen Hard Core (PTHC). I personally viewed a five second segment of each video and confirmed that it was child pornography.

Detective Bridges said that the person or persons using IP address 24.148.156.211 were utilizing Peer to Peer (P2P) file sharing programs to download pornographic videos and pictures of children. These programs require that the person operating the computer search for specific content to download. Therefore, it was determined that whomever downloaded the images and videos using IP address 24.148.156.211 did so deliberately and not accidentally. Using this information, Detective Bridge and I wrote a search warrant for Roberta Ruth Hill, Brian David Hill and the premises and property located at 413 North 2nd Avenue in Mayodan, North Carolina.

Note the dates below: April, 2012 - July 10, 2012 – July 12, 2012 – According to the police report and the NC SBI report, child porn is on Brian Hill's computer beginning July 20, 2012. NC SBI says it continued being downloaded for 11 months after the police got it during the Aug. 28, 2012 police raid. Police says it was downloaded July 20, 2012 – July 26, 2012 – yet on Aug. 22, 2012 they are hacking into Brian's private laptop computer which is in Brian's house on that day without a legal search warrant.



Document 132

Page 52

Brian and Mayodan attorney & NC Senator, Philip Berger Sr. after the Mayodan, NC town hall meeting in April, 2012. <https://www.youtube.com/watch?v=rBtUUln4rRE>

# Reporter intimidated and booted from town council when asking a question

July 10, 2012 by [Brian D. Hill](#) (Edit)

[Leave a comment](#)

Filed under [Brian D. Hill's Articles](#), [Building the Police State](#), [USWGO](#)

Author: Brian D. Hill

Note: This is all alleged since only I am coming forth about what happened to me. Of course the RockinghamUpdate reporter was around the area as well but I don't trust RockinghamUpdate as they refused to cover any significant local stories about Mayodan citizens resisting the NDAA 2012 law. I am up for interviews and I promise that everything I say is the truth as it is my duty and responsibility to expose anything that doesn't seem right. I must tell people what happened while it is fresh in my mind although this has been posted days later after the draft has been made as I fear the police are watching my website and are looking for a way to come after me so I am laying low and publish this at least 3 days after the incident. Remember my witness report is just an alleged report since only I have decided to write on this.

Reporter forced back by Mayodan Police for asking Senator Phil Berger a question. Jul 10, 2012  
<https://www.youtube.com/watch?v=Gau-QqLBhEg>

 Author

Topic: The Police are harassing my mom now (

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 uswgo

Guest

 The Police are harassing my mom now

« on: July 12, 2012, 07:57:02 PM »

**Topic: The Police are harassing my mom now (Read 3088 times)**

g this topic.

 The Police are harassing my mom now

« on: July 12, 2012, 07:57:02 PM »

I have to get on the Alex Jones Show even for just a 15 minute segment.

Because of telling people what the chief of police did to me my mom is now being harassed by the police chief

When my mom was walking down to the Dollar General store right close to downtown, a police van start driving up to where my mom was walking on the sidewalk and start asking her questions.

They told her that a girl was walking down the sidewalk and asked if she seen her and she said no.

Then they started asking her if she lived in the street and she told them that we lived in the stone house down the street.

So now the police are surveilling us and harassing my mom and she could not make out what the polices face was but it could have been Charles Caruso. He saw me and my mom at the town council office with the two chairs. My cop is a total scumbag to be coming after my mom over the video published and what I said in the article below.

The Police are harassing my mom now

<http://webcache.googleusercontent.com/search?q=cache:U>

How could police harass us over asking State Senator Phil Berger a question. I need to be on the Alex Jones show or else I may end up in prison and my life is already hell. I can't even walk downtown anymore or drive down to Madison because of the police watching us and looking for one little excuse to arrest my mom and have me under receivership even though I am 22 years old but I am disabled and need someone to watch my blood sugar levels.

<http://uswgo.com/reporter-intimidated-and-booted-from-town-council-when-asking-a-question.htm>

I am screwed I need to speak on the Alex Jones show to get the cop to back off. We need the press more then ever.

Detective Robert Bridge on Facebook in 2013. He is a police detective in Reidsville, NC who called the Mayodan police department on Aug. 22, 2012 to tell them that there is child porn on a computer at the address of Roberta Hill and her son, Brian. Even though the police report doesn't tell us, Facebook shows that his sister is Melanie Bridge who is the assistant district attorney of Rockingham County, NC.



Document 132 Pages 57, 58, 62, 63



N.C. Sen. Phil Berger administered the oath of office to Caruso, who started with the Mayodan force in 1996. Caruso was hired by former chief Ed Nelson as a dispatcher, but never served in that capacity.

April 14, 2010 [Document 133](#) [Page 9-10](#)

When someone puts child porn in your computer, you have a right to investigate. Brian had already discovered in 2013 that Mayodan attorney, Philip Berger had a son who was the Rockingham County, NC District Attorney. His name is Philip Berger Jr, and in January, 2015 we all found out that Philip Berger Jr.'s name is all over the discovery material in Brian's case. We asked Brian's court appointed attorney, Placke if either of their names were in the discovery. He ignored and never answered that question. Brian was arrested in December, 2013 and denied bail. In March, 2014 Brian's grandma discovered that Melanie Bridge was running for the District Attorney's office & Philip Berger Jr was running for U. S. Congress. We sent this information to Brian in September, 2014 to put on the court records. Mark Walker won. Both Berger and Bridge lost.

NEWS AND RECORD in Greensboro, NC also has an article about this on July 9, 2014 called: **“Berger accuses Walker of lying about alma mater on Facebook”**. Walker’s response is that his **Facebook page was hacked to insert the information**.

July 9, 2014 Document 37 Page 8 submitted to court on 09/18/14

**Just like the 2 police admitted hacking into Brian’s computer on Aug. 22, 2012. Just like whoever sent that threat email to USWGO (Brian Hill) on April, 2013 said they put child porn in Brian’s computer & hard drives. (Read the PDF “Threats”).**

**Read this article to find out more about the money laundering that Phil Berger Sr. is helping his son to win this election. Son and father work together for political gains.**

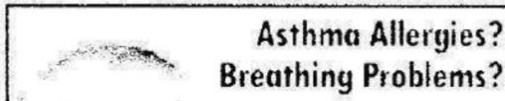
“Senator Phil Berger is the president pro tem of the Senate,” Blust said at a news conference Wednesday morning, referring to Berger’s father. “He can make a bill disappear into committee and never be seen again. Should I come out against the son of that powerful man?”

Document 37 Page 10 July 14, 2014

GREENSBORO — Phil Berger Jr. has touted his record as a tough Rockingham County district attorney in his quest for the 6th Congressional District seat.

But Berger’s law enforcement credentials were being questioned as an expensive and increasingly ugly Republican run-off entered its final days before Tuesday’s voting.

“Sheriff BJ Barnes of Guilford County and Sheriff Terry Johnson of Alamance — the sheriffs of the two largest counties in the district, have endorsed me,” Mark Walker,



Document 37 Page 12

## **District Attorney Phil Berger, Jr. Endorses Melanie Bridge for Rockingham County District Attorney**

(Wentworth, NC – March 11, 2014) – Rockingham County District Attorney Phil Berger, Jr., announced this morning that he is endorsing Assistant District Attorney Melanie Bridge for District Attorney.

Case 1:13-cr-00435-TDS Document 133 Filed 11/14/17 Page 14 of 105

“I am honored to have received Phil’s endorsement,” Bridge said. He is an excellent District Attorney and it has been a pleasure to work for him for the last seven years. As our next District

Brian was arrested in Dec. 2013 and not allowed bail. Threat emails kept saying they knew people in NC who would make sure Brian would be in prison and on the sex registry, and police would not believe him no matter how much proof he had. I guess the court could be considered police because no matter how much proof of his innocence that he & his family present to the court, Court continues to deny and ignore. Brian is the victim and is a virgin who has never hurt or raped any child or adult and has been on the sex registry from Nov. 2014 and is still in April, 2022 on the sex registry. Court continues to deny and ignore. Read the PDF “Investigation 2”. Brian is innocent of having anything to do with child porn. He is guilty of having autism & brittle type 1 diabetes and upsetting some people with his articles in 2012.

**It's interesting to note that 2 police detectives, 3 attorneys, the court and the person who admitted putting this on Brian's computer & hard drive (see PDF "Threats") refer to what was found in Brian's computer, hard drives as "child porn". The NC SBI refer to it as "Items or files of interest" and has no photos as proof. The PSI report said differently. Not of a known series. No victims identified and no victims noted, no ages of victims, no names. A federal Probation PreSentence Report having conflicting information is suspect at best, or the entire prosecution was fake or use false or erroneous information at worst. Two government attorneys got together and made sure to get Brian to say "guilty" using his family while not allowing his family to see the discovery or hear the false confession tape, not allowing Brian to see the NC SBI discovery while both ignored witnesses and ignored all of the discrepancies in their own discovery materials. Brian's court appointed attorney deleted all attachments with proof that Brian's grandparents emailed to him.**

**Judges keep saying that Brian said "Guilty" ignoring the many times in their own court records that Brian says "I'm innocent". His family has written to this court that Brian is innocent more than once. An attorney wrote this to the court that Brian is innocent. Many people called the attorney wanting to be witnesses to the fact that Brian is innocent. This is an internet crime which means it could be child porn, a computer virus and anyone can hack into a computer and put anything in it. There is no forensic proof, police admit hacking into this computer without obtaining a search warrant. This court never once provided an expert medical witness to testify how someone with all of Brian's disabilities can say they're guilty and still be innocent. They actually have an innocent person with many disabilities on a sex registry for over 7 years. Who is behind these threat emails? Why hasn't there been an investigation? Why is Brian, his family, friends and all of our proof of innocence being ignored?**

**Stella Forinash**

# ATTACHMENT 7: “6 INVESTIGATION 2.pdf”

For “MEMORANDUM OF STELLA FORINASH AND  
KENNETH FORINASH IN FAVOR OF ACTUAL  
INNOCENCE OF BRIAN DAVID HILL; IN SUPPORT OF  
WHY BRIAN DAVID HILL SUSPECTS BLACKMAIL OF  
“JUDGES” AND “OFFICIALS”; AND IN SUPPORT OF  
GROUND VI - UNCONSTITUTIONAL INTERFERENCE  
WITH THE STATE COURT PROCESS AND/OR  
UNWARRANTED USURPATION OF POWER AGAINST  
THE STATE COURT PROCESS IN VIOLATION OF THE  
TENTH AMENDMENT OF THE UNITED STATES  
CONSTITUTION; AND IN SUPPORT OF 2255 MOTION  
(DOC. #291)”

Case no. 1:13-cr-435-1; civil no. 1:22-CV-00074

Ally of Q, Former news reporter of USWGO Alternative News  
JUSTICEFORUSWGO.WORDPRESS.COM



## INVESTIGATION 2

Start here Date OCT 21, 2019

NOTE: Not once was Brian appointed a medical expert to explain about Autism, Brittle diabetes or OCD

This is supposed to be from a magistrate judge in the Middle District of NC

Petitioner Brian David Hill has brought a motion (Docket Entry 125) to vacate, set aside, or correct sentence pursuant to 28 U.S.C. § 2255. In 2014, Petitioner was charged with, and pled guilty to, possession of child pornography, in violation of 18 – PAGE 1

Now go to  
Date Nov. 16. 2017

### ORDER AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE

Petitioner Brian David Hill has brought a motion (Docket Entry 125) to vacate, set aside, or correct sentence pursuant to 28 U.S.C. § 2255, which he supports with over 1500 pages of pleadings, declarations, and exhibits. In 2014, Petitioner was charged with, and pled guilty to, possession of child pornography, in violation of 18 U.S.C. § 2252A(a)(5)(B) and (b)(2). (Docket Entries 1, 19, 20; Minute Entry 6/10/2014.) On November 12, 2014, he was sentenced to ten months and twenty days of imprisonment, but not less than time served; ten years of supervised release; and a \$100.00 special assessment. (Docket Entry 54; Minute Entry 11/10/2014.) Petitioner appealed on January 29, 2015, but it was dismissed as untimely on April 7, 2015. (Docket Entries 62, 74-75.)

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See 27 Pages PDF "INVESTIGATION 1"

Doing my own math and remembering that Mr. Hill was arrested on 12/20/2013, denied bail, pled guilty on 6/10/2014 (6 months in jail – not an easy time for someone with a communication disorder (autism), OCD and brittle type 1 diabetes see the PDF "Brian's treatment in jails with brittle diabetes, autism & OCD". His court appointed attorney was lazy those 6 months and didn't have a case for Brian so he called up Brian's family the night before & told his family to tell Brian to say "guilty". Brian had no choice but to do what his attorney advised. He pleaded guilty to owning the computer that they say contained child porn per an ineffective attorney who denied Brian all of his constitutional rights and let him stay in jail under the conditions with proof in the PDF listed above. Date 11/10/2014 sentenced (another 5 months in jail – denied bail the first 6 months). If he had been allowed to come home under normal circumstances under bail without the restrictions. Brian's mom was told that her private apartment and her parents' private apartments would be basically "searched" and computers checked. (Violation of Brian & his family's 4<sup>th</sup> constitutional rights), and that none of us would be allowed to have a phone (Brian with all of his disabilities, Brian's disabled grandparents who needed to contact and be contacted by medical, other children, grandchildren and other relatives). In other words, even though we all lived in separate apartments (that had been rented out to other people) with our own private bathroom, private kitchens

with 3 different stoves, living rooms and bedrooms, the terms meant everyone in Brian's family would be treated as criminals, and there were children across the road from our apartment house. We could not do that. I have checked and no one else who has been accused of child porn or actually doing something to a child have been denied phones while waiting trial or at any time. This meant Brian was going to stay in jail by turning his entire family into criminals if he was released. This is 2022 and never once have any of us been accused of any crimes, and we all knew that Brian was innocent too. We thought once he had an attorney, this attorney would get him out on bail. The attorney did not do that, told his family we could not even see the discovery against our grandson. Found out later he had deleted all of the proof we sent to him via emails, denied any witnesses to testify for Brian. Brian had many witnesses who asked to testify for him. We realized later that Brian had no defense attorneys but two prosecuting attorneys, one who played the part of being his attorney and fooled his family & friends for a few months. You notice they never say why Brian pleaded "guilty". Let's go further, he came home from jail on November 12, 2014 and was allowed to have a phone & a computer. See the PDF "Who is Brian Hill – Pictures & Descriptions". See the PDF "Threats" See the PDF "INVESTIGATION 1".

He had to go to the police and register as a sex offender, go to see his medical doctor, actually had to establish another doctor to get an appointment to get his insulin, had to go to the social security office to start getting his disability checks each month (SSI), had to go to social services to sign up again for his Medicaid and his Medicaid medical waiver (that he was on for over a year before his arrest) and he had to buy new clothes because he had lost a lot of weight, had to meet with a probation officer, had to schedule counseling, had to schedule an appointment with his 2<sup>nd</sup> lawyer to see his discovery that he was not allowed to see while in jail (the NC state bureau of investigation – NC SBI). He also had to adjust to life out of jail. He was allowed to have a home phone, a cell phone and a computer (no internet card) in his apartment after he said "guilty". He was not allowed a home phone, a cell phone or a computer when he said "Not guilty" in December, 2013. His 1<sup>st</sup> attorney let him listen to the confession tape (Brian's family was never allowed to hear that by either attorney) and some parts of the Mayodan, NC police report. Brian already had copies of all of that, so all of us had seen that. Brian had to get permission to go to Greensboro, NC to see the discovery. We all read it together and took notes. There was also a cell phone picture of one of the pages. We all discovered together that this child porn (actually we didn't read those words in the description. There were ugly descriptions in it – no photos at all, but it basically said "items of interest "and gave the dates of it being downloaded on this computer which Brian had owned before August 28, 2012 when the police took it, but according to this paper, items of interest continued being downloaded until July 28, 2013 (11 months after the police took it – it was no longer in Brian's possession).

He filed his appeal 2 months & 2 weeks after being released from jail. This appeal was dismissed as untimely 2 months and 1 week later. It didn't make any difference if he was innocent or not, just untimely. During that time, Brian and others had received many threatening messages threatening Brian's life for appealing his case, threatening setting him up again, saying he would never be taken off of the sex offender registry, threatening sending more child porn to him and others, threatening his family and his appeals attorney and saying they knew people in NC who would make sure. These were all sent to the FBI and to the court. Nothing was ever done by either, just ignored. Then Brian was set up by his probation officer just like the threats said. The judge tried to get him for the child porn that Brian did receive in the hard drive from the Mayodan police department in February, 2015. That was the first time Brian had ever seen child porn. and he quickly wrote down the descriptions which were similar descriptions from the NC SBI report. He brought it up to his family & told us. Knowing it was Valentine's day, a weekend in February, 2015 with snow starting, his grandpa took a hammer & crushed it into many pieces. We all put the parts into about 4 grocery bags, took the other laptop computers that did not work and put them in bags, got in the car and drove to Rocky Mount, VA (28 miles) and stopped at a few gas stations to empty our trash at various trash cans. We emailed the probation office to tell her about what happened. Brian was not allowed to use the internet so he asked us to do that for him. He probably sent a fax to her about it too. In April, 2015 she set him up by upsetting him, not allowing him to get his insulin shot or to walk around to cool down, ordering him to sit down, told him he could not use the text in the cell phone he borrowed from me not to even text his attorney which caused him to have a small autistic meltdown. He wasn't hurting anyone, just throwing the small decorative items that were on the end table down to the carpeted floor (nothing even broke). We were all there. She was angry when she got to our apartment and told Brian that the judge

called her about Brian sending some things to him and to the court (filings). Brian had borrowed my phone and learned that he could send text from the phone to emails without actually using the internet. He was told by the court that he could not do that before her visit and that he had to send his filings by mail. Brian no longer sent anymore like that before her visit. She told him that he could no longer use my cell phone to text anyone. Brian asked "Not even my lawyer"? She told him "No" and that was when he had the autistic meltdown. He obeyed all of her orders but knew that it would hurt his case if he couldn't communicate by text with his attorney. She was angry the entire time and left during the meltdown. He apologized to her that same day via phone, fax and had his mom to send an email to her. She never once apologized for her actions. We found out a month later that she had contacted the court on that same day to have him arrested. She claimed she was scared but didn't call the local Martinsville, VA police. We were observers. She wasn't scared. She was angry (and scary to us) the entire time. In court she denied that the judge called her and told some other lies, but mostly she did tell the truth, or the judge would have tried to get Brian on child porn charges again from the child porn on the hard drive from the Mayodan, police department in 2015. Brian's family purchased the court transcript from June 30, 2015. USA v. Brian Hill -- SRV Hearing -- 6/30/2015. See more about this in our PDF called "THREATS".

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Brian spent over a month in jail where his civil rights are again violated due to a small autistic meltdown where no one was hurt and lasted about 15 minutes while in his grandparents' apartment in April, 2015. He is denied bail again even though 2 elderly neighbors on both sides of our 4 apartments house sent letters to the court that they had both known Brian since 2007 (8 years at that time), and they have never seen him do anything to hurt anyone, and after knowing him for that many years knew that he was not a danger to anyone, and they both knew about the child porn case and also knew Brian was innocent. They both talked to Brian and liked him. They both told us that they did not like that probation officer. One time she parked her car in one of our neighbor's drive way. He asked her to move her car and told us later that she was rude to him. I liked Attorney Coalter until we found out that he really doesn't want Brian to obtain his innocence either. He let Brian and his family know that he would not give Brian nor another attorney Brian's discovery. We had found an attorney who said that she would help Brian for a really small dollar amount, but as soon as she talked to Attorney Coalter, she changed her mind. Brian had filed a freedom of information lawsuit on 4/25/2017 trying to get his NC discovery to use in court. <https://www.courtlistener.com/docket/6064365/hill-v-executive-office-for-united-states-attorneys/>

After all, he and his family read it together in January 2015, and there were no photos in it at all. We were surprised that the government prosecution did not want for Brian to have this proof and fought it for over a year. Later in 2017 I finally convinced Brian that we already had enough proof for him to file his 2255 of actual innocence. Brian presented this to the court on November 14, 2017 with many proofs and affidavits from his mom and both grandparents with more proof documents of his innocence. As shown above on Oct. 21, 2019, it was denied. This was almost 2 years after it was filed. This magistrate judge never once addressed what Brian Hill's family wrote in Brian's 2255. **Case 1:13-cr-00435-TDS Document 210 Filed 10/21/19 Page 3 of 27.** This shows where Brian pleaded guilty but nothing about his constitutional right to an attorney who would actually present a case and witnesses for him. **All of his constitutional and Civil rights were denied in 2014.** This judge does not bring out anything about that. As Brian's family read it, it sounded more like what the prosecuting attorney would say, totally one sided. Page 2 - He's just copying the government's court hearings which were all one sided with Brian's court appointed attorney not bringing one piece of evidence or not one witness in Brian's defense. Let's go to page 5 to see if he brings out the fact that 2 government attorneys actually admitted that they ignored all witnesses who knew Brian and wanted to testify. **Case 1:13-cr-00435-TDS Document 210 Filed 10/21/19 Page 5 of 27** is again one sided. It does not bring out what Brian said, only what looked good for his court appointed attorney. Brian's family read that and thought "If this is the best attorney in this court, what are the other attorneys like? He did nothing to help Brian. He hurt Brian

for over 8 months and caused Brian to say he was guilty when the entire time Brian kept saying he was innocent and gave false statements to police due to his autism. Brian's family and friends also knew he was innocent of doing anything involving children and had not downloaded child porn. This is what Brian said during that hearing (Sept. 3, 2014) because we have copies of the transcripts.

THE COURT: Now, having warned you about that, you've written a letter making allegations against Mr. Placke with respect to some of the facts of the case and some other information you want investigated, and you sent that to the Probation Office. I've seen that letter. Knowing that I've

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seen that letter that you wrote, is there anything else you want to say?

THE DEFENDANT: I have evidence, Your Honor, a four-page declaration of lawyer that I have sent to the State Bar and I have sent to the clerk of court, but it's not been filed on the docket yet, Your Honor. The papers are right over here. And pretty much it contains all the facts that my counsel has not done a good enough job to prove my innocence. My counsel has basically not suppressed the evidence when there was evidence of such. And in these four pages, it explains everything. That is the reason why I withdraw Mr. Placke as counsel.

THE DEFENDANT: Basically, I was being rushed into the jury trial, and all my evidence that I had sent to the court never made docket, and all the suppression stuff never made it. I basically sent stuff to the Clerk of Court with the reasons why, but basically my health is bad. My A1C is 10.9. That's verifiable with the FCI Butner medical records. Because of my health, because of the rush to jury trial, and the fact that there was no defense being sent, that Placke didn't have any kind of defense, I would have been found guilty on the spot

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US v. Hill - Motion - September 3, 2014  
with up to 20 years hard time in prison. I wanted to fight on my own, but then my family told me over there -- you know, when they were sitting over there, they said take the guilty plea, take the guilty plea, and I was like what? And I was wondering why do they want me to take the guilty plea. And I learned later that basically they said I would have been found guilty on the spot. So I had no chance to -- I had no chance to be able to submit evidence. Everything just -- you know, it's a combination, lack of --

THE COURT: Now, what is the condition you just mentioned earlier, diagnosed by Butner?

THE DEFENDANT: My A1C was 10.9.

THE COURT: What's your A1C?

THE DEFENDANT: A1C blood hemoglobin level is the level of a three-month average where the higher the level, that means my blood sugars have been more higher, and it can affect my ability to think clearly, and it can also cause complications such as kidney failure, eyesight failure, nerve damage. The longer my A1C stays up, my health deteriorates with a high A1C average.

THE COURT: And are there any other conditions that you have that you are aware of?

THE DEFENDANT: I think so.

THE COURT: What is it -- what do you think?

THE DEFENDANT: I know I have mild autism, OCD, and, you know, obsessive compulsive disorder, and, you know, I have a lot of anxiety, so general anxiety disorder.

THE DEFENDANT: I mean, with all the evidence, I've pretty much got four witnesses to the fact that I was threatened to falsely confess, and I have two witnesses to the fact that the computer was being used by the police detectives before it was sent to the state crime lab.

THE DEFENDANT: Well, I believe I have enough evidence to challenge the case and that with the letters I've sent to the FBI, the letters I've sent to the DOJ, I have worked hard in trying to challenge the evidence that the Government has so that I would be able to have enough evidence with an investigation to overturn -- overturn the evidence that the prosecution has and prove my innocence.

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Now let's go to the next page Jan., 2019

### C. The September 30, 2014 Hearing

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(Docket Entries 29-32, 34-46.) Some of these pleadings contained statements by Petitioner and by third parties—apparently Petitioner's acquaintances through the internet—asserting that Petitioner had essentially been framed. By way of example, in one such pleading,

**These were Brian's mom & 2 grandparents.**

**We also presented these threat emails to the court where they admitted putting child born in our grandson's computer and in his hard drives which he kept attached to his computer most of the time and threatened setting others up with child porn in April, 2013. Brian put these threats on court record in September, 2014 as well as**

other times and many more were put on the court record in 2015 when Brian appealed his conviction in January, 2015. For proof, look at our PDF "THREATS".

Petitioner asserted that "I have a lot of enemies through my political work with U.S.W.G.O. Alternative News" (Docket Entry 29 at 3) and indicated that one of these enemies planted child pornography on his computer (*id.* at 1-9). Another one of these pleadings contains a statement by a purported out-of-state entertainment attorney and blogger who stated that Petitioner was "most likely" "set-up" as has happened to "a solid number of the media activists who are more or less in [Petitioner's] circle." (Docket Entry 32 at 2; *see also* Docket Entry 46.)

**Is this talking about USWGO (Brian Hill) putting up articles & videos about the NC Senator who is also the Mayodan, NC attorney whose son was the Rockingham County District Attorney in 2012 and his assistant who is a sister to the Reidsville, NC police detective who hacked into Mr. Hill's computer without a search warrant along with another policeman who worked under the Mayodan police chief who was very angry at Brian due to the video and articles Brian (USWGO) was writing about him? The actual threats are in the court records.**

described in the" PSR. (Docket Entry 115 at 2.) The Court then denied Petitioner's outstanding pro se motions. (*Id.* at 3.) Counsel was also permitted to withdraw, in part because Petitioner intended to file a lawsuit against him. (*Id.* at 13-17.)

The Court also addressed Petitioner's declarations of innocence and the declarations of third parties as to Petitioner's purported innocence. (*Id.* at 14.) The Court noted that it saw

**REALLY? You're kidding me. This is a federal court which is supposed to represent justice for all, fairness and constitutional rights? This attorney and the prosecution attorney both admitted ignoring witnesses for Mr. Hill which is a Sixth Amendment violation and the courts protect their own ignoring all Bill of rights and Civil rights violations! There is no wonder why people don't trust the court systems anymore.**

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After his arrest there was a Facebook support group for Brian & his family. We kept the ones in this support group informed about what all was happening like no insulin his first 4 days in jail and only 2 insulin shots a day to take care of 4 hours most days after that instead of the 3 or more fast insulin shots per day, and he was never given the slow insulin shot that covered 24 hours. We would all keep each other informed about which jail Brian was in today. That is all public knowledge on the Internet and is in court records (proof) in his 2255.

What no one else knew about at the time was that the Mayodan town attorney's (Philip Berger Sr) son (Philip Berger Jr) was the Rockingham County, NC district attorney, and the policeman, Robert Bridge (see **Case 1:13-cr-00435-TDS Document 210 Filed 10/21/19 Page 4 of 27**) was the brother of the Rockingham County, NC assistant district attorney, Melanie Bridge who had been working with Philip Berger Jr. for years. The other detective in Brian's case was Todd Brim who worked for the Mayodan police chief who was in the video removing Brian from the town hall meeting on July 9, 2012 and who threatened Brian on that day and kept telling Brian at Brian's house on the front porch during the police raid to "Fess up or his mom will be found guilty" on

Aug. 28, 2012 and threatened Brian again on Aug. 29, 2012. Philip Berger Sr was the one who gave Caruso the oath of office when he became the Mayodan, NC police chief in 2010. Brian did that investigation, and his grandmother did some more from Newspaper articles in 2014 while Brian was in jail (held without bond) about Philip Berger Jr who was running for US Congress & Melanie Bridge who was running for the office of Rockingham County, NC District Attorney and there were news paper articles of Berger Jr & Bridge together. This information was sent to the court in Sept. 2014 and again in Nov. 2017, and as you can see from Oct. 2019, it was ignored along with all of the proof Mr. Hill and his family sent. Read "Investigation 1".

There should have been more of an investigation about this from the court instead of hiding it under the table. This is an Internet crime (Downloading files from the Internet), yet they ignore Internet witnesses who come forth in favor of the defendant. *In September, 2014 a witness came forth who was an attorney whom Brian had sent all of his information to her before his arrest. After talking to Brian, his family and friends and seeing the evidence, she knew what Brian, his family and friends knew: that Brian Hill was innocent of knowingly downloading child porn. She sent an email to both attorneys that Brian was innocent from the very beginning. We found out after her affidavit was sent to the court that both attorneys had been ignoring her and all witnesses. Another friend of Brian's paid for some of the court transcripts in Brian's case and made sure Brian, his family and friends who wanted them would have copies. This PDF "Investigation 2" has the proof from this court transcript dated September 30, 2014. Also see the PDF called "Who is Brian Hill – Pictures & Descriptions". This gives the court a chance to read what some witnesses wrote for the defense in being fair as they have read what the police wrote as witnesses for the prosecution. It's only fair since Mr. Hill was denied all of his constitutional rights in the court system in 2014 to now take into consideration what some of the defense witnesses have to say from 2013-2014.*

No person can be considered guilty of a crime until he or she has been found guilty of that crime by a court of law. This right protects people against arbitrary arrest and imprisonment. It is considered to be a basic human right in many of the countries of the world, including the United States. In fact, in the United States, this right is enshrined in the Constitution. This greatly expanded the civil and legal rights of all American citizens by protecting them from infringement by the states as well as by the federal government. Yet this is what the prosecuting (US) attorney said on the search warrant: Warrant Issued — Document #2 District Court, M.D. North Carolina Docket Number: [1:13-cr-00435](#) Date Filed: November 26th, 2013 "\*\*\*The U.S. Attorney requests a detention hearing. In the event the defendant is release, the U.S. Attorney recommends that the Adam Walsh Sex Offender Specific Conditions be a part of the release conditions\*\*\*\*". This agrees with the threat emails received by an attorney in Illinois and an attorney in North Carolina about Mr. Hill. All of these threats have been in the Federal Court records "Docket Number: [1:13-cr-00435](#)" in 2014, 2015 and 2017.

Brian David Hill is innocent of all alleged crimes, and he and his family have proven that to the court. Due to the combination of Mr. Hill's Autism, OCD and Brittle Type 1 Diabetes and the Americans with Disability Act & Mr. Hill's civil Rights being violated, he pleaded guilty when he was innocent. Please read the PDF called "ACTUAL INNOCENCE". He has given a lot of proof to this court about the threats he has received as well as his health issues causing his guilty plea when he is in fact innocent. Read the PDF "Brian's Treatment in Jails - Brittle Diabetes, autism & OCD" and the PDF "INVESTIGATION 1". In his 2255 in November, 2017, he and his family have proven his health issues and his Innocence (Documents 124-134; 136-138 (1:13-cr-00435), MD NC. In fact, the court and jails have proven these health issues as well.

Mr. Hill and his family have sent to the court the proof that anyone can hack into a computer and any hard drives connected to that computer and put a virus or Trojan horse into that computer in his 2255 in Nov. 2017. That is a fact that has been proven in other courts. The NC SBI have proven that was what happened in Mr. Hill's case due to the download dates of that child porn virus being downloaded for 11 months after the police confiscated his computer. Even the federal government said it was of an unknown source. Mr. Hill and his family used the prosecuting attorneys' own discovery to prove that point. Mr. Hill was accused of possessing child porn but was never proven to be the one who put that child porn virus on that computer and hard drives.

Also some copies of emails Susan Basko sent to both attorneys in Dec. 2013 (and gave copies to Brian's grandparents. She thought the attorneys would do the right, lawful things for Brian.

<https://www.courtlistener.com/docket/4304407/51/united-states-v-hill/>

Brian had a friend after this who paid for the transcript of this hearing as well as the one on November 10, 2014 so we would all have copies. Court conveniently leaves out important details that are in all transcripts. Important to read all transcripts to get the TRUTH as to what happened. Susan Basko (About) LAWYER FOR INDEPENDENT MEDIA, such as Music, Video, Journalists, Website Owners, Designers, Photographers, Filmmakers, Directors, Festivals, Events, Venues, and more. International work with Human Rights/ Freedom of Assembly. CONTACT- best by email:

[Suebaskomusic@gmail.com](mailto:Suebaskomusic@gmail.com)

Phone: 310-770-7413

CALIFORNIA AND ILLINOIS, attorney  
Attorney and Counselor, U.S. Supreme Court  
<https://www.linkedin.com/in/suebasko>

Sue Basko had sent emails to prosecuting attorney & FPD Attorney in Greensboro, NC since Dec. 2013 telling them both that Brian had autism, was innocent, needed an advocate to help him, many other attempts to set alternative news people up with child porn. Neither one answered her. She sent an affidavit to the court herself on 9/30/2014. Both attorneys admitted many witnesses came forth including Sue Basko to testify for Brian, but they both ignored these witnesses. Judge was angry and wanted to punish Sue & said he would have done what both attorneys did (ignore witnesses). He questioned Brian's grandparents who both said that Brian was innocent and told the judge that Brian has autism. These 3 transcripts have a lot more information that this court tries to hide.

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----- Forwarded message -----

From: **Sue Basko** <[suebasko@gmail.com](mailto:suebasko@gmail.com)>  
Date: Mon, Dec 30, 2013 at 11:15 AM  
Subject: Brian David Hill  
To: [anand.ramaswamy@usdoj.gov](mailto:anand.ramaswamy@usdoj.gov), [Eric\\_placke@fd.org](mailto:Eric_placke@fd.org)

RE: Brian David Hill  
Case#: 1:13-cr-00435\_UA

Dear Sirs:

I am writing to you both about the case against Brian David Hill. It is my belief that Brian was most likely the victim of a practice recently happening where media activists are being tricked into downloading Child porn images, ostensibly to set them up for prosecution. This has happened to a solid number of the media activists who are more or less in Brian's circle.

I have assisted a number of victims of this set-up. I did not assist Brian and he tried to handle it on his own. Brian has autism and did not have an advocate or lawyer during any of it. He apparently made a false confession of some sort.

Brian did come to me before he was arrested, when he heard that I have been assisting victims of these child porn set-ups nationwide. By then, it was too late, and I had to inform him there was already a federal indictment and arrest warrant in his name.

---

Brian is exactly the sort of target that is being hit by the child porn set-ups. He has told me he thinks this is what happened to him. He tried to explain to people what was going on, but with his autism, I think they did not listen to him or could not figure out what he was talking about, or did not believe him. Brian gives way too many details and loses the whole picture.

When Brian was questioned, he did not have a lawyer or advocate. This seems highly inappropriate considering he is autistic.

Please take this information and use it wisely. If you wish to contact me, email is always best, but I can also be reached by phone if you leave a return number.

Thank you.

\_ - Susan Basko

---

**Here is some information Brian has asked his grandparents to send to him to give to the court to prove that he was involved in political things, had contact with the Mayodan police before the police raid in August, 2012 and was writing articles about the police chief of Mayodan, NC. We have decided to add some extra things for proof. We can testify under oath that never once have we seen Brian noticing children. He was not interested in children at all. We have stated this fact in some letters as well. We feel that if this is on his computer, it is either a computer virus, a hacker put it in there, he accidently downloaded it while downloading other things or this was done during the police raid at his house. We feel that he is innocent of this, of knowingly putting child porn on his computer. He became way too involved in political issues, going way overboard and listening to others (his friends and other**

---

- 2. Autism – proof from professionals that a person with autism may produce false confession or misleading statement - 1 page**
  - 3. Principles for Prosecutors Considering Child Pornography Charges against Persons with Asperger’s Syndrome (A type of mild autism – Brian was diagnosed with PDD, then Asperger’s Syndrome and now has the diagnosis of autism). 5 pages from autism experts**
- 

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## **Autism**

### **COMMUNICATION**

*The person you are interacting with:*

- May be non verbal or have limited verbal skills
- May not respond to your commands or questions
- May repeat your words & phrases; your body language and emotional reactions
- May have difficulty expressing needs

## **BEHAVIOR**

- May display tantrums or extreme distress for no apparent reason
- May laugh, giggle or ignore your presence
- May be extremely sensitive to lights, sounds or touch
- May display a lack of eye contact
- May have no fear of real danger
- May appear insensitive to pain
- May exhibit self-stimulating behavior: hand flapping, body rocking or attachment to objects

## **IN CRIMINAL JUSTICE SITUATIONS**

- May not understand rights or warnings
- May become anxious in new situations
- May not understand consequences of their actions
- If verbal, may produce false confession or misleading statement

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## **Principles for Prosecutors Considering Child Pornography Charges against Persons with Asperger's Syndrome**

Among the difficulties faced by young persons afflicted with Asperger's Syndrome (AS) and their families is the misinterpretation of the atypical behavior of the AS patient as dangerous and criminal. AS, defined in DSM-IV, is an "Autism Spectrum Disorder" (ASD) typified by extreme social and emotional immaturity, the inability to "read" others or respond appropriately in social settings, lack of intuitive awareness of social/moral/legal constraints, and intense and narrowly directed repetitive activities. These features combine to create a risk of engaging in behavior offensive toward others but with no offensive purpose. These individuals tend to have the technical skills for computer use, to which they gravitate because, unlike social interactions which are unpredictable, whimsical, and semantic-guided, computers are predictable, logical, and syntax-guided. These are intellectually intact people, with good computer skills but extraordinary brain-based naivete, acting in social isolation, compulsively pursuing interests which often unknowingly take them into forbidden territory.

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Accessing child pornography is not currently known to be a frequent behavior of young persons with AS, but enough cases have arisen to demonstrate the need for prosecutors to inform themselves of the condition and adopt a policy of restraint in the investigation and prosecution of such cases. Given the lack of social adaptation on the part of AS patients, interest in pornography as a means to explore ideas of sexuality and romance is expected. The exploration of this material on the internet or peer-to-peer networks will expose AS patients to child pornography which may arouse their curiosity. At these times AS is directly involved in the individual's obliviousness to the social and legal taboos surrounding child pornography, and the inability to intuit that the visual depictions are the product of any kind of abusive relationships. This behavior is not predictive of future involvement with child pornography or offenses against children. There is nothing inherent in Autism Spectrum Disorders, such as Asperger's, to make individuals inclined to sexual deviance of any kind. Their apparently deviant behavior is perhaps best understood within the diagnosis of "counterfeit deviance," as defined in the DM-ID. ("Diagnostic Manual -- Intellectual Disability (DM-ID): A Textbook of Diagnosis of Mental Disorders in Persons with Intellectual Disability") Persons with AS are far less likely to be predators than victims, because of their naivete and ineptness in interpreting or deflecting the advances of others, and their inability to initiate social contact with others or effectively direct or manipulate any social encounter.

Asperger's Syndrome is a lifelong disability which on its own creates substantial hurdles for the patient. Criminal prosecution, conviction and the typical sanctions imposed in such cases are not necessary to protect the public in the case of an AS patient, but they are imponderably harsh, cruel and debilitating to persons with AS and their families on whom they are dependent. Generally these individuals are not a threat to society: it's the other way around. AS patients are frequently the target of abuses, such as bullying, often from poorly chosen "friends."

With this in mind, we suggest that prosecutors adopt the following principles when confronted with those who suffer from Asperger's Syndrome are found to be involved with child pornography.

5. Persons with AS experience lifelong difficulties. Young persons with AS are not able to live independently, and need to live with their families – their parents and siblings. Therefore the sex offender registration and residency restrictions arising from a child pornography conviction would have a cumulative and disastrous effect in these cases,

and on more uninvolved person, than in other cases involving neuro-typical adults.

6. Prosecutors should be encouraged to defer criminal prosecution in cases involving young first offenders with AS who have no history of directly offending against children, or having produced or distributed child pornography, no clinical indications of pedophilia (other than accessing child pornography), nor history of prior offenses involving child pornography.

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I am not guilty, my attorney Eric Placke manipulated me, my family, and others to get me to take the plea agreement. I don't need to be locked up. I wish to withdraw my guilty plea, then suppress the evidence, and then file a Motion for case dismissal. I was not even read my U.S. Miranda Rights by Homeland Security Agents during and after my arrest. The U.S. Marshals never read me my Miranda Rights at all. I need to be released from Jail as soon as possible. I ask the prosecutor to voluntarily dismiss my case so I can go back to my home in Virginia. The Jury will be informed about the inadmissible evidence that it cannot be used in a trial. The Jury will be informed of my autism.

Description

MOTION filed by BRIAN DAVID HILL for Extension of Time to file Notice of Appeal. (Attachments: # (1) Notice of Appeal, # (2) Complaint, # (3) Additional Evidence, # (4) Envelope)(Daniel, J)

<https://www.courtlistener.com/docket/4304407/55/united-states-v-hill/>

***Under the Sixth Amendment, every Defendant has a right to Effective Assistance of Counsel.***—"The right to counsel is the right to the effective assistance of counsel." From the beginning of the cases holding that counsel must be appointed for defendants unable to afford to retain a lawyer, the Court has

So under ineffective counsel and pro se motions filed in the past, I ask the court to grant my request for **MOTION TO EXTEND TIME TO FILE APPEAL.**

"The **Sixth Amendment** requires counsel to consult with the defendant concerning whether to appeal when counsel has reason to believe **either:**

If the defendant expressed his intention to appeal, and counsel decided not to file an appeal without having discussed the matter further with the defendant after he was sentenced, counsel's performance would be constitutionally deficient. *United States v. Witherspoon*, 231 F.3d 923 (4th Cir. 2000)." (emphasis added)

win my case, to be found not guilty, cause I am not guilty in fact. My defense lawyer is the cause and effect of my guilty plea under oath. I would sue Placte if he wasn't immune from accountability for damaging my case and dragging me into a deeper hole then I dragged myself into for my political work in 2012. I wish to go for case dismissal after suppression.

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I, Brian David Hill, declare under penalty of perjury that the foregoing is true and correct. Executed on September 19, 2014.

Brian D. Hill  
signed

Statement

page  
1/2

### Autism Declaration

I, Brian David Hill, declare under penalty of perjury that the foregoing is true and correct. Executed on September 19th 2014.

Statement:

Brian D. Hill  
signed

I have mild autism. The court, the Judge, the prosecutor, and the Jury needs to understand my mild autism. An autism expert needs to bring expert testimony to the court's attention. I gave false and misleading statements during the confession. My mild autism and the threat by the chief of police should warrant suppression of the confession. Autism is relevant to my case. It is apart of my mental health. In my heart and soul I know I am innocent. I should have received Pretrial Diversion Program also known as deferred prosecution. I should not be a sex offender. I haven't even had sex yet. I never molested. I never raped. The U.S. Attorney

I never molested. I never raped. The U.S. Attorney took things too far for somebody who is innocent, for somebody with mild autism who has never been in trouble with the law before the Maydan Police raid and the Federal charge. All I cared about was getting my lawful data and property back. I don't care about dirty child porn contraband. The police can forfeit the nasty illegal stuff, but not my lawful files, lawful data, and lawful pictures.

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I don't deserve a sex charge. My public defender had evidence of my innocence but did not use it to defend me, ineffective counsel. I have (Autism) I am intelligent, unique, and different, but I am NOT a criminal. I ask every autism expert and organization to come to my aid in my criminal case then Petition President Obama for pardoning me of my conviction.

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damagé. The longer I sit and fight in my criminal case, I face permanent damages which cannot be reversed after winning my case. My type 1 brittle diabetes is brittle. The stress, anxiety, and fear this criminal case has inflicted on me has also affected my blood sugars.

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Sep. 19, 2014

Statement By Brian D. Hill

Jail policies that violate Federally protected rights inhibits my communication with the U.S. District Court. Any effort to fetter and delay my evidence I plan on sending to the court violates my rights of evidence submission to the court. Since I clearly have ineffective counsel I am forced to submit evidence to the court on my own through Pro Se Motions. The Jail blocking my evidence has offended me and hurt my court communication. I feel I have been wronged by Guilford County Jail. America is still a Constitutional Republic with certain inalienable rights including due process and unfettered communication with the court.

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# MOTION OF NOTIFICATION

Evidence is being filed with the clerk of the court to file on docket, notifying the court that there will be a delay in the last minute evidence my family had sent me to mail to the court on Monday. The Guilford County Jail has blocked thirty pages of evidence and was returned to my family. The evidence attached proves that my last minute evidence was blocked by the Jail making it more difficult to provide evidence with the court to prove my innocence. If the County Jail continues blocking my evidence that I wish to file with the court pro se then I will file a petition for the Writ of Habeas Corpus challenging my detainment. My right to receive evidence to send to the court has been violated. I filed this Motion with the clerk of the court using U.S. Mail, respectfully submitted, this the 19th day of September, 2014.  
Brian D. Hill Brian David Hill

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<https://www.courtlistener.com/docket/4304407/40/united-states-v-hill/>

## Evidence Blocked Declaration

I, Brian David Hill, declare under penalty of perjury that the foregoing is true and correct. Executed on September 19, 2014.

Statement:

Brian D. Hill

There will be a delay in the thirty pages of evidence my family was sending to me in Guilford County Jail to forward to the U.S. District Court. My family thought it is important that I send the evidence to the court as soon as possible for withdrawing my guilty plea by proving my innocence. I received a paper from the officer titled "Mail Return - Inmate Notification Form" explaining to me that

I can only have a Maximum of 10 photocopied pages per envelope. The problem was those papers was evidence I plan to send to the court Monday. Because the Jail blocked my evidence today on Friday, it will take more days to resend me the evidence in pieces to comply with the policy of the Jail. I feel the Jail is making it difficult for me to get evidence and send evidence. This never would have happened to me in a Federal Prison. Without my evidence sent from my family, I have no means to prove my innocence. The Jail has violated my right to obtain evidence to use in my defense.

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**MAIL RETURN  
INMATE NOTIFICATION FORM**

To Inmate: Brian D. Hill Location: 2H07 Date: 9-19-14  
Mail Sent From: Shella Elen Forsman

This is to inform you that the following items of mail were returned to the sender for the following reasons: (Circle Corresponding Number)

Item(s) of Mail: Photocopied pages <10

1. Contents not allowed, Contents consisted of: MAXIMUM of 10 photocopied pages per envelope - legal mail is classified as mail from Attorney or Courts.
2. Item contained funds in excess of allowable amount (\$100.00 total in your account)

**\*\*NOTE\*\*** Items which you are not allowed will be returned to the sender. If any items received are illegal, criminal charges may be initiated and disciplinary charges will be filed against you.

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(Court date scheduled 9/30/14)  
<https://www.courtlistener.com/docket/4304407/40/united-states-v-hill/>

I, Brian David Hill, declare under penalty of perjury that the foregoing is true and correct. Executed on September 24, 2014.

Statement:

Brian D Hill  
signed

1. I was not read my Miranda Rights during my arrest on December 20, 2013 by Homeland Security agents. When I was processed by the U.S. Marshals on Dec. 23, 2013, given an arrest warrant I was not read my U.S. Miranda Rights.
2. I assumed after I sent emails to Joy Strickland to forward to NC SBI agent Rodney White around Dec 2013, Mayadan was not pressing charges. That happened when my family told me that the Mayadan Police called, told my grandpa that Mayadan wasn't filing any charges and didn't know if the state would or not, told him that I can pick up my seized property on the inventory papers. On Dec. 12th, I found out from Sue Basto that there was a warrant out for my arrest since November 26, 2013. Mayadan Police lied to me and my family. page 2 on back

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<https://www.courtlistener.com/docket/4304407/41/united-states-v-hill/>

4. Maydan Police report does not state everything that went down during the police raid on August 28, 2012. The report I believe is deceptive. The report does not mention my claims that I may have been set up by a virus or trojan horse by a computer hacker. The report did not mention that the police were informed of my Autism and type 1 brittle diabetes. The report did not mention the threat by Charles Caruso the police chief. The report did not mention that my grandparents were there. The report did not mention that I was the only person catted down by the police during the raid.

5. Prior to the Federal 'charge' and police raid, I had a clean record and never got in trouble with the law.

<https://www.courtlistener.com/docket/4304407/41/united-states-v-hill/>

1. I was threatened by Charles J. Caruso the Mayodan Police Chief on August 28, 2012, to confess against my will. I was under duress and was coerced into the confession on August 29, 2012.
  2. That I have Autism and haven't been given a disability advocate at the time of the police interview. I was all alone being questioned by two police detectives while still in shock and fear. When autistic people are questioned by law enforcement they can give a false confession and misleading statements. A Autism expert can attest to that claim.
  3. The confession was not honest and was one sided.
  4. The police did not offer to test my blood sugar before the interrogation. I didn't eat lunch until after the interview. I have brittle diabetes. Blood sugars affect my thinking.
- Factual Assertions To Suppress The Evidence:
1. The Mayodan Police reports are not honest in my case and affidavits from my family prove it.

## MOTION TO WITHDRAW GUILTY PLEA AND REQUEST A TRIAL

I, Brian David Hill file with the court a "Motion To Withdraw Guilty Plea and Request A Trial". For all evidence I have filed on docket, evidence attached to this Motion, and the remainder of evidence I will send or give to the court by Tuesday, September 30th, 2014, all advances evidence to back my factual assertions contained in this Motion to advance a fair and just reason to withdraw my guilty plea, and to request a Trial.

I am also attaching a additional Motion to file with the court to Suppress the evidence and confession based on evidence I submitted to docket and to Probation officer Beige W. Tapp.

Here are my Factual Assertions For Filing this Motion:

Page 2 on back

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1. I am innocent of the charge.
2. I haven't been given effective assistance of counsel.
3. That I have autism and haven't been given a disability advocate.
4. I been coerced into pleading guilty. Me and my family have been manipulated into my guilty plea.

5. My lawyer cited that I 'was delusional when the truth is I am not delusional. The psychologists didn't review over me and my families evidence before applying that label on me. My lawyer has lied to me and my family, and has refused to come up with a defense for Jury Trial. My lawyer refused to call ~~forth~~ forth witnesses in my defense, was only interested in getting me to sign a plea agreement.

6. My high diabetic A1C blood hemoglobin level (10.9) has affected my judgement in the pleading hearing.

7. I wanted to withdraw my guilty plea days to a week after I plead guilty. My lawyer delayed the discussion to withdraw my guilty plea.

I hereby file this Motion with the clerk of the court using U.S. Mail.

I submit and request this Motion on this, the 24th day of September, 2014.

Brian David Hill

## MOTION TO TESTIFY

I, Brian David Hill, file with the court a "Motion To Testify" with witnesses listed in this Motion. These witnesses will testify under oath in my defense. Since I am indigent, under court rules of criminal procedure I request the court pay all or any witness fees, or the government pay all or any witness fees for their testimony in my defense.

WITNESSES:

## MOTION TO FILE LAST MINUTE EVIDENCE

I, Brian David Hill, file my last Motion of Evidence titled "Motion To File Last Minute Evidence" before the Sentencing hearing to advance a fair and just reason to withdraw my guilty plea. I file this Motion with the clerk of the court to file on docket along with all evidential papers attached to this Motion.

The evidential papers attached are as follows:

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The evidential papers attached are as follows:

1. Two Affidavits proving that the Mayadan Police lied in their police report used in my criminal case. Also proves that there are lies in the Probation's Pre-Sentence Investigation (PSI) report.
2. Proof by Mayadan town Minutes documentation that I was involved in the town council.
3. Attorney paper that documents on record that I requested

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3. (cont.) return of my seized property since the detectives informed me that my property would be returned in six months to a year, that since 14 months there were no formal charges filed, and requesting that my seized property be returned to me.

4. Email Inquiry sent to Joy Strickland of the NC Department of Justice.

5. Print-out of an email out of a series of emails sent to Joy Strickland to forward to NC SBI agent Rodney White. If the court wishes to review the attachments then they can subpoena Joy Strickland for email records.

<https://www.courtlistener.com/docket/4304407/45/united-states-v-hill/>

6. A print-out of a forum post I did about Mayadan Police harassment pondering that the police chief would pull something to arrest me.

More Evidence or at least the rest of the last minute evidence will be submitted physically at the September 30th Sentencing hearing on Tuesday. I ask that the Judge docket that evidence after reviewing it in the courtroom so that all evidence pages can be reviewed during my Trial.

I hereby file this Motion with the clerk of the court using U.S. Mail. I submit this Motion on this the 24th day of September, 2014. Brian David Hill

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Now let's read this page together. What does it say about 2 attorneys admitting that they were ignoring all of Brian's witnesses? Remember what the Sixth Amendment of our constitution says about that? Thank goodness, Brian's friend bought that transcript for us. This proof of wrong doing on both attorneys part would have been lost for good and covered up as is true in this PDF from 10/21/19. **Document 210 Filed 10/21/19 Pages 27** First we will put the link to Attorney Sue Basko from federal records and why she states that she knew that Brian is innocent:

**Declaration of Susan Basko in Support of Brian David Hill's Motion to Withdraw his Guilty Plea, Motion for a Substitute Attorney, Sentencing, and any other purposes**

1. My name is Susan Basko. I reside in Illinois. I can be reached by email at [SueBasko@gmail.com](mailto:SueBasko@gmail.com) and by phone at 310-770-7413. I have a website at <http://suebasko.blogspot.com> and another one at <http://subliminalridge.blogspot.com>
  2. I am a lawyer licensed in Illinois and California. I practice law for independent media, including for the internet. I do not generally go into court, so ask the Court to please forgive if my paperwork is not in the exact usual form.
  3. I am aware that Brian David Hill is innocent of the charges and I will explain herein how I know this.
- 

**Case 1:13-cr-00435-TDS Document 115 Filed 06/24/15 Page 1 of 21  
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Now, having said that, I received a declaration from a woman named Susan Basko. Ms. Welch, if you'll hand that to Mr. Ramaswamy. I don't know if you all have seen that declaration. If you'll step forward and take a look. Have you seen that, Mr. Placke?

MR. PLACKE: I have, Your Honor. That is what arrived at our office via email last week, one of several different emails from Ms. Basko.

THE COURT: Have you communicated with her at all?

MR. PLACKE: No, I haven't, Your Honor.

THE COURT: I don't know who she is to make -- she claims she's a lawyer.

MR. PLACKE: I did check with the California State Bar and the Illinois State Bar. She is currently admitted to practice in both states.

THE COURT: Is this Mr. Hill's family in the back?

MR. PLACKE: It is, Your Honor.

THE COURT: Grandparents and mother?

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US v. Hill - Hearing - September 30, 2014

MS. BURNETT: Because Brian is innocent, and he's really not been represented. This attorney has never talked to us until right at the end. He called us the night before the sentencing hearing and told us to have Brian to plead guilty and so that's what we did, and that was wrong because Brian is not guilty. He's got autism. He's not guilty. He doesn't like being around children.

Case 1:13-cr-00435-TDS Document 115 Filed 06/24/15 Page 4 of 21

THE COURT: Mr. Forinash, do you agree with that?

MR. FORINASH: Yes, sir.

THE COURT: All right. You may have a seat.

MR. RAMASWAMY: Frankly, Your Honor, I had not considered it in the manner that the Court has framed it. Early in this matter, very early in this matter, there was an email. I believe because our email addresses are part of the ECF record, Mr. Placke and I received the same email. As Mr. Placke did, I did confirm that she was -- this person was a licensed attorney in California, appears to be a licensed but nonpracticing attorney.

I did not look at it so much in the attorney context because -- as with much of the filings here and some of the things that are from prior proceedings in this court and in the magistrate court related to Mr. Hill that become reported on the internet by persons associated with him that are largely not representing what actually happened, it appeared that person, the attorney, was yet another one of the ones associated through the internet of reporting things were not factually correct to maintain the actual innocence.

Correction, Mr. prosecuting attorney. People on the Internet who were keeping up with USWGO (Brian's) website and his YouTube videos knew exactly what was happening. They knew that Brian had been attending many Mayodan, NC town hall meetings and talking about agenda 21 & the unconstitutional parts of the NDAA. They

knew that Brian had obtained a petition with many signatures from Rockingham County and at the town hall meeting in May, 2012 he handed that petition to the Mayodan town attorney whom Brian found out was a senator of NC, Philip Berger. Brian was sending emails about this petition to the Rockingham County, NC sheriff, towns of Mayodan, Reidsville, & other towns and to the Mayodan police chief from March-July, 2012. This has all been filed in this court in 2014 and again in 2017 as part of Brian's 2255. They also knew that Brian was angry after he attended the public July 9, 2012 town hall meeting and went up to Mr. Berger to ask him about this petition, and the Mayodan police chief grabbed him & made him leave and on the way out threatened him. Brian put the video on his YouTube page and there were many articles written about that on the USWGO website and other websites. All Americans have Freedom of speech, right? Or wrong? He also noticed that the Mayodan police were trailing him, and he (USWGO) was writing public articles that he was afraid the crooked police were going to try to set him and/or his mom up with a crime, all public information, and Brian had a lot of followers at this time due to his Righthaven case in 2011. Guess what? Child porn started downloading on his laptop on July 20, 2012. Was Brian framed & set up, or did he decide that now is the time to download child porn for a few days to give the police a reason to hack into his computer without a search warrant and to take everything he valued in a search warrant on August 28, 2012. Brian closed down his USWGO webpage after that. He wanted his things back so he hired an attorney for less than \$100 to write to Mayodan to return his things since they had these things for over a year. Immediately, there was an indictment and a warrant for his arrest during late Nov. 2013.

Detectives determined the IP address 24.148.156.211 was first logged into the Child Protection Systems (CPS) undercover system by the automated tools on July 20, 2012 offering to participate in the distribution of child pornography. Between July 20, 2012, and July 26, 2012, the IP address 24.148.156.211 was logged, showing a continual pattern of child pornography, by the automated tools.

Now back to 9/30/2014 and 2 attorneys admitting in court in front of a federal judge to ignoring witnesses in a criminal case: **Case 1:13-cr-00435-TDS Document 115 Page 10 of 21** MR. RAMASWAMY

I hadn't considered it in terms of her -- she's the only one of the group who is in that filing to the Court using her credentials as an attorney to bolster her statements, but there are a number of people, not in filings to the Court, but in internet postings who, I'd say, maintain similar positions. That had not been a concern because I think to explore that further may go into some of the issues and the persecution --

the ideas of persecution or give an impression that this prosecution is about anything other than the offense conduct. It has nothing to do with any belief political or otherwise of the defendant. I'm not certain --

THE COURT: I'll tell you what I'm thinking about doing. Let me hear from Mr. Placke. Mr. Placke, do you want to address any of this?

MR. PLACKE: Just two things, Your Honor. One related to Ms. Basko and some of these other folks. I did review everything that she sent to our office. I did check to see if she was actually an attorney. I was concerned that she was expressing opinions that didn't seem to have a basis in knowledge of the evidence in the case. She had asked in her email that I present this declaration to the Court. I declined to do that. But I tended to view it like much of the other internet material I had seen related to this case, intended to sort of place her in that category of people. I didn't realize she was going to send her declaration directly to the Court.

US v. Hill - Hearing - September 30, 2014

THE COURT: She sent it to be filed on CM/ECF, and the Clerk's Office sent it to me for determination as to whether it should be filed on CM/ECF.

MR. PLACKE: Quite frankly, when she sent it to me, and I just let it sit there declining to do anything further, thought that was going to be the end of it.

MR. PLACKE: She actually mentions some folks in there, one of whom I did talk to at length at Mr. Hill's request some months ago, a Mr. Dan Johnson. He -- we spent quite a bit of time on the phone, and he gave me his opinion about exactly what had happened and how I should handle the case and so forth. I asked some pointed questions about how what he was saying would fit in the rules of evidence and the rules of procedure, and that sort of turned the conversation a

This is age discrimination by an attorney. A person can be 20 years old, in the military and married with a child. Mr. Johnson was not an attorney. Since when is a witness required to act like an attorney? This prosecuting attorney (appointed as Brian's attorney by the government) did not want any proof or witnesses to prove that Brian Hill was & is innocent. He just wanted the "Guilty" WORDS, nothing else, no trial, no Constitutional Rights (Bill of Rights) or no Civil Rights for Mr. Hill while Brian continued suffering with very high blood glucose readings in jails and no slow acting insulin to protect him for 24 hours; no insulin at all on court days until that

evening and ignoring his autism and what all this was doing causing mental distress. This had been going on for 9 months at this time, and the credit all goes to Attorney Placke. This is an example of how he helps his client, and according to one judge, Placke is the best attorney in the Middle District of NC (See June 4, 2014 transcript).

little bit. Mr. Johnson is a 20-year-old in Ohio who is very active on the internet and concerned about certain issues and had been in contact with Mr. Hill. After that conversation, I didn't view it as particularly productive for Mr. Hill's defense to continue contacting all these other people.

Anyway, my point there and my first point was simply in trying to triage how to handle things in this case, I tended to put things from Ms. Basko in the same category as my phone conversations with Mr. Johnson, again, not knowing that she intended to send her declaration directly to the Court.

The second thing I would say regarding the whole issue of counsel is Mr. Hill has continued to ask for new counsel. It's continued to be my view that under the circumstances, our office -- I should individually and our office as an office should do everything we can to assist Mr. Hill and as much as possible shrug off, if you will, some

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US v. Hill - Hearing - September 30, 2014

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**To Dan Johnson who was working with the Rutherford Institute to help Brian. They are telling Dan on Jan. 7, 2014 that they had contacted Brian's court appointed attorney offering their assistance and have not heard back from him. Who is the Rutherford Institute? Here is a link to their webpage: <https://www.rutherford.org/about>**

---

[REDACTED]@rutherford.org> Tue, Jan 7, 2014 at 3:33 PM  
To: Dan Johnson [REDACTED]@pandaunite.org>  
C: [REDACTED]@rutherford.org>, [REDACTED]@rutherford.org>

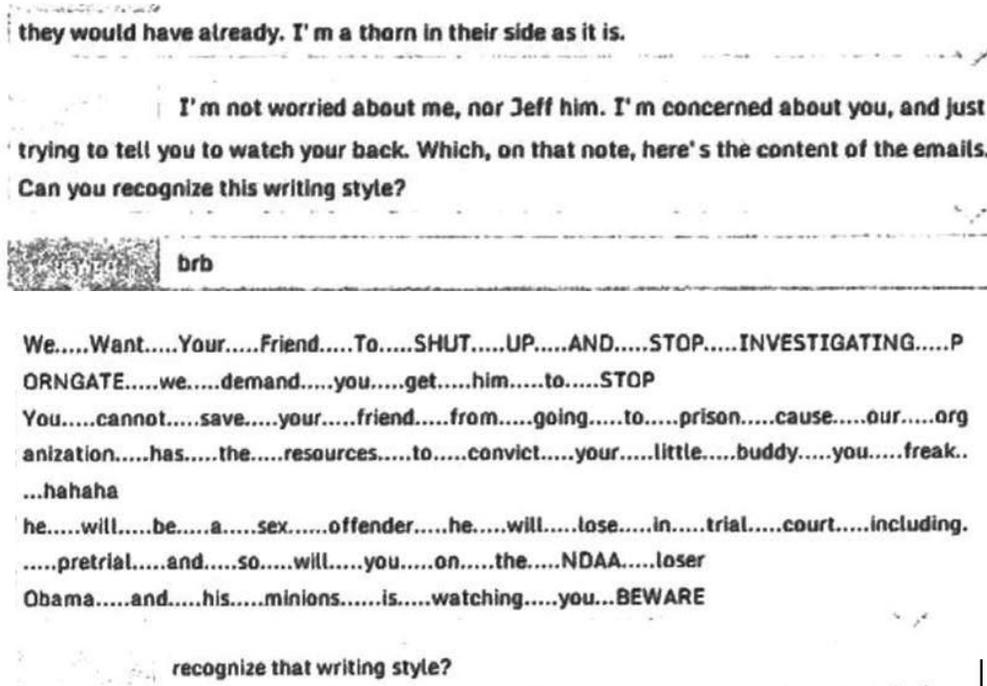
Dan, at this point, we have offered our assistance to Brian's court-appointed attorney and are waiting to hear back from him on where things stand. You're welcome to mention that we have offered our assistance in the case in any PR you do, but beyond that, I don't have an update yet and I don't want to discourage the family from getting the word out. We'll be in touch as soon as we know more on the legal front.

**Who is Dan Johnson from Brian's grandparents' investigation?**

He was a friend of Brian's in 2012 and 2013. They worked on the NDAA together (the part that is unconstitutional). Brian David Hill (below).

David Hill had concerning an encrypted chat Hill had with witness Dan Johnson of "People Against the NDAA" (PANDA or PANDAunite), somewhere between approximately late 2012 to 2013. Dan Johnson had reported to Hill to have received a threatening email with the words "We.....Want.....Your.....Friend.....To.....SHUT.....UP.....AND.....STOP.....IN VESTIGATING.....PORNGATE.....we.....demand.....you.....get.....him.....to...

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4. I am aware that Brian David Hill was a volunteer independent journalist active in independent online media and in the Patriot or Constitutionalist movement. Brian has many such videos on Youtube. Brian was active in supporting the repeal of the NDAA.

*Screenshot of the Susan Basko Declaration of facts concerning Actual Innocence of Brian D. Hill. Source: Federal Court Docket entry, U.S. District Court for the Middle District of North Carolina, Case 1:13-cr-00435-WO, Document 46, Filed 09/30/14, Page 1 of 3.*

## **WARNING: Someone is Trying to Set Up Liberty Activists Using Child Porn**

This a warning to all of our members, readers, supporters, and to the general liberty movement.

Please be extremely careful with email, and do not open any attachments from anyone who you don't know, or from any suspicious email, such as tormail. And even if it seems to be from someone you know, take the time to read the email address carefully, to see if it is from a Tormail account, or other anonymous email service. It could be someone impersonating someone you know, to trick you into opening files with child-porn on them.

No one here at Oath Keepers uses tormail or any other anonymous email service, so if you see an email purporting to be from Oath Keepers, or from anyone in leadership at Oath Keepers, from such an email service, **do not open it.**

<https://myemail.constantcontact.com/WARNING--Someone-is-Trying-to-Set-Up-Liberty-Activists-Using-Child-Porn.html?soid=1102755758632&aid=cu6pyplbO48>

***There have been a string of anonymous attacks on liberty activists, all attempting to trick people into opening email attachments containing child-porn. We know of at least four such attempts within the past few weeks.***

The first was when someone emailed Luke Rudkowski, Founder of We Are Change and tried to trick him into opening attached jpeg files containing child porn. Luke was able to use the "view" function of his email to see that the images were child porn and he did not open them.

Then, someone using a tormail account tried to do the same thing to Dan Johnson, Founder of People Against the NDAA (PANDA). Whoever emailed Dan Johnson pretended to be me, Stewart Rhodes, but using a Tormail account. Fortunately, Dan knew that I don't use Tormail, and therefore he did not open the attachments. Instead, he had a computer security expert examine the files, and that expert determined that they contained child porn. You can read more about that attack, and watch a video we made about it, [here](#).



Dan Johnson in this video

<https://www.youtube.com/watch?v=3TwLSinxRdk>

[REDACTED]@rutherford.org>  
To: Dan Johnson [REDACTED]@pandaunite.org>  
C: [REDACTED]@rutherford.org>, [REDACTED]@rutherford.org>

Tue, Jan 7, 2014 at 3:33 PM

Dan, at this point, we have offered our assistance to Brian's court-appointed attorney and are waiting to hear back from him on where things stand. You're welcome to mention that we have offered our assistance in the case in any PR you do, but beyond that, I don't have an update yet and I don't want to discourage the family from getting the word out. We'll be in touch as soon as we know more on the legal front.

To Dan Johnson who was working with the Rutherford Institute to help Brian. They are telling Dan on Jan. 7, 2014 that they had contacted Brian's court appointed attorney offering their assistance and have not heard back from him. Who is the Rutherford Institute? Here is a link to their webpage:

<https://www.rutherford.org/about>

Sept. 30, 2014

Minute Entry for proceedings held before CHIEF JUDGE WILLIAM L. OSTEEEN JR. in G-1: Case called for Sentencing as to BRIAN DAVID HILL on 9/30/2014; AUSA Anand Ramaswamy appeared on behalf of the Government. FAFPD Eric Placke appeared on behalf of the Defendant. Defendant present in custody. In light of Defendants pro se statements, Court allows FAFPD Placke to withdraw as counsel of record; Court to appoint substitute counsel; Court ordered all discovery material previously provided by the United States to be sealed and can only be viewed by substitute counsel; FAFPD Placke returned discovery material to AUSA Ramaswamy at the conclusion of this hearing; Court ordered Government to subpoena Susan Basko to appear at the sentencing hearing (see pleading 46 ); Court continued sentencing in this matter to 11/7/2014 at 3:00 p.m. in Greensboro, Courtroom 1; Status Conference set for 10/15/2014 at 2:00 p.m. (Court Reporter Joseph Armstrong.) (Welch, Kelly)

<https://www.courtlistener.com/docket/4304407/united-states-v-hill/?page=1>

Set Hearings as to BRIAN DAVID HILL: Sentencing reset for 11/7/2014 03:00 PM in Greensboro Courtroom #1 before CHIEF JUDGE WILLIAM L. OSTEEEN JR. Status Conference set for 10/15/2014 02:00 PM in Greensboro Courtroom #1 before CHIEF JUDGE WILLIAM L. OSTEEEN JR. (Welch, Kelly)

Set/Reset Deadlines/Hearings

DECLARATION of Susan Basko in Support of BRIAN DAVID HILL'S Motion to Withdraw Guilty Plea, Motion for a Substitute Attorney, Sentencing, and any other purposes. (Attachments: # (1) Envelope)(Welch, Kelly)

Main Document Declaration

Download PDF

Attachment 1 Envelope

Download PDF

CJA 20 Appointment of Attorney JOHN SCOTT COALTER for BRIAN DAVID HILL. NOTICE: Pursuant to 18 U.S.C. section 3006A(d)(4), approved CJA voucher forms will be posted to CM/ECF. Appointed counsel is responsible for requesting redactions to information contained within CJA vouchers. Signed by CHIEF JUDGE WILLIAM L. OSTEEEN JR. on 10/1/2014. (Attachments: # (1) CJA 20 Worksheets) (Daniel, J)

Main Document CJA 20 - Appointment

Download PDF

<https://www.courtlistener.com/docket/4304407/united-states-v-hill/?page=1>

<https://www.courtlistener.com/docket/4304407/46/united-states-v-hill/>

<https://www.courtlistener.com/docket/4304407/47/united-states-v-hill/>

The 1<sup>st</sup> court appointed attorney would not let Brian or Brian's family see the discovery from the NC SBI report. Both attorneys had this information and the same prosecuting attorney who has been in Brian's case from 2013-2022 (The same one who admitted on 9/30/2014 in court ignoring all witnesses for Brian) had it too since Nov. 2013. Finally Brian, his mom & grandparents got to go to Greensboro, NC to Brian's 2<sup>nd</sup> attorney's office and read it together in January, 2015. Brian has put the results proving Brian is innocent and proving there was a Trojan horse or virus on Brian's computer on the federal court records in Middle District of NC & in Danville, VA from 2015-2018 (many times) because there was child porn loaded on it 11 months AFTER the police confiscated it in August, 2012. – From July, 2012 – July, 2013. Comparing the Mayodan police report from 2012 and the NC SBI report from 2013 and looking at Brian's false confession proves Brian is innocent. Court continues to ignore & deprive Brian of his constitutional rights and ignore the Americans with Disabilities LAWS.

We noticed that Brian's threats were in April, 2013. We started to look and found a video Brian (USWGO) put up about the Emule Virus in April 6, 2013 and some other articles he had written about it in other places. They were so upset that they sent him at least 2 emails admitting putting it on his computer with threats. One was on April 7, 2013 and April 20, 2013.

**Emule virus type has infected people around the entire world including ..**



[https://www.youtube.com/watch?v=Xyy1wDioa\\_k](https://www.youtube.com/watch?v=Xyy1wDioa_k)

Apr 6, 2013 - Uploaded by USWGO Network

... alternative news former founder Brian D. Hill. The **emule virus** has infected computers around the entire ...

**4/6/2013**

**From:** <[johnsnatchz@tormail.org](mailto:johnsnatchz@tormail.org)>  
**Date:** Sun, Apr 7, 2013 at 5:30 AM  
**Subject:** You better watch out.....  
**To:** [admin@uswgo.com](mailto:admin@uswgo.com)

**You better watch out Brian...We are watching you...Having child porn planted on your hard drives and computer was only the beginning and we will set you up for violent sex crimes if you don't watch your back...Have fun becoming a sex offender...Police won't believe you no matter how much evidence you have that you been set up we know some people in the SBI who will make sure you are convicted. You will be shut up by being a sex criminal. Your friends Alex Jones, Dan, James, Sean, Alex, and others are next...BeWare!**

**4/7/2013**



Brian Hill <[admin@uswgo.com](mailto:admin@uswgo.com)>

**Your gonna get it**

[sallysamsong@tormail.org](mailto:sallysamsong@tormail.org) <[sallysamsong@tormail.org](mailto:sallysamsong@tormail.org)>  
To: [admin@uswgo.com](mailto:admin@uswgo.com)

Sat, Apr 20, 2013 at 11:58 PM

Your gonna get it...We know what your tryin to do....You'll regret ever being an investigative news reporter....Youll regret what you just did....better watch your back Brian....DONT REPORT ANY MORE ARTICLES OR TALK TO ANY REPORTERS ABOUT THIS CHILD PORN VIRUS OR YOU GONNA GET IT

## 4/20/2013 (threat email above)

No, there was no mention about how 2 attorneys admitted they were both ignoring all of Mr. Hill's witnesses. There is no mention that it was his grandparents and his mom who sent our witness letters to the court in September, 2014. It was also not mentioned that his grandparents told the judge at the September 30, 2014 hearing that Brian was innocent and his attorney never represented him. Also he fails to mention that Sue Basko is an attorney, and she still is. She is also a Lawyer for Independent Media, International work with Human Rights and Attorney and Counselor, U.S. Supreme Court. This is a link to her web page:

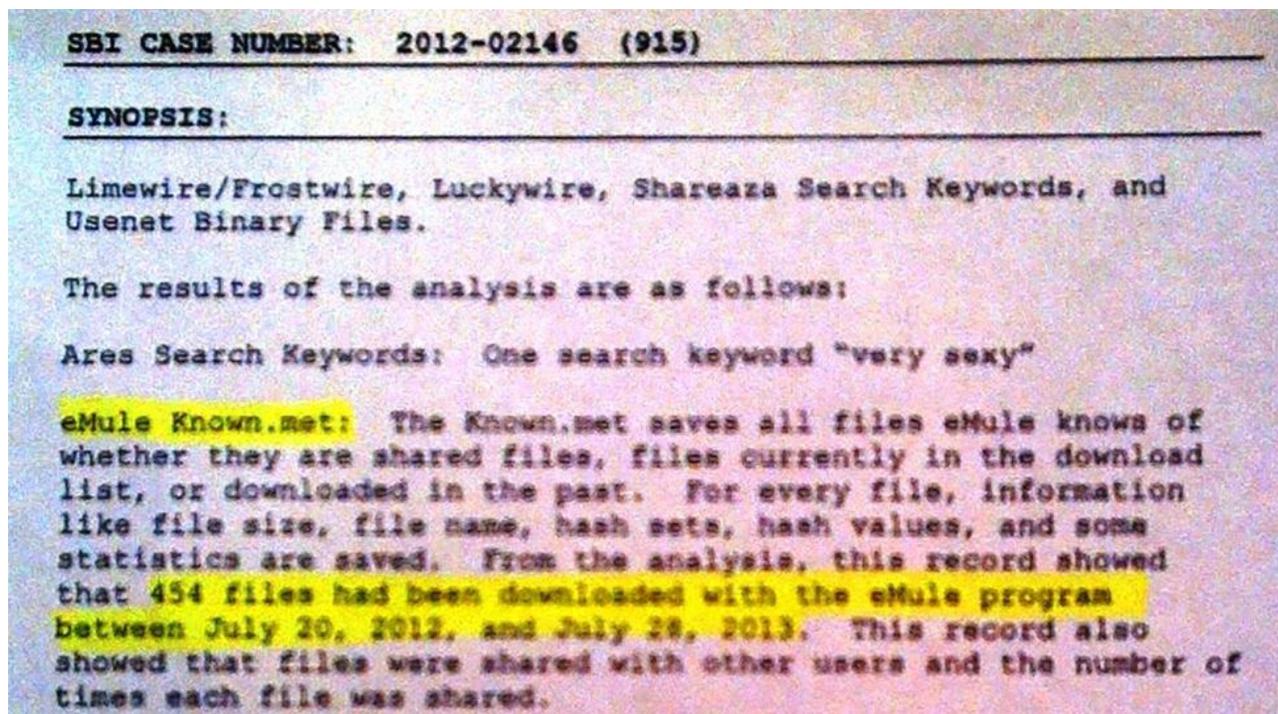
<https://www.linkedin.com/in/suebasko>

### (Referring to Case 1:13-cr-00435-TDS Document 210 Filed 10/21/19 Page 1 of 27)

Petitioner is correct that there is an actual innocence exception to the one-year time limitation. *McQuiggin v. Perkins*, 133 S.Ct. 1924, 1928 (2013). However, to establish actual innocence, “a petitioner must show that it is more likely than not that no reasonable juror would have found petitioner guilty beyond a reasonable doubt.” *Schlup v. Delo*, 513 U.S. 298, 327 (1995); see *McQuiggin*, 133 S.Ct. at 1935. “[S]uch a claim requires petitioner to support his allegations of constitutional error with new reliable evidence—whether it be exculpatory scientific evidence, trustworthy eyewitness accounts, or critical physical evidence—that was not presented at trial.” *Schlup*, 513 U.S. at 324. Petitioner has not met this high burden.

### Case 1:13-cr-00435-TDS Document 210 Filed 10/21/19 Page 18 of 27

Brian appealed his case after he and his family saw the discovery in 2015 about the child porn (items of interest) being downloaded for a year (11 months of that year, this computer was with the police & the SBI)



NC SBI report – 454 files had been downloaded with emule program  
July 20, 2012 until July 28, 2013 (Police took this computer on August 28, 2012)

Some proof documents Brian included as part of his proof. After reading all of this, **an expert medical witness should have been appointed to testify**. Family asked for this many times and a couple of his attorneys did too, the court denied that request.

<https://storage.courtlistener.com/recap/gov.uscourts.ncmd.64541.131.0.pdf>

Brian's medical history while in various jails in NC & Butner prison from Dec. 2013-Nov. 2014 Yet **judge refused to get a medical expert to testify in court** or to get any aids for Brian according to **the Americans with Disabilities laws**. (Is this because that would have hurt the government's case against Brian?). Does all of this mean that the federal courts, judges, jails & prisons are exempt from that law? See the PDF with more proof: "Brian's treatment in Jail Brittle Diabetes, Autism & OCD"

Brian's blood glucose results from June 1, 2014 – June 8, 2014:

**Case 1:13-cr-00435-TDS Document 131 Filed 11/14/17 Page 6 of 101**

Low blood glucose resulting in a seizure on 5-26-2014 in Orange County Jail (There should be another document about this & how he was treated and the hell he went through not allowed to eat sugar).

**Case 1:13-cr-00435-TDS Document 131 Filed 11/14/17 Page 8 of 101**

Brian's blood glucose results from May 14 – May 23, 2014

**Case 1:13-cr-00435-TDS Document 131 Filed 11/14/17 Page 9 of 101**

Brian's blood glucose results from Dec. 20 – Dec 28, 2013 Jail in Winston Salem, NC

**Case 1:13-cr-00435-TDS Document 131 Filed 11/14/17 Page 11 of 101**

Nothing about AUTISM on 12/20/2013 in Winston Salem, NC – Must have not read the medical records his family personally brought to the jail from where Brian lived in Martinsville, VA

**Case 1:13-cr-00435-TDS Document 131 Filed 11/14/17 Page 12 of 101**

Brian's blood glucose results from Feb. 1 – Feb 7, 2014 Jail in Winston Salem, NC

**Case 1:13-cr-00435-TDS Document 131 Filed 11/14/17 Page 13 of 101**

Brian's blood glucose results from Jan. 13 – Jan. 18, 2014 Forsyth Jail WS, NC

**Case 1:13-cr-00435-TDS Document 131 Filed 11/14/17 Page 14 of 101**

Brian's blood glucose results from Jan. 26-Jan 31, 2014 Jail – Winston Salem, NC

**Case 1:13-cr-00435-TDS Document 131 Filed 11/14/17 Page 15 of 101**

Brian's blood glucose results from Oct. 1 – Oct. 10, 2014 Orange County Jail

**Case 1:13-cr-00435-TDS Document 131 Filed 11/14/17 Page 17 of 101**

Brian's blood glucose results from Oct. 22 – Oct. 21, 2014 in Orange County Jail;

**Case 1:13-cr-00435-TDS Document 131 Filed 11/14/17 Page 18 of 101**

Brian was taken to **Cone Hospital** in Greensboro, NC (Where he spent 6 days in Feb. 1992 diagnosed with Type 1 insulin dependent diabetic) by the federal Marshalls while in court which prolonged his court date on **Nov. 7,**

**2014.** Page 19-21 – Marshalls were now upset with the Orange County, NC jail. Found out that Brian was telling the truth when he said he had not been given any insulin in the Orange County Jail on court days. He is almost ready to come home at this time. Document 131

Asking President Trump for a Pardon due to actual innocence on March 16, 2017. Page # 23-32. Doc 131

**From: Brian David Hill**

**Fax ID: 276-790-3505**

**FOIA Appeal Case No. DOJ-AP-2017-002520**

**Bit of Evidence that Assistant Federal Public Defender DELETED exculpatory evidence prior to Jury Trial and prior to Pretrial Motions period, showing evidence that confidence in my Attorney was compromised causing false guilty plea to the Honorable U.S. President Donald J. Trump and The White House staff/aides Thursday, March 16, 2017 - 09:33 PM to 11:33 PM**

**I have now FAXED Evidence to The White House proving that the U.S. Attorney colluded with Mr. Eric David Placke the Public Pretender, to have me commit perjury and give up my right to prove my Innocence to a Jury of my Peers. This evidence will be presented in my FOIA Lawsuit as relevant to my FOIA Request asking for my discovery evidence to use in proving my Actual Innocence. Eric Placke has destroyed/deleted evidence that was in my favor. So was the U.S. Attorney who covered up, concealed, destroyed, or deleted evidence that would be in my favor. Two are birds of a feather, stick together.**

**My FOIA lawsuit will commence shortly once I find a good Attorney. Bad Faith U.S. Attorney doesn't want to release discovery records to me and allow me to give to independent forensic experts. You owe**

Email Brian's grandparents sent to his mom after they discovered that Attorney Placke deleted all emails. Grandparents discovered this while forwarding these to Brian's mom for him to use in court. We guess after he deleted them, he could truthfully say he had no evidence and tell Brian's family if they did not tell Brian to plead "Guilty to Possession," he would get 20 years in prison. Note proof of Brian's diabetes above with no reference at all in jail records to having autism and OCD. Date March 16, 2017 – Proof of emails Brian's family sent to his attorney in 2013 & 2014. PAGE # 34-35 Document 131

An article warning about the child porn virus on (ALERT!!!: New virus that may be planting child porn to set people up as pedophiles) in April, 2013. Page # 40-52 Document 131

Copy of Transcript June 4, 2014. In this Mr. Placke brings out about a medical evaluation that was done, and the results were: autism spectrum disorder, etc. He said that Mr. Hill had requested new counsel and mentioned that Brian had returned from Butner. (Note: in the course of 11 months at the age of 23 (December, 2013 – November, 2014) Brian with autism was sent from a jail in Winston Salem, Greensboro, Hillsborough (back & forth) as well as the Butner Prison in Butner, NC for an evaluation by someone that when the family read her report are aware that she knows very little about autism. Ask an autism expert what he or she thinks about the federal court system doing this to someone who has been evaluated as having PDD at the age of 2 or 3 and autism at the age of 4.

When Brian spoke, he asked for an investigation to be done. He asked for a forensic expert. He said the Mayodan police could have planted files in his computer during the police raid & after they had removed his computer from his house. Judge Tilley asked Brian what proof does he have. Brian said that the proof is in the

audio files about what they said to him. (Note from Brian's family: We were never allowed to hear the tapes but read parts of Brian's confession. Before the police talked to Brian, his mom told the police that Brian had autism. Ask a professional in autism. A person with autism should never be alone during a police interrogation without an attorney present or someone who knows about autism. That is part of the Americans with Disability laws. A person with autism can easily become confused and start repeating word for word what the police said. We noticed terms that Brian has never used. This interrogation took place during lunch time the day after the police raid where many police touched everything in Brian's house (OCD). They did not test Brian's blood glucose or offer him a snack or a sugar drink. Two police interrogated him alone. If his blood glucose was low, it's like someone with a lot of alcohol in their system. Please don't take our word, have an expert in autism, diabetes & OCD to give their expert opinion.

The court: I will deny your motion for substitute counsel (LATER in Sept. 2014 read what an out of state attorney said and other proof. Mr. Placke was removed from Brian's case. Look at the court records over 3 months after this date while Brian with known autism kept being put in various jails for the next 5 months with severe type 1 diabetes causing him to lose a lot of weight. Read all of this. It's very enlightening. Page 56-68. Document 131

On this one, Brian displays his email at USWGO in 2013 after he received a threat email in April, 2013 from an anonymous person using tormail admitting they put child porn on Brian's computer & hard drives. Most of the time Brian had 1 or 2 hard drives with his computer as he was working on USWGO projects & interviews & researching things for articles he was writing for his website. His mom would come down from time to time and find Brian having a severe seizure at his computer. Brian was unconscious and would have died each time if mom had not come down and treated it. Ask a medical expert about that – some doctors & neurologist said in 2005 and other years that Brian had brittle diabetes (including recently at the Carillon Clinic). Brian had met Alex Jones in June 2012. The threat email said they had plans to set Alex Jones & others up. On the 2<sup>nd</sup> email, they threatened doing more to Brian if he said anything more about that child porn virus. Page 69-71. Document 131

You better watch out Brian...We are watching you...Having child porn planted on your hard drives and computer was only the beginning and we will set you up for violent sex crimes if you don't watch your back...Have fun becoming a sex offender...Police won't believe you no matter how much evidence you have that you been set up we know some people in the SBI who will make sure you are convicted. You will be shut up by being a sex criminal. Your friends Alex Jones, Dan, James, Sean, Alex, and others are next...BeWare!

APRIL 6 & APRIL 20, 2013

Your gonna get it....We know what your tryin to do...You'll regret ever being an investigative news reporter...Youll regret what you just did...better watch your back Brian...DONT REPORT ANY MORE ARTICLES OR TALK TO ANY REPORTERS ABOUT THIS CHILD PORN VIRUS OR YOU GONNA GET IT

**Brian's grandparents sent this to Brian to send to the court in September, 2014 explaining that the child porn was a virus, not actual child porn. This just proved the threats was a virus that apparently contained some sort of child porn this person sending the threat had put on his computer in July, 2012. "Child porn investigations may snare the innocent" which was an article from Prison Education Guide by Christopher Zoukis. Page 79-89 Document 131**

<https://www.courtlistener.com/docket/4304407/132/united-states-v-hill/> Document 132

Articles Brian's grandmother found: More than 1 out of 4 people wrongfully convicted but later exonerated. "Why do people confess? PAGES 2-4

<https://www.courtlistener.com/docket/4304407/united-states-v-hill/?page=1>

Set Hearings as to BRIAN DAVID HILL: Sentencing reset for 11/7/2014 03:00 PM in Greensboro Courtroom #1 before CHIEF JUDGE WILLIAM L. OSTEEN JR. Status Conference set for 10/15/2014 02:00 PM in Greensboro Courtroom #1 before CHIEF JUDGE WILLIAM L. OSTEEN JR. (Welch, Kelly)

Set/Reset Deadlines/Hearings

Minute Entry for proceedings held before CHIEF JUDGE WILLIAM L. OSTEEN JR. in G-1: Sentencing hearing as to BRIAN DAVID HILL held on 11/10/2014. AUSA Kyle Pousson appeared on behalf of the Government. Attorney Scott Coalter appeared on behalf of the Defendant. Defendant present in custody. For the reasons stated on the record, Court denied all pending pro se motions. (Court Reporter Joseph Armstrong.) (Welch, Kelly)

Sentencing

**This would be talking about both of Mr. Hill's federal court appointed attorneys in 2014:**

***Under the Sixth Amendment, every Defendant has a right to Effective Assistance of Counsel.***—"[T]he right to counsel is the right to the effective assistance of counsel." From the beginning of the cases holding that counsel must be appointed for defendants unable to afford to retain a lawyer, the Court has

So under ineffective counsel and pro se motions filed in the past, I ask the court to grant my request for **MOTION TO EXTEND TIME TO FILE APPEAL.**

Case 1:13-cr-00435-TDS Document 55 Filed 01/12/15 Page 2 of 4

**"The Sixth Amendment requires** counsel to consult with the defendant concerning whether to appeal when counsel has reason to believe **either:**

If the defendant expressed his intention to appeal, and counsel decided not to file an appeal without having discussed the matter further with the defendant after he was sentenced, counsel's performance would be constitutionally deficient. *United States v. Witherspoon*, 231 F.3d 923 (4th Cir. 2000)." (emphasis added)

Absent finding either of those documents (Doc #43, 44) constitute a "Notice to Appeal", defendant asks the court to extend the time to file a notice of appeal as the defendant reasonably demonstrated an intent to appeal by filing those documents and counsel failed to discuss an appeal of the conviction and failed to file the notice of appeal timely as required by defendant's Sixth Amendment right which provides good cause to extend the time to file an appeal.

Brian D. Hill ( pro se )  
916 Chalmer St, Apt. D, Martinsville, VA 24112  
Phone: (276)632-2599

Case 1:13-cr-00435-TDS Document 55 Filed 01/12/15 Page 3 of 4

**This investigation by Stella Burnette Forinash (Brian Hill's grandmother)**

# ATTACHMENT 8: “7 Danville, VA - Brian - Discovery.pdf”

For “MEMORANDUM OF STELLA FORINASH AND  
KENNETH FORINASH IN FAVOR OF ACTUAL  
INNOCENCE OF BRIAN DAVID HILL; IN SUPPORT OF  
WHY BRIAN DAVID HILL SUSPECTS BLACKMAIL OF  
“JUDGES” AND “OFFICIALS”; AND IN SUPPORT OF  
GROUND VI - UNCONSTITUTIONAL INTERFERENCE  
WITH THE STATE COURT PROCESS AND/OR  
UNWARRANTED USURPATION OF POWER AGAINST  
THE STATE COURT PROCESS IN VIOLATION OF THE  
TENTH AMENDMENT OF THE UNITED STATES  
CONSTITUTION; AND IN SUPPORT OF 2255 MOTION  
(DOC. #291)”

Case no. 1:13-cr-435-1; civil no. 1:22-CV-00074

Ally of Q, Former news reporter of USWGO Alternative News  
JUSTICEFORUSWGO.WORDPRESS.COM



# ☆ Hill v. Executive Office for United States Attorneys (4:17-cv-00027)

District Court, W.D. Virginia

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**Last Updated:** Nov. 8., 2021., 3:26 a.m., EST  
**Assigned To:** Jackson L. Kiser  
**Referred To:** Robert S. Ballou  
**Date Filed:** April 25, 2017  
**Date Terminated:** Feb. 6, 2018  
**Date of Last Known Filing:** Oct. 9, 2018  
**Cause:** 05:552 Freedom of Information Act  
**Nature of Suit:** 895 Freedom of Information Act  
**Jury Demand:** None  
**Jurisdiction Type:** U.S. Government Defendant

<https://www.courtlistener.com/docket/6064365/hill-v-executive-office-for-united-states-attorneys/>

Document Number	Date Filed	Description
1	Apr 25, 2017	MOTION for Leave to Proceed in forma pauperis by Brian David Hill. (Attachment: # 1 Post-it Note Attached to IFP Motion)(mlh) (Entered: 04/26/2017) Main Document      Motion for Leave to Proceed in forma pauperis <a href="#">Buy on PACER</a>
2	Apr 25, 2017	COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF against Executive Office for United States Attorneys, United States Department Of Justice, filed by Brian David Hill. 70 Day Notice due by 7/5/2017; 90 Day Service due by 7/24/2017. (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 DVD for Defendants Marked as Exhibit 6 to be Served Upon Each Defendant, # 10 DVD for Clerk Marked as Exhibit 6 (Available for Viewing in Clerk's Office), # 11 Civil Cover Sheet, # 12 Post-it Note Attached to Complaint, # 13 Proposed Summons, # 14 Post-it Note Attached to Proposed Summons)(mlh) (Entered: 04/26/2017)

### III. Statement of Claim

1. This is an action under the Freedom of Information Act ("FOIA"), 5 U.S.C. §552, as amended, as well as agency FOIA regulations, challenging the failure of the Executive Office for United States Attorneys ("EOUSA") of the United States Department of Justice ("DOJ") to fulfill the requests in both the FOIA Request and FOIA Appeal of Brian David Hill "Brian D. Hill" for all discovery packet records concerning himself. That they improperly withheld records which were sought from the EOUSA. Then the U.S. Attorney may have lied that 0 records were withheld in full when testimonial and evidential facts show a different story.
2. This case seeks declaratory relief that defendants are in violation of the FOIA for failing to fulfill plaintiff's request for records, and injunctive relief that defendants immediately and fully comply with the plaintiff's request under the FOIA.
3. I am filing this action of litigation, on a Pro Se basis and am proceeding in forma pauperis. Affidavit/Application is attached but the Clerk shall file the Affidavit as separate document.

Plaintiff Brian D. Hill is a citizen of the United States, who was born on May 26, 1990. The plaintiff was indicted on November 25, 2013, and the arrest warrant was issued on November

26, 2013. Brian was charged by Assistant U.S. Attorney Anand Prakash Ramaswamy of the U.S. Attorney Office located at 101 S. Edgeworth ST., 4<sup>th</sup> Floor, in Greensboro, North Carolina. The charge was filed in the U.S. District Court for the Middle District of North Carolina. That case was docketed under case no. 1:13-cr-435-1. The plaintiff was released from jail/imprisonment on November 12, 2014 based upon a sentence of time served. However the plaintiff still serves a sentence of ten years of federal supervised release by the U.S. Probation Office, as well as mandatory Sex Offender registration. The plaintiff feels that he is innocent of the charge and still wishes to prove actual innocence. The plaintiff has only until June 10, 2017 to file a Rule 33 Motion (citing Federal Rules of Criminal Procedure) for a new trial based upon newly discovered evidence. The FOIA Request at issue here is for the sole purpose of locating exculpatory information within the evidence records within the U.S. Attorney's own discovery evidence, for the sole purpose of proving Actual Innocence or to be found 'Not Guilty'. The FOIA Request is intended to get access to all records of the discovery packet, including the confession Audio CD, so that the information be cross-referenced and/or cross-examined, again for the sole purpose of proving actual innocence.

## **REQUEST TO EXPEDITE THE FOIA PROCEEDINGS**

The good cause is that the North Carolina State Bureau of Investigation (SBI) may dispose of the seized property after a destruction order is issued, even though destruction may prevent me from being able to prove actual innocence. Since the property was seized on August 28, 2012, then the possibility of the destruction of my seized and forfeited property is imminent. Therefore it is necessary to quickly gather new evidence for mounting an actual innocence pleading via the affirmative defense of "frame up". The FOIA violations must be resolved before the deadline or before the Court decides to allow the destruction of seized property, as getting access to the discovery material takes time, as well as gathering new exculpatory evidence, before filing a 28 U.S.C. § 2255 Motion based upon the ground of Actual Innocence via proving the affirmative defense of "frame up". As a Motion would have to be filed way in advance, to have the Court order the preservation of the physical evidence to prevent destruction of evidence in SBI custody. The only available post-conviction Motions available

new evidence of prosecutorial misconduct, the resolution of this FOIA litigation must be conducted by June 10, 2017, to be legally allowed to file a motion for a new trial due to newly discovered evidence that could not have been previously discovered before Trial.

Citing 28 U.S.C. § 1657, "Except that the court shall expedite the consideration of any action brought under chapter 153 or section 1826 of this title, any action for temporary or preliminary

*injunctive relief, or any other action if good cause therefor is shown. For purposes of this subsection, "good cause" is shown if a right under the Constitution of the United States or a Federal Statute (including rights under section 552 of title 5) would be maintained in a factual context that indicates that a request for expedited consideration has merit.*" The 2255 Motion which is statutory remedy of the Constitutional Federal Writ of Habeas Corpus or Rule 33 Motion for a new trial based upon newly discovered evidence, both depend on getting access

23. The portion of evidence that was attached to the EOUSA's FOIA response letter is 19 pages of the Mayodan Police investigative report (aka the "Mayodan Police Report") but the plaintiff has proof that the original report was actually 20 pages long. The plaintiff filed evidence proving the missing 20<sup>th</sup> page with the Office of Information Policy (OIP) in the FOIA Appeal Number DOJ-AP-2017-002520. So 1 page was missing and withheld from the FOIA requested discovery packet. The Search Warrant where it's copy was originally served by Mayodan Police with the plaintiff on August 28, 2012. That was also missing from the FOIA response envelope. The "confession audio CD" was also not found within the envelope. The last record that was not found was the SBI forensic case file, Subject/Suspect was Brian David Hill and SBI Case File # 2012-02146. So 2 documented reports (Search Warrant, SBI case file), 1 audio CD containing the confession, and 1 page of the original 20 page Mayodan Police Report was missing from the envelope to which contained the response letter from EOUSA.

24. Plaintiff filed an administrative Appeal as remedy under the Office of Information Policy (OIP). Filed under the FOIA Appeal Number DOJ-AP-2017-002520. That appeal was received in the system and filed as of February 20, 2017 ("02/20/2017") according to the acknowledgement letter. (Citing Exhibit 3)

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27. Around Saturday, March 11, 2017, another FAX was transmitted to OIP, and was received on March 13, 2017 on Monday. It further contains evidence and proof that further supports plaintiff's FOIA request and appeal. Evidence was filed concerning a copy of a letter from the Town of Mayodan dated September 21, 2015 denying request for access to or a copy of the confession Audio CD which contains plaintiff's confession that was made at the Mayodan Police Department around August 29, 2012. A response was filed to that denial citing Writ of Habeas Corpus and for need of the Audio CD to prove actual innocence as purpose to why the "confession Audio CD" was requested from the Town of Mayodan. It stated that since the confession was already going to be used in a public Jury trial against the plaintiff that the plaintiff had a right to get a copy of the confession Audio CD to prove that the confession was caused by coercion and was a false confession. The town of Mayodan refused to respond since then. A letter was sent to the State Bureau of Investigation (SBI) in North Carolina requesting a copy of the forensic case file that was needed to help prove actual innocence. A letter was returned by SBI Legal Counsel Angel Gray denying plaintiff's request to get access to the

forensic case file report by SBI Special Agent Rodney V. White. A response letter was written back criticizing the legal Counsel and giving her a copy of the threatening message that Brian D. Hill had received allegedly claiming that “we know some people in the SBI that will make sure that you are convicted”. The entire threatening email message received at [admin@uswgo.com](mailto:admin@uswgo.com) which was the plaintiff’s email address in 2012-2013, said “*You better watch out Brian...We are watching you...Having child porn planted on your hard drives and computer was only the beginning and we will set you up for violent sex crimes if you don't watch your back...Have fun becoming a sex offender...Police won't believe you no matter how much evidence you have that you been set up we know some people in the SBI who will make sure you are convicted. You will be shut up by being a sex criminal Your friends Alex Jones, Dan, James, Sean, Alex, and others are next...BeWare!*” SBI Legal Counsel Angel Gray refused to respond to the allegations that the SBI may be part of an alleged plot to set up the plaintiff with child

porn and wrongfully convict him. There may be a good reason why the SBI is refusing to release a copy of the SBI case file to the plaintiff via FOIA. It is because there is information within that report that is very questionable and may be subject to impeachment in the criminal case proceeding by the U.S. Attorney. It stated that “*454 files have been downloaded with the eMule program between the dates July 20, 2012, and July 28, 2013.*” The issue is that suspected child porn files may have been downloaded between the dates “*July 20, 2012, and July 28, 2013.*” The very issue concerning that statement was that the seized Laptop cited in the SBI case file was seized on August 28, 2012. That may show an evidence report claim concerning possible evidence tampering and/or planting or is wrong and should be considered impeachable testimony that is clearly inadmissible for trial. So according to SBI Special Agent Rodney White, child porn had allegedly downloaded on plaintiff’s Black Toshiba Laptop Computer Satellite C655D between the dates July 20, 2012, and July 28, 2013. The threatening email from tormail.org that was received by [admin@uswgo.com](mailto:admin@uswgo.com) was dated around Sunday, Apr 7, 2013. That threatening message was received by plaintiff between the claimed child pornography download dates. That might explain why the EOUSA and the SBI both do not want a copy of the SBI case file to be delivered to Brian D. Hill as per his FOIA request. Part of the Search Warrant was also filed as evidence, proving that the U.S. Attorney should have

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said that “*Not only does the Court Transcripts further prove that the U.S. Attorney had the "confession audio CD" aka the "audio CD" of my confession on August 29, 2012, which I had formally requested in my original FOIA Request# FOIA-2016-03570. The other issue that it further proves that disclosure is necessary for the benefit of the public good, for the benefit of*

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*correcting an injustice within our Federal Courts, correcting false information on Federal Court records, and correcting a wrongful conviction. Disclosing the false confession Audio CD is necessary for the interests of the general public, for the interests of justice far outweigh the need to suppress the truth from this particular criminal case matter which was to had to go before a public Jury Trial with no legal means nor any resources to be able to come up with a criminal Defense which more likely than not, would have the finding of "Not Guilty" had I been given effective Counsel." It proves enough evidence to the Office of Information Policy (OIP) proving that records were withheld and may have been covered up or concealed. (Exhibit 4)*

THE BASIS IS SIMPLE

41. The plaintiff wishes to prove his actual innocence by getting access to his discovery packet that he should have clearly been entitled to as apart of his rights to criminal discovery under the Fourteenth Amendment of the United States Constitution, Bill of Rights.

Police. The plaintiff said that he had downloaded child porn for "about a year or so" but the only download dates found were between the dates July 20, 2012, and July 28, 2013. So it had only downloaded for 1 month and 8 days while in the custody of plaintiff Brian D. Hill. The confession can be picked apart and proven totally false and cannot hold up as evidence of guilt of the plaintiff. However the plaintiff isn't being allowed by Ex-Attorney John Scott Coalter to prove any of that. The Attorney further refuses to transfer the discovery evidence to the defendant in that particular criminal case, even went as far as threatening Brian D. Hill with perjury and obstruction of justice for attempting to prove his actual innocence on September 30, 2016. Because of that, he feels the FOIA was his only legal means of getting access to his discovery packet for his criminal case, in support of Brady v. Maryland. Yes, this FOIA was used as a legal vehicle to assert and safeguard the plaintiff's deprived Constitutional due process right to criminal discovery that was previously denied to the plaintiff before his conviction and after his guilty plea, due to prosecutor colluding with the plaintiff's defense Attorneys and ineffective assistance of Counsel. Rights that the U.S. Attorney and the Defense Attorney had deprived and denied the plaintiff of.

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44. The Defendants' have refused to, or failed to deliver a copy of the SBI case file, plaintiff's signed confession statement, Confession Audio CD, Search Warrant, and Page 20 of the Mayodan Police Report.
45. The Defendants' have no valid excuse for certain pages and one Police investigative report to still exist at the U.S. Attorney Office record-keeping for Brian's criminal case that they prosecuted, yet certain records appear to either not exist or have been quietly withheld and concealed from plaintiff's FOIA request or covered up.

PRAYER FOR RELIEF

WHEREFORE, plaintiff respectfully requests that this Court:

- (1) Declare that defendants have violated the FOIA by failing to conduct an adequate search for records responsive to plaintiff's FOIA requests of July 25, 2016, and August 29, 2016;

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2-1 is a copy of Brian's Disabled Parking Placard dated 8/3/2016 stating that he has autism spectrum disorder which impairs judgment by his medical doctor. This stays in his caregiver's (his mom's car). He also includes a medical form from his diabetic Endocrinology in Roanoke, VA dated 7/18/2016 stating that he is prescribed insulin flexpens & diabetic supplies, and is required to have eye & foot exams and Diabetic 6 month HGA1C.

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Proof to be found in the above link: Freedom of Information Act Appeal. This really has some good investigative reporting on Brian Hill's part & needs to all be read proving set up by Mayodan, NC police dept. & NC SBI in Greensboro, NC in 2012-2013 to set up Brian verifying threat emails in 2012, 2013, 2015 to be true threats to shut up USWGO (Internet investigative reporter). They admit to putting child porn on Brian's computer & hard drives, say they will do more & threatening others. They put a child porn virus on his computer, performed a police raid where they got all computers, memory sticks, hard drives, etc. This was local Mayodan, NC police and 1 Reidsville policeman who was a brother to Rockingham County assistant attorney. Mayodan, NC attorney was also the NC pro-templar senator. His son was the Rockingham County, NC Attorney. Brian (USWGO) was writing bad articles about this Mayodan attorney as well as the Mayodan police chief in July, 2012. Judges & courts in Middle district of NC ignore all of Brian's disabilities and constitutional rights.

**The FOIA Request (FOIA-2016-03570) was my only option to get access to the discovery records and material that the U.S. Attorney had originally used against me, gives me my Constitutional right to cross examination and be able to defend myself via the affirmative defense of "frame up" (that I never had due to bad counsel that collaborated with the U.S. Attorney since the beginning. The email between my own Attorney and the U.S. Attorney and other actions affirm my suspicions).**

**Here is more evidence that should be considered in the course of my FOIA Appeal and**

**Exhibit 5 proves that the NC SBI has also denied my request for access to the SBI forensic report. Later on the SBI even lied to me and my Attorney by claiming "they will give access to whatever she deems necessary." The reason why is that I asked former FBI Agent and private investigator Kevin Wetzel to consider conducting a independent forensic examination of my seized computer. He lives in North Carolina, works there, and I live in Virginia, both one party consent states for recording personal phone calls. He told me over the phone that the SBI has responded to each one of his requests to examine a seized computer to conduct a forensic examination at the SBI. He said it is interesting because they have not returned his call on getting the paperwork ready to examine my Black Toshiba Laptop Computer, Satellite C655D, seized computer in SBI custody. So the NC SBI is refusing to let me prove my actual innocence and is stonewalling me too. My only option is my FOIA Request to the U.S. Attorney. Every other option is blocked while every 3 months I get a visit from the State Police over my Sex Offender registration, which is ridiculous. I continue being treated like a criminal for my Autism while the**

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Exhibit 7 and Exhibit 8 are the most important to cross examine.

In both of those exhibits, by reading the full search warrant, Reidsville PD Detective Robert Bridge admit to watching child pornography videos and then describes what each suspected video is about. He lists the hash code for the public file sharing network, he tells what the video is about, and even the file name. All in a public Search Warrant. So then we go to the SBI forensic report and it doesn't confirm whether the files claimed in Detective Bridge's Search Warrant Affidavit were even downloaded to the computer. That is the most important way to prove a suspect guilty is always to confirm whether the files being downloaded were actually downloaded onto the suspect's computer by eMule. I had even faxed a letter to J. Joy Strickland, the current Legal Counsel for the N.C. State Crime Laboratory, asking about whether the files that

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

I, Kenneth R. Forinash, spoke with attorney John Scott Coulter of Coulter Law Offices by telephone on this date at approximately 3:34 PM. The reason for my call was due to speaking with a different attorney pertaining to Brian Hill's case, and she was influenced by what Mr. Coulter had to say about the case, and advised me that she would not be able to take his case or do anything for him. I asked Mr. Coulter how Brian Hill could go about acquiring the discovery files from his court case. His response was that according to the rules of the Middle District Court of North Carolina the defendant in a case cannot have access to their discovery. He said an attorney is the only person that can get the files, or the files could be destroyed, and that is the only disposition available for discovery files. I mentioned that several attorneys had told me that Mr. Hill could have access to his discovery, and he said he could send Mr. Hill the rule from the Middle District if he so desired. I thanked him for his time and ended the call. The below pictures are proof of the calls I made to Mr. Coulter.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on Apr 23, 2017

*Kenneth R. Forinash*  
Kenneth R. Forinash, TSgt, USAF, Ret

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In the United States District Court  
For the Western District of Virginia  
Danville Division

CLERK'S OFFICE U.S. DIST. COURT  
AT DANVILLE, VA  
FILED

JUN 12 2017

JULIA C. BUDLEY, CLERK  
BY: *[Signature]*  
DEPUTY CLERK

Brian David Hill  
Plaintiff(s)

v.

Executive Office for United States Attorneys  
(EOUSA)  
&  
United States Department of Justice (U.S. DOJ)  
Defendant(s)

Civil Action No. 4:17-cv-00027

**DECLARATION OF BRIAN DAVID HILL IN SUPPORT OF DOCUMENT 2 COMPLAINT  
AND IN SUPPORT OF MOTION UNDER RULE 45 ASKING THE CLERK TO  
SUBPOENA ATTORNEY JOHN SCOTT COALTER FOR DISCOVERY AND TO PROVE  
THE FACTUAL MATTER UNDER COMPLAINT**

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**Declaration**

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

- 1. I am Brian David Hill, also known as Brian D. Hill, and am the plaintiff in the Federal civil case Brian David Hill v. Executive Office for United States Attorneys et al., Civil Case No. 4:17-cv-00027. I file this Declaration type of Affidavit with the Court with original signature as a sign of good faith and demonstrating factual evidence showing good cause for such action.**
- 2. Mr. Coalter has betrayed my trust and won't let me have the discovery. My grandparent's asked him to send them the local rule to which he claimed is the reason why he cannot give me my criminal case discovery packet of evidence but he hasn't even sent to us the very rule that he himself claimed was why he cannot give me the papers and the Audio CD. He had made it clear on September 30, 2016, that it is against his interest to let me prove my actual innocence, as I believe he would be held accountable for being ineffective Counsel as to why I would falsely take the guilty plea. He acts as my enemy at this point, he still has the discovery evidence, and may now dispose/destroy the evidence. That is my major concerns. Mr. Coalter no longer needs to even have the discovery materials and should either be given to me or given to a newly designated Attorney to protect my due process. I believe subpoenaing Mr. Coalter is the best course of action, and to prove my claims in the complaint.**
- 3. I and my family had attempted to find an Attorney to get the discovery evidence out of Mr. Coalter's hands, but that had failed. My family had got in contact with an Attorney named Emily Gladden of the 'Tin Fulton Walker & Owen' law firm located at 127 West Hargett Street, Raleigh, NC 27601. I and my family wanted her to get the discovery evidence out of Mr. Coalter's hands and she suggested that we could also work on trying for my actual innocence. So she gave my family a contract paper and she was going to further do some research before my mother signs a contract for her services as my private Attorney-of-record, and my family was going to use what little money they had to try to at least stop Mr. Coalter from blocking me any further from proving my innocence. On April 13, 2017, I tried to fax her some records that can help her to prove my innocence. At a later day which is sometime in April, 2017, I had received a phone call from my grandparents that informed me that Emily Gladden had heard from Mr. Coalter and was told some things, and after that her boss had decided that there was nothing we could do and decided not to do anything more. It has come to my attention that Mr. Coalter seems to be working against me and possibly sabotaging my criminal defense, by playing dirty games against me, and that he will never let any**

papers, which was left in a voicemail message. Mr. Coalter had harmed my mental health that day as I was very angry and also going towards depression which goes towards suicide. The only reason why I have not killed myself over the sex offender garbage, is because I still have some kind of hope of overturning my wrongful child porn conviction in Greensboro Federal Court. The feeling of being called a sex offender, a

drives me into total fear and depression, because I was framed with child porn and gave a false confession. The way I have to comply with a ton of different sex offender restrictions, and laws can be passed in the future placing all sex offenders under more unreasonable, cruel and unusual punishment, type restrictions that don't seem to get the protection of the grandfather clause in my opinion, as if making all registered sex offenders suffer more and more restrictions and penalties for the rest of their lives will actually protect the children. There are children that I

with every day for the rest of their lives. What about all of the sex offenders that were innocent but were given a public pretender as a lawyer instead of a real defense attorney to ask questions and gather real evidence that can point towards innocence? I even plan to sue SORNA because of how I am being treated, how SORNA is cruel and unusual punishment, especially when I am not being allowed to prove my own actual innocence, the sex offender restrictions on me are unreasonable and wrong. It is that kind of garbage why I talked about suicide, because of what Phil Berger Sr., his District Attorney Son Phil Berger Junior, and what the Town of Mayodan has done to me. I feel like they (not-literally) raped me, they took my life from me and I want my life back, I want my freedom back, I want my law abiding citizen status back, I want my conviction overturned and I want to prove my innocence. Mr. Coalter's

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5. The reason I wish to prove factual innocence is because, if I take my criminal case back to a Jury trial and having trust issues with court appointed attorneys, without a defense I would likely lose the Jury trial (since Defendants don't testify at Grand Jury proceedings, a petit Jury trial without a defense would be the same as a Grand Jury hearing where I was indicted aka being found guilty) and face twenty years in prison without a solid defense at trial. I could be in the same situation as I was before I falsely took the guilty plea where I wasn't given my diabetic insulin at court hearings when I was incarcerated,

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Page 2/9 - Declaration on Sept. 30, 2016 John Scott Coalter visit - 06/05/2017

lawyer doesn't want to present any evidence of my innocence, and the Jury would have no knowledge of my Autism and would not have known that I did give a false confession on August 29, 2012. The risk of getting another court appointed lawyer that may not do their job is high, and I risk prison time without a legal defense to the charge. So I have decided to prove as much factual matter of actual innocence as possible. I will prove as many facts of innocence, as needed, to the Court, so that if it were still to go to a trial, I would have a fair chance at fighting instead of being set up to fail like in 2014. I want a fair trial and I don't want a defense attorney that acts like a prosecuting attorney that refuses to prove my actual innocence. So I wish to establish as many facts of innocence as possible, so that even if the Court still finds a few facts that cannot be factual, then it gives me a better

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**WESTERN ROCKINGHAM FAMILY MEDICINE, P.A.  
BROWN SUMMIT FAMILY MEDICINE**

Donald W. Moore, M.D.  
Tom Pickard, M.D.  
Mary Beth Dixon, PA-C  
Andrew Maier, PA-C  
Francis P. Wong, M.D.

Deanna Steadman, R.N.-C.S., N.P.  
Mary Margaret Martin, FNP  
Susan Weeks, FNP  
Michelle Roushick, Pharm-D, CPP  
Tammy Eckard, Pharm-D, CPP

September 6, 2012

**Re: Brian Hill  
DOB: 5-26-90**

**To Whom It May Concern:**

**Brian Hill is a current patient at Western Rockingham Family Medicine. He has a diagnosis of Type I Diabetes, GERD, Autism, and depression with suicidal thoughts. His medication list is as follows: Nexium 40 mg, 1 po qd, Lantus Solo star pen, 36 units q hs, Novolog flex pen--sliding scale, Lisinopril 5mg, 1 po qd. Mr. Hill has an inability to take of himself, therefore needs around the clock care. If further assistance is required, please do not hesitate to contact our office at (336) 548-9618.**

<https://www.courtlistener.com/docket/6064365/12/2/hill-v-executive-office-for-united-states-attorneys/>

## REQUEST FOR FORENSICS REVIEW

FOR BRIAN D. HILL

Mr. Hill,

I am the lead investigator at SLC Security Services LLC and received your letter dated 10/12/2016 concerning your need for a computer forensics review of your laptop. In order to review your laptop we estimate a total of 40-120 hours depending on the size of the hard drive and amount of information to review and document. The process in doing the review for you is outlined below.

1. Sign and return this letter which will act as your contract with a deposit for \$3000.00 USD.

<https://www.courtlistener.com/docket/6064365/12/3/hill-v-executive-office-for-united-states-attorneys/>

## Declaration

June 8, 2017

My grandson, Brian Hill was released from jail in November, 2014. He was anxious for all of us to go to his attorney, Mr. Coalter's office to look at the discovery together. He said if he had to, he would spend the day there reading it. Brian called and made the appointment. We (Brian, his mom and both grandparents) went to Mr. Coalter's office on January 22, 2015. Mr. Coalter was not there, but his assistant gave Brian the discovery papers and escorted us to a large room to review them. We found out it was not as long as we thought because they had 3 copies of everything. This is from my notes as we were reading the discovery: "From the analysis, this record showed that 454 files had been downloaded with the **emule program between July 20, 2012, and July 28, 2013**". The Mayodan, NC police raided Brian's home, and they confiscated Brian's computer on **August 28, 2012**. How could Brian be downloading child porn when he did not have his computer for the 11 months that the discovery said that child porn or items of interest were being downloaded? We read everything in a little over an hour. There were no photos in the discovery papers; just typed descriptions of what they claimed were "Items of interest". The Rockingham County, NC District Attorney's name (Phil Berger Jr.) was all over the papers, and it did not list any children as "victims". It listed the "state of North Carolina" as the victim.

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Brian Hill, Roberta Hill (Brian's mom), Stella Forinash (Brian's grandma) and Ken Forinash (Brian's grandpa) went to see John Scott Coalter at his office in Greensboro, NC on Sept 30, 2016 to ask him if he would be willing to do the 2255 for Brian and how much he would charge since he already knew about Brian's case. We explained that when we saw the discovery in his office in January, 2015, we found out that the files of interest (child porn, we think) were downloaded on Brian's computer from **July 20, 2012 to July 28, 2013**. There was no way that Brian could be downloading child porn from August 28, 2012 until July 28, 2013 because his computer was in the care of the Mayodan Police Dept. and the NC State bureau of investigation in Greensboro, NC during those 11 months, and Brian was living in Virginia. Brian had told the court that there was a virus on his computer, and we (Brian's mom and grandparents) also signed affidavits that we

Page 1 of 3

Case 4:17-cv-00027-JLK-RSB Document 12-5 Filed 06/12/17 Page 2 of 9 Pageid#: 264

had witnessed Brian fighting some sort of virus on his computer on the day of the police raid as we were all at the house in Mayodan, NC during the raid, and these affidavits are in Brian's court records in 2014.

We all explained again to Mr. Coalter that with Brian's brittle diabetes, he was having a lot of seizures in 2011 and 2012. He would leave his computer on for hours during his OCD hand washing routines, and some days he shows more autism than other days. He did not want an antivirus program in his computer

Then as we were talking, Mr. Coalter told us that he could not represent Brian. "It would be a conflict of interest" He said that he would have to testify against Brian if Brian did the 2255 because Brian would have to say in the 2255 that he was an ineffective counsel. He did tell us that he had Brian's discovery in storage, and he would look at the dates we told him about and get back with us in a couple of weeks. We waited 3 weeks, then my husband called him from our home while I was in the room with my husband, and Mr. Coalter told my husband that he had been busy and did not have time to look over the discovery and would call us after he did. This is June, 2017, and we have not received any phone calls from Mr. Coalter about the discovery. We did get another attorney in April, 2017 who agreed to review the discovery and write a report, but after she called Mr. Coalter to get the discovery, she decided not to do it and called us to let us know.

<https://www.courtlistener.com/docket/6064365/12/5/hill-v-executive-office-for-united-states-attorneys/>

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**MOTION ASKING THE COURT TO REQUEST  
LEGAL COUNSEL TO REPRESENT THE PLAINTIFF**

NOW COMES, the plaintiff ("Brian D. Hill"), representing himself, and hereby asks that the Court request an Attorney to represent the plaintiff since he was already found to have been in forma pauperis (See Doc. #3). This is pursuant to 28 U.S.C. §1915(e)(1), "The court may **request an attorney to represent any person** unable to afford counsel."

The plaintiff is severely limited in legal knowledge, and needs the assistance of Counsel to aid in his ability to protect his Constitutional and Federal legal rights.

The plaintiff cannot afford an experienced attorney at law to fight for justice for the plaintiff, to fight for his constitutional and legal rights as per this civil case.

The plaintiff has Autism and Type 1 diabetes as exhibited in Document #2-1, and is considered legally handicapped/disabled under the Virginia Department of Motor Vehicles. It has stated that a licensed physician has certified that the plaintiff is

law. The fact that the defendants deny the allegations over a simple legal basis of the suit such as “Freedom of Information Act (“FOIA”), 5 U.S.C. §552, Right to discovery packet of evidence under the 14th Amendment of the U.S. Constitution, Due Process clause (citing Brady v. Maryland, 373 U.S. 83 (1963))” is also idiotic in my opinion. Both the FOIA and the 14th Amendment under the U.S. Constitution (the due process clause in the Bill of Rights) are not allegations against the U.S. Government but are simply stating the federal law under the FOIA and the fourteenth amendment that the plaintiff believes was violated by the Defendants. FOIA and the due process clause are both used as a vehicle giving the plaintiff a right to the evidence that was originally used to wrongfully indict the plaintiff, wrongfully convict the plaintiff, then the criminal charge was used to abuse and deny the plaintiff’s due process rights. Such due process rights being violated was the fact that the plaintiff never got to see his entire discovery packet until after his false guilty plea. Plaintiff plead guilty falsely without

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<https://www.courtlistener.com/docket/6064365/14/hill-v-executive-office-for-united-states-attorneys/>

**action. I was the criminal defendant of case named United States of America v. Brian David Hill, Case # 1:13-cr-435-1, and in the U.S. District Court for the Middle District of North Carolina. I am INNOCENT, and am trying to prove my innocence but am being blocked and my due process was deprived forcing me into taking the guilty plea agreement under false pretenses, being misled by the Federal Public Defender office in Greensboro, North Carolina. I have Autism Spectrum Disorder (ASD), Obsessive Compulsive Disorder (OCD), Generalized Anxiety Disorder (GAD), and I have type 1 brittle diabetes (diabetes mellitus). Because of that I am good at performing visual legal work but my verbal legal work is severely limited by my Autism. So I need around the clock medical care by a medical caretaker. My health is brittle and I need the Court to consider this fact and review the medical**

Case 4:17-cv-00027-JLK-RSB Document 23 Filed 07/03/17 Page 14 of 20

<https://www.courtlistener.com/docket/6064365/23/hill-v-executive-office-for-united-states-attorneys/>

**CARILION CLINIC**

CARILION CLINIC, FAMILY AND INTERNAL MEDICINE  
1107a Brookdale Street  
Martinsville VA 24112  
Phone: 276-670-3300  
Fax: 276-634-0379

5/16/2017

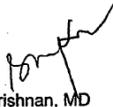
RE:  
Brian Hill  
310 Forest St Apt 2  
Martinsville VA 24112-4939

To Whom it May Concern:

This is to certify that Brian Hill is my patient since 11/2014. He has a diagnosis of diabetes, seizures, autism and obsessive compulsive disorder. One or more of these condition can limit his ability to be in social situation or among people and do work.

Please feel free to contact my office if you have any questions or concerns. Thank you for your assistance in this matter.

Sincerely,



Shyam E Balakrishnan, MD

Case 4:17-cv-00027-JLK-RSB Document 23-1 Filed 07/03/17

<https://www.courtlistener.com/docket/6064365/23/1/hill-v-executive-office-for-united-states-attorneys/>

**DIVISION FOR TREATMENT AND EDUCATION OF AUTISTIC  
AND RELATED COMMUNICATION HANDICAPPED CHILDREN**

**Department of Psychiatry  
University of North Carolina**

**D I A G N O S T I C E V A L U A T I O N**

Patient: Brian Hill  
Chart #: 60373

D.O.B. 5-26-90

Center: High Point, NC  
Date: 10-19-94

**DIAGNOSIS:**

**Autism - mild range**

Case 4:17-cv-00027-JLK-RSB Document 23-2 Filed 07/03/17 Page 7 of 7

<https://www.courtlistener.com/docket/6064365/23/2/hill-v-executive-office-for-united-states-attorneys/>

Dear Office of Information Policy (OIP), Re: Case No DOJ-AP-2017-002520,

I submit my Legal Basis of both a Statutory (FOIA Law) and Constitutional nature, that support my original FOIA Request and my claims under FOIA Appeal.

I sustain the right, due to asserting ineffective assistance of Counsel to the U.S. Attorney Office in Greensboro, NC, as well as the EOUSA, under Declaration, in my original FOIA Request, as to the right to obtain and request my discovery evidence that was used against me in my criminal case. I explained that I wish to prove my Actual Innocence, that I cannot prove my Actual Innocence without access to the original discovery evidence, pursuant to my right under Writ of Habeas Corpus. As I am still under a Federal sentence, in the custody of the U.S. Probation Office, which has taken away my rights to come and go as I please, sustain that I still have the right to file a Writ of Habeas Corpus Petition which was also superseded by the Statutory Section 2255 Motion which I had not exhausted. I can freely file this 2255 Motion upon any evidence gathered to help prove "Actual Innocence" by showing FACTS of Actual Innocence. I cannot make a credible, factual, and competent claim of Actual Innocence without access to a copy of all criminal evidence that was originally used to indict me in Federal Court.

Page 2/8 - Legal Basis to OIP; Re: DOJ-AP-2017-002520 - 03/24/2017

That includes my confession Audio recording that is retained by Mayodan Police Department, which is refusing to give me access to such confession to prove a competent claim that my confession was false as a result of coercion and/or threats.

Case 4:17-cv-00027-JLK-RSB Document 24-4 Filed 07/03/17 Page 5 of 13

<https://www.courtlistener.com/docket/6064365/24/4/hill-v-executive-office-for-united-states-attorneys/>

Dear Office of Information Policy (OIP), Re: Case No DOJ-AP-2017-002520  
and Defendant Executive Office for United States Attorneys,

Brian D. Hill, the plaintiff, hereby notifies the defendants' Executive Office for United States Attorneys ("EOUSA") and United States Department of Justice ("U.S. DOJ") to preserve all electronically stored information, physical copies, case file records, records, Audio discs including Audio CD discs, copies and backup, as defined by Rule 34 of the Federal Rules of Civil Procedure, along with any paper files which EOUSA and U.S. DOJ maintains, relevant to this dispute. Brian will be seeking in discovery electronic and non-electronic (paper, discs, photographs) data in EOUSA and U.S. DOJ's custody and control that is relevant to this action, including without limitation emails, paper records, case files, and other information contained on EOUSA's computer systems, case files, any other relevant record keeping, and any electronic storage systems. Brian D. Hill considers this electronic data and paper files to be valuable and irreplaceable sources of discoverable information in this matter, to prove that the U.S. Attorney may be covering up evidence, in violation of the FOIA, to attempt to cover up or conceal any evidence that is favorable to the plaintiff's criminal case discovery which can be used to help prove any factual matter claim of actual innocence.

Case 4:17-cv-00027-JLK-RSB Document 24-7 Filed 07/03/17 Page 3 of 5 Pageid#: 491

<https://www.courtlistener.com/docket/6064365/24/7/hill-v-executive-office-for-united-states-attorneys/>

The plaintiff places the EOUSA and U.S. DOJ on notice to preserve all documents regarding Brian David Hill and/or any case files of discovery evidence which includes the confession Audio CD, SBI Case File, Search Warrant, complete 20-Page Mayodan Police Report, and any other evidence relevant to the actual innocence of Brian D. Hill. In addition, Brian D. Hill places EOUSA and U.S. DOJ on notice not to allow the deletion of any electronic and non-electronic communications, case files, records, such as emails, relating to the guilt or innocence of the plaintiff ("Brian David Hill").

We are confident that EOUSA and U.S. DOJ already has taken steps to preserve this data since it had an obligation to preserve relevant evidence. Thus, no procedures should have been implemented to alter any active, deleted or fragmented data. Moreover, no electronic and non-electronic data should have been disposed of or destroyed.

We further trust that EOUSA and U.S. DOJ will continue to preserve such electronic data and paper files throughout this litigation.

The plaintiff Brian David Hill ("Brian D. Hill") has filed a lawsuit in the United States District Court for the Western District of Virginia, Roanoke Division. Brian D. Hill is seeking improperly withheld records under the Freedom of Information Act ("FOIA") from the EOUSA and U.S. DOJ, on records that should have been maintained and controlled by the U.S. Attorney Office in Greensboro, North Carolina. The plaintiff is also seeking for summary judgment to determine any factual matter that the U.S. Attorney Office did inappropriately covered up, destroyed, or concealed records which would aid in proving the Actual Innocence of plaintiff and allow the plaintiff to be found "Not Guilty" by a Jury of his peers. The North Carolina State Bureau of Investigation ("N.C. SBP") has a history of manufacturing evidence in a murder case and has conducted other questionable forensic practices. The N.C. SBI may coverup the truth on possible evidence tampering then resubmit the report to the U.S. Attorney to give plaintiff a high risk of going to prison and further create a miscarriage of justice based upon possibly false information and evidence fraud. The lawsuit is meant to deter such misconduct that could

Case 4:17-cv-00027-JLK-RSB Document 24-7 Filed 07/03/17 Page 4 of 5 Pageid#: 492

Page 3/3 - LITIGATION HOLD LETTER to OIP; Re: DOJ-AP-2017-002520 - 04/26/2017

This duty to preserve evidence is broad and extends to all documents, regardless of whether the document is stored electronically (such as email) or in hard-copy and regardless of the type of document or even Audio CD record. For example, reports, spreadsheets, photographs Audio recordings, and videotapes are all considered documents/records that must be preserved. Furthermore, the duty to preserve this documentary evidence extends to all documents/records in existence as of the time you reasonably anticipated this litigation.

To ensure that all relevant documents/records are preserved, you should communicate directly with all employees in the U.S. Attorney Office, as well as the EOUSA and U.S. DOJ who have possession or control of potentially relevant evidence, including but not limited to personnel who deal with record retention, deletion, and archiving. You should advise each of these employees to preserve any relevant documents in their custody. Furthermore, you should advise all such persons that any regularly scheduled and/or automatic deletion of paper or electronic documents must be discontinued with respect to any relevant data. In addition, any document destruction (such as shredding of documents) must cease with respect to any relevant documents. All relevant documents, both electronic and paper, must be preserved for the duration of this litigation. If you have any questions about the details of these obligations, please contact me.

# ATTACHMENT 9: “8 ACTUAL INNOCENCE.pdf”

For “MEMORANDUM OF STELLA FORINASH AND KENNETH FORINASH IN FAVOR OF ACTUAL INNOCENCE OF BRIAN DAVID HILL; IN SUPPORT OF WHY BRIAN DAVID HILL SUSPECTS BLACKMAIL OF “JUDGES” AND “OFFICIALS”; AND IN SUPPORT OF GROUND VI - UNCONSTITUTIONAL INTERFERENCE WITH THE STATE COURT PROCESS AND/OR UNWARRANTED USURPATION OF POWER AGAINST THE STATE COURT PROCESS IN VIOLATION OF THE TENTH AMENDMENT OF THE UNITED STATES CONSTITUTION; AND IN SUPPORT OF 2255 MOTION (DOC. #291)”

Case no. 1:13-cr-435-1; civil no. 1:22-CV-00074

Ally of Q, Former news reporter of USWGO Alternative News  
JUSTICEFORUSWGO.WORDPRESS.COM



## BRIAN DAVID HILL'S ACTUAL INNOCENCE

Presented to this court by his Family with all PROOF Documents in these PDF's:  
"Brian Hill's Proof of Evidence for the Court in 2022" (47+ pages); "Who is Brian Hill – Pictures & Descriptions" (22 pages) ; "Brian's treatment in jail with Brittle Diabetes, Autism & OCD" (29 pages); "Threats" (19 pages); "Investigation 1" (38 pages); "Investigation 2" (37 pages); "Danville, VA – Brian – Discovery" (16 pages) and this PDF: "Actual Innocence" (32 pages).

United States v. HILL  
Recommended Ruling - Magistrate Judge – Document #210  
District Court, M.D. North Carolina  
Docket Number: 1:13-cr-00435  
Date Filed: October 21st, 2019

### 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.

Case 1:13-cr-00435-TDS Document 210 Filed 10/21/19 Page 19 of 27

This proof is all from the INVESTIGATION of Brian and his family (mother & 2 grandparents) with proof documents & witnesses. His grandmother is typing this to present to the court. It's time this court actually read all evidence because it is a cardinal principle of our system of justice that every person accused of a crime is presumed to be innocent unless and until his or her guilt is established beyond a reasonable doubt. The presumption is not a mere formality. It is a matter of the most important substance. The presumption of innocence alone may be sufficient to raise a reasonable doubt and to require the acquittal of a defendant. The presumption of innocence until proven guilty means that the burden of proof is always on the government. It is now time with all of this proof to have Brian David Hill removed from the sex registry, probation and acquitted. A verdict of not guilty constitutes an acquittal. In other words, to find a defendant not guilty is to acquit. At trial, an acquittal occurs when the jury (or the judge if it's a judge trial) determines that the prosecution hasn't proved the defendant guilty beyond a reasonable doubt.

BRIAN'S 2255 Motion in November, 2017 with his PROOF & WITNESSES PROVES that BRIAN IS INNOCENT of downloading child porn. Brian is guilty of having AUTISM & BRITTLE TYPE 1 DIABETES causing him to give a FALSE CONFESSION in 2012 at lunchtime when 2 police officers questioned him alone without obeying the AMERICANS with DISABILITIES ACT.

We have proven to this court that Brian David Hill gave false information during the police interrogation on 8/29/2012. He told the police that he had downloaded files for a year or so which did not match with the evidence from the Mayodan, NC police department or with the NC SBI report from Greensboro, NC. The police report said that child porn was being downloaded from July 20, 2012 until July 26, 2012 which is one week NOT a year or so. The report from the NC SBI does say that "Items of Interest" were being

downloaded for a year: from July 20, 2012 until July 28, 2013. This does not agree with what Brian said. According to this report, it was being downloaded for 1 month and 1 week while this computer was in Brian's possession. There was a police raid in Brian's house, and the Mayodan police got this computer on August 28, 2012. For the next 11 months the police and NC SBI had it, so both reports prove that Brian did not give correct information. None of them gave photo proof of actual child porn. Brian did tell the police when they asked if he had any other computer that had child porn in it that he had a net book that they did not get during the police raid the day before. Police picked it up on August 29, 2012, but it did not have child porn in it which means that Brian did not give correct information here either. The only things according to the SBI that had "Files of interest" in them was Brian's laptop computer, 2 external hard drives connected to that computer and 1 USB stick connected to that computer. This means that during the police interrogation (confession CD) Brian could not be guilty of downloading child porn because his statements do not agree with law enforcement facts. Please read the PDF "Brian Hill's Proof of Innocence for the Court in 2022" (47 pages).

Brian told the police that he liked to go to Walmart and watch little girls. This was another false statement due to the fact that Brian does not own or drive a vehicle due to brittle type 1 diabetes causing insulin reactions and diabetic seizures. His mother takes him everywhere. Three witnesses (Brian's mom and two grandparents) testified under oath in affidavits to this court that this is another false statement. Please read the PDF "INVESTIGATION 1" (35 pages).

The real guilty parties here are Brian's autism and brittle type 1 diabetes causing him to give misleading statements and a false confession during this lunch time police interrogation. The 2<sup>nd</sup> guilty party are the 2 police detectives who ignored the "Americans with Disability Act" laws causing the misleading statements and false guilty statements. The real guilty party is the one (ones) who sent the threat messages claiming that they put that child porn virus on Brian's computer and hard drives so he won't say anything more on the Internet, go to jail to be tormented and will be on the sex registry. Please read the PDF "THREATS" (19 pages).

Brian should have never been arrested. The prosecution had this information which proved they got a false confession not a true confession. Brian's disabilities were arrested because they caused the false confession due to this local police department ignoring the "Americans with Disabilities Act" which Brian has at least 4 disabilities covered: Brittle type 1 diabetes, seizures, autism spectrum disorder (ASD) and OCD with medical records to back this up. I don't think the federal laws "Americans with Disabilities Act" nor would the "Civil Rights" laws allow someone to be arrested due to disabilities.

We have copies of the Mayodan, NC police report from August 22-29, 2012. Police interviewed a 22 year old brittle type 1 diabetic who also has autism & OCD a day after a traumatic event, a police raid where the police chief kept telling Brian to "Fess up to downloading child porn or his mom will be charged" in front of Brian's mom & grandparents. As we were watching this very same police chief made Brian leave the Mayodan town hall meeting. Yes, the Mayodan police chief was well aware of who Brian was. Brian had put a video on his USWGO of this same police chief. Don't take our word for it, watch this 27 second video and notice the date: July 10, 2012. Notice the Rockingham Reporter is still there. This was a public town hall meeting.

<https://www.youtube.com/watch?v=Gau-QgLBhEq>

If you have an hour to spare, you can watch this same police chief watching Brian for an hour during that meeting, and you can hear at the beginning of this meeting what Brian said from the

**Rockingham Update. July 9, 2012 Mayodan Town Council Meeting.**

<https://www.youtube.com/watch?v=e2w7FsKiiQ8>

Then for the first time ever according to the Mayodan police & the NC SBI, child porn is downloaded on Brian's computer on July 20, 2012 (11 days later). Then the North Carolina State Bureau of Investigation said it continued being downloaded until July 28, 2013. The police got this computer on August 28, 2012. According to Attorney Placke on September 30, 2014 he was handing over the Discovery papers & CDs to the prosecution: Police report from 2012 & NC SBI Report from 2013. Brian came home from the local town hall meeting, put this video up and Brian (USWGO) wrote some articles about it on July 10, 2012; Child Porn on his computer on July 20, 2012; Police report Aug 22, 2012 & police hack into his computer; Police raid Aug. 28, 2012. Child Porn still downloading on July 28, 2013 according to NC SBI in Greensboro, NC. Does this all really sound normal to you and like he is guilty or a setup like all of the threats said?

Yes, on August 28, 2012, this same police chief knocked on my daughter's door and led us all out (Brian, his mom & his 2 grandparents) so we could stand on the front porch while several local police went through everything in their home for hours and removed as much as possible from their home, all of USWGO articles, investigations and videos along with all of their vacation photos & videos. Now we understood better why Brian had been fighting that virus all morning. We had seen USWGO get hacked many times, but this day was a lot worse.

Did you notice these dates? Can you not see a set up here? The police knew Brian from town hall meetings and town events and knew he had autism and brittle type 1 diabetes. They photographed his insulin pen the day before this interrogation along with the laptop, one hard drive and the USB stick that had the child porn virus in them. Case 1:13-cr-00435-TDS Document 132 Filed 11/14/17 Page 39 - 40 of 103. They asked my daughter to stop by the police station to get the inventory records of things taken the next morning. They knew we all had plans the next day. Brian and his mom had planned to eat breakfast after picking up the inventory list of all of the items removed from their home. They were supposed to come to Martinsville, VA after picking up the inventory to have lunch with Brian's grandparents. When they didn't show up, Brian's grandparents went back to Mayodan at lunch time. The police had just finished interrogating Brian without checking to make sure his glucose was ok. Proof is in the police report.

Take time to read this 3 page PDF. We will highlight the reasons that the police who disobeyed the law "Americans with Disabilities Act" as well as Brian's Civil Rights and Constitutional Rights got a false guilty plea and weird statements from him. If you don't believe us, take time to listen to the tape with a professional in autism to see if Brian was simply repeating what the 2 police said and not making sense as his blood glucose was probably very low. Then notice that the police changed their wording from downloading "Files" to Downloading Child porn Files". Notice Brian's answer "1 year or more". Read that the Mayodan police report said 7 days. Notice the NC SBI report showed 1 month and 1 week and another 11 months after the police confiscated it. Then notice Brian said he had another computer with it (Netbook). The police confiscated the netbook on August 29, 2012. Compare the inventory number, and you will find no child porn on that. Brian's mom made sure by asking Brian's 2<sup>nd</sup> attorney who checked and told us "No child porn on that". There are 2 false guilty statements easy to prove yet 3 federal attorneys did not find this or are covering it up. Brian's grandparents told the court in person on September 30, 2014 that Brian has autism and is like a child himself, does not like being around children and that he is innocent. Plus Brian's mom & grandparents told the court in November, 2017 in Brian's 2255 that Brian is not into children in any way. Notice what the police report said on August 22, 2012. Brian read it the day before and told the police what they wrote that someone who is looking for child porn would find repeating what they wrote and he read the day before almost to the letter. Case 1:13-cr-

<https://www.polfed.org/WestMids/media/1938/interview-and-interrogation-of-people-with-autism.pdf>

Dennis Debault is the one who trains police in America and other countries how to interview people with autism and what happens when they are not questioned correctly.

We've already told you who Dennis Debault is. You can find out more yourself by reading this: <https://autismriskmanagement.com>

Interview and Interrogation of people with autism (including Asperger syndrome)

By Dennis Debbaudt

## Misleading indications of guilt

In most cases this will involve an individual who apparently communicates very well and has achieved a high level of independence in the community. They may possess apparently normal verbal skills but be deficient in comprehension, social awareness, and decision-making. They may appear as quite normal at first, but the symptoms, behaviours, and characteristics - for example, providing blunt or tactless answers, changing the subject, or being unable to understand or accept a rational answer - will become apparent to the educated investigator. However, without an understanding of the disability it will be easy to misinterpret the information provided as an indicator of guilt. The interviewer may mistake this unusual eye contact as a tension-relieving technique used by a guilty person, when it is nothing more than a symptom of the condition of autism. When stressed, communications skills may diminish or disappear. Answers may seem evasive or unconnected to the question that was asked. What started as a routine fact-gathering task may turn into an unnecessary interrogation because an officer, unfamiliar with the behaviours of ASDs may have had their law enforcement instincts rightfully aroused.

**THAT IS WHY IT'S IMPORTANT TO NOT QUESTION SOMEONE WITH AUTISM ALONE, HAVE SOMEONE WITH HIM OR HER WHO UNDERSTANDS AUTISM TO GET CORRECT ANSWERS AND AVOID WHAT ALL OF US HAVE BEEN THROUGH!**

## Possible traps when interrogating a person with autism

'Only one important qualification has been attached to the rule; the trickery or deceit must not be of such nature as to induce a false confession'. The higher-functioning person through his or her responses, and the unaware interrogator through their beliefs, may become unwitting accomplices to continuing a faulty investigation in the best case or, in the worst case, to extracting a false confession. The following are some possible traps that interrogators can fall into when conducting the interrogation of a person with autism.

### Memory Skills

**Brian read the police report the day before when it gave the words that someone would look up to get child porn and what it means. From what we read on August 29, 2012, they asked Brian that question, and Brian read the police report from memory, just like they wrote it on their August 22, 2012 report. This is part of the discovery. Read it. What are the odds that someone would answer just like they wrote it? This is what Dennis says about that: Interrogators should understand that the person with autism may**

have highly developed memory skills. The person may have learned to commit facts or the statements of others to memory: The individual may be more proficient in his or her expression of these facts than in comprehension of them. He or she may have developed a sophisticated form of echolalia, echoing and repeating the words of others. For example, the person with autism could memorize the allegations of a citizen overheard at the scene, facts inadvertently provided by a first-responding officer, and details of some of the circumstantial evidence that an interrogator has revealed during questioning. Under these circumstances, the person with autism could provide a very convincing untrue statement or false confession. At the least, this knowledge could be misconstrued as real familiarity of facts that only a guilty person could know.

## The Interrogator as Authority Figure

**We as a family are guilty here in having a lot of respect for all police. This did change for us on August 28,2012 while communicating with the Mayodan police chief, but during this interrogation by the 2 detectives, Brian did respect them. They started out by telling him that they read his USWGO web page and liked it. 2 police detectives & Brian by himself.** Persons with autism may have been conditioned through their lifetime to look to authority figures to make many of life's important decisions for them. They have learned to depend on and trust these authority figures to be right. The interrogator may be viewed as another authority figure that is always right. 'If he thinks I robbed the bank, maybe he's right' is a conclusion that the confused person with autism may develop during an interrogation.

## Friendly-Unfriendly

Persons with autism may have a hard time developing friends. Although they may not have learned how to make a friend, this will not stop them from trying. The interrogation techniques of friendly-unfriendly interrogators have the potential to produce false confession from such persons. The person with autism may involuntarily give an interrogator the impression that he or she is apathetic, and may deny guilt because he or she is innocent. The friendly interrogator may convince the trusting individual that they are, truly, their friend. The person with autism has now just made a new friend, and 'if my friend wants to know about me robbing a bank, then I'll tell him just to keep him around.' Rather than telling the truth, the person will tell his or her 'friend' what he or she thinks they want to hear.

## Concrete Thinkers

They are naturally guileless and very honest. They are not very able liars. They expect others to be honest and they can become confused or disappointed when they are not. We have learned that persons with autism may not have a complete understanding of what is expected of them, or the consequences of their actions. They may not understand how serious the consequences of the confession will be for them. They may be led to believe that lying is what is expected of them.

## Poor Liars

An interrogator may seek an admission of lying about any part of the alleged offence. The person with autism may try to respond to this new friend or authority figure with what he or she believes is the reply that is wanted. the honest-to-a-fault but innocent person with autism may answer 'Yes', as opposed to the characteristic answer of , No' from an innocent person. The 'normal' person would not consider answering yes. An interrogator should ask a series of unrelated questions to determine the person's ability and potential for lying.

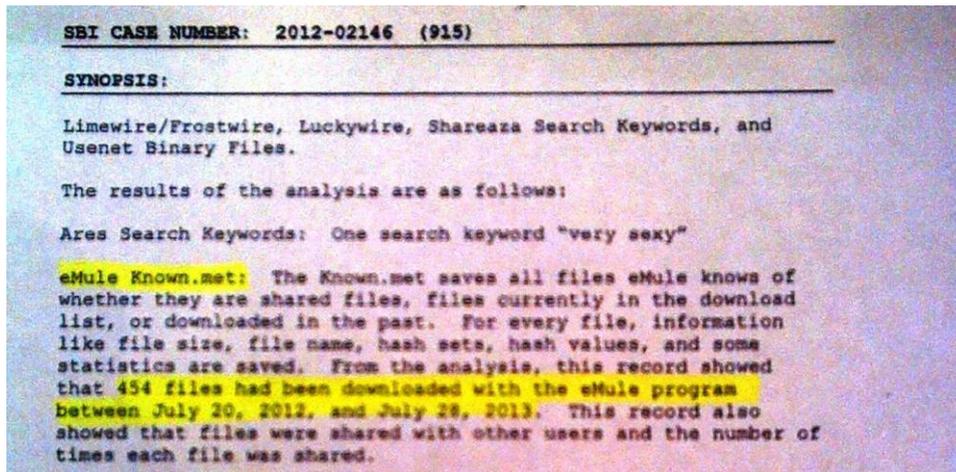
## Tips for the interviewer/interrogator

Seek the advice of a psychiatrist or psychologist who is familiar with autism. Consider contacting a specialist in autism from outside the criminal justice system. Like the old adage, if the statement or confession is too good to be true, it probably is.

Below: Mayodan, NC police in

August, 2012

Detectives determined the IP address 24.148.156.211 was first logged into the Child Protection Systems (CPS) undercover system by the automated tools on July 20, 2012 offering to participate in the distribution of child pornography. Between July 20, 2012, and July 26, 2012, the IP address 24.148.156.211 was logged, showing a continual pattern of child pornography, by the automated tools.



NC SBI report July 20, 2012-July 28, 2013 (Police got computer Aug. 28, 2012)

On Wednesday, October 3, 2012 at 1000 hours, I met with North Carolina State Bureau of Investigation Special Agent Rodney White (SA White) at his office and discussed this case.

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Supervisor: BRIM, C. T. (374)

Supervisor Review Date / Time: 10/13/2013 11:00:00, Sunday

Contact:

Reference: *Investigative Progress*

I recovered property from NCSBI Special Agent Rodney White. SA White processed the digital evidence and found sufficient evidence to warrant a federal indictment. The property will be stored in the department's evidence room. The remainder of the digital evidence will stay in SA White's custody.

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Case 1:13-cr-00435-TDS Document 136-3 Filed 12/04/17 Page 4

To make it worse, Brian has brittle type 1 diabetes, and these two detectives are questioning him at lunch time without making sure his glucose is ok. Brian is covered under the "Americans with Disabilities Act" with 4 disabilities in one body: Brittle Type 1 Diabetes, Seizures, Autism Spectrum Disorder (ASD) and OCD. The courts take this further by ignoring him, his disabilities and his family. Brian does not drive a

car due to his insulin reactions which appear quickly & diabetic seizures. His mom is with him most of the time and his grandparents are with him a lot.

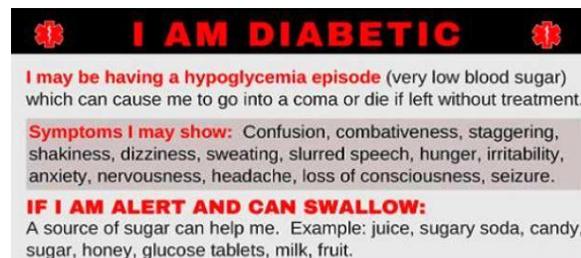
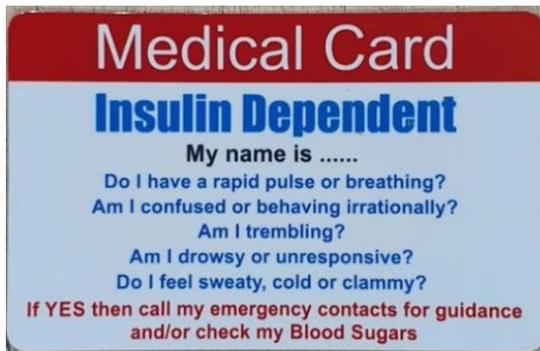
## Web MD: **Conditions That Cause Sudden Confusion:**

Many conditions or health problems can cause sudden confusion, and some are more serious than others: They include: Alcohol or drug abuse, Carbon monoxide poisoning, Diabetes (especially low blood sugar or high blood sugar levels). Brian was all alone while 2 police interrogated him while his mom was in another room at the police station on August 29, 2012 at lunch time.

### **Persuaded False Confessions**

Persuaded false confessions occur when police interrogation tactics cause an innocent suspect to doubt his memory and he becomes temporarily persuaded that it is more likely than not that he committed the crime, despite having no memory of committing it.<sup>20</sup> Persuaded false confessions typically unfold in three sequential steps. First, the interrogator causes the suspect to doubt his innocence. This is typically a by-product of an intense, lengthy, and deceptive accusatorial interrogation in which the interrogator repeatedly accuses the suspect of committing the crime, relentlessly attacks the suspect's denials (as implausible, illogical, contradicted by the known facts, or simply wrong because of the interrogator's alleged superior knowledge or authority) and repeatedly confronts the suspect with fabricated (but allegedly irrefutable) evidence of his guilt. When first accused, the innocent suspect thinks that his interrogators are genuinely mistaken, and he counters by attempting to reason with them and persuade them of his innocence. At some point, however, the suspect realizes that they are not going to credit his assertions of innocence. He may then begin to experience dissonance because he cannot reconcile the obvious contradiction between his knowledge that he is innocent and his belief that the police are truthfully

<http://jaapl.org/content/37/3/332>



### IN CRIMINAL JUSTICE SITUATIONS

- **May not understand rights or warnings**
- **May become anxious in new situations**
- **May not understand consequences of their actions**
- **If verbal, may produce false confession or misleading statement**

Brian was arrested. When someone is arrested, they are allowed bail if not a flight risk or a danger to anyone. They are also appointed an attorney. Brian is also guilty of being appointed attorneys who were lazy, ineffective & ignored the proof of his innocence. The first attorney called Brian's family in the evening the night before Brian's trial and told them they basically had 2 choices: Tell Brian to say he is guilty so he can come home, or if he continues saying he is innocent, then he will spend 20 years in prison. The second attorney after finding out that the discovery actually proved Brian was innocent made sure Brian & his family knew that he would make sure Brian didn't get the discovery. Brian is guilty of

following the advice of his attorney who persuaded Brian's family to tell Brian to say guilty due to the fact that his court appointed attorney ignored all of the proof of his innocence, his disabilities and ignored all witnesses and had no proof or witnesses to offer the court in Brian's defense which is a clear violation of Brian's 6<sup>TH</sup> Amendment Right of the U.S. Constitution. Brian has autism spectrum disorder (ASD) which is a communication disability. He can actually hear what is said to him, but many times the words do not get to the brain. Some have explained this to me that it's like when you listen to the radio, and there is a lot of static, words come and go. Brian has become very good in answering "Yes" to most questions even though he only hears a certain part of what is said on some days. We have had a lot of experience in telling Brian things, thinking he understands only to see him do the opposite of what we told him. He is more visual, but with his being a brittle type 1 diabetic, and if his glucose is high due to not getting enough insulin, he can't read as well. Most or all of the time he was not given any insulin on court days, and his blood glucose was really high (400s – 500s) during court days. The normal blood glucose is 140-200. We blame the attorney and the court for this 2<sup>nd</sup> guilty plea because this court also ignored the Americans with Disabilities Act and refused to get a medical expert to explain to the court about Brian's disabilities. Please read the PDF "Brian Hill's Proof of Innocence for the Court in 2022" (47 pages).

Due to a lazy, ineffective attorney who did not get bail for Brian. He violated Mr. Hill's 8th Amendment Right to not have cruel and unusual punishments inflicted. Brian was subject to "Cruel and Unusual punishment" due to 11 months of torture in various jails. Read PDF "Brian's Treatment in jail with brittle diabetes, autism and OCD" (29 pages). This is a violation of Mr. Hill's Civil Rights. It also violated his 5th, 6th and 14th Constitutional Amendments Rights. Please read the PDF "Who is Brian Hill – Pictures & Descriptions" (22 pages) as well as the PDF "Brian Hill's Proof of Innocence for the Court in 2022".

This same ineffective attorney should have questioned why 2 police officers would hack into a personal computer without first obtaining a search warrant. This violated Brian's Fourth Amendment right to be secure against unreasonable searches and seizures and also violated Brian's statutory privacy laws. Before any police officer is allowed to hack into or go into a person's private computer, they are required to get a search warrant from a judge with proof of probable cause. Please read the PDF "Brian Hill's proof of innocence for the court in 2022".

This same court appointed attorney now had the discovery and the time to read what Brian said during the interrogation. How long did Brian say he was downloading files? How long did the police say that files were downloaded? How long did the NC SBI say that files of interest were downloaded? Did the reports agree with what Brian said? The police asked Mr. Hill if there were any other computers that he used to download. He named one. Let's check to compare this serial number to see if there actually were child porn files in it. That way we'll know if Mr. Hill's statements are true or if he gave a false confession due to his disabilities. Not doing this would violate Brian's 14<sup>th</sup> amendment right to a due process.

Attorney Placke went further and violated Brian's 6<sup>th</sup> amendment right to discovery. He did not let Brian read the NC SBI part of the discovery. He refused to let Brian's family read it or hear the confession tape. If we had, we would have pointed out to him the dates of download, and from there he could have presented the virus to the court as well as the threat emails. We have gone to web pages of private attorneys who talk about this child porn VIRUS, and we contacted many in 2012 and 2013 and were told that it could cost us up to \$300,000 to obtain an attorney. We did not have that money. My husband and I were retired, on social security, disabled unable to work. Brian and his mom were both living off of Brian's disability money (SSI Social Security) from 1992-2012 which was under \$700.00 a month, living in hud housing with food stamps and Brian's Medicaid at the time of the police raid. Brian's mom was unable to work due to Brian's disabilities requiring most of her time especially the brittle type 1 diabetes

with seizures. Brian's main hobby at the time was his USWGO webpage and taking nature photos. In 2012 after they moved to Martinsville, VA, Brian's mom found out about the Medical Medicaid Waiver while applying for Virginia Medicaid for Brian. He was immediately approved. Since Roberta had been taking care of his medical needs for 22 years at that time, she was offered the job and was now being paid minimum wage for 40 hours a week and was living in her own apartment and Brian was living in his own apartment and continued receiving his SSI disability check per month. We were all living in my husband's and my 4 apartment house from 2012-2016.

None of us had the money for a private attorney and had no choice but to rely on a court appointed attorney, but by June, 2014 we were all aware that a lazy, ineffective attorney acting like a prosecuting attorney is actually worse than no attorney at all. Brian filed many pro se motions which were denied due to his having an attorney. We watched all of his constitutional, disability and Civil rights being denied him due to this ineffective attorney. None of us knew about the down load dates from the NC SBI until January, 2015. His trial date was on June 10, 2014. Now we will point other ways with proof that Mr. Hill had a lazy, ineffective attorney. We already have proved that he should have gotten bail for Brian because Brian had a lot of proof in his apartment but was not allowed to come home and get that proof (Please read our PDF called "Who is Brian Hill – Pictures & Descriptions"). Brian David Hill was denied bail and suffered the worse kind of torture in various jails in NC because they refused to give him his daily shot of slow acting insulin which covered 24 hours per day and other things. He was denied this insulin for months. For proof see the PDF called "Brian's Treatment in Jail with brittle diabetes, autism and OCD".

Brian was refused his 6<sup>th</sup> amendment right to due process and an effective attorney.

Attorney Placke refused any proof of Brian's innocence that Brian and Brian's family and friends had. As soon as we found out that Brian had an attorney, we started sending him information in emails about Brian's disabilities and other proof and told him that we were willing to send him anything else he needed because we knew that Brian was innocent. We knew that many of his friends also knew Brian was innocent and were also sending emails to him of proof. One of his friends set up a facebook support page for us and his friends to work on the proof together as soon as they found out that Brian was arrested.

**Jan 10, 2014 at 4:56 PM**

*Finally, in the email you sent earlier today, you mentioned getting a copy of the evidence I have received from the government. While Brian would certainly like to authorize that, he cannot. The rules governing discovery, and various other ethical and legal considerations, tightly restrict access to such information. I will review what I have received from the government with Brian, and give him all the time he needs to examine it in my presence. However, I cannot even give him a copy, and I cannot discuss it with third parties.*

*Assistant Federal Public Defender*

My husband called Attorney Placke on the phone asking questions about the discovery. He got frustrated with the questions and told my husband it didn't make any difference that Brian wanted us to see the discovery, we were not allowed to see it, then he sent us an email telling us we were not allowed to see the discovery. We found out after Brian came home that he didn't show it to Brian either. All he wanted

to do was have Brian listen to the confession tape with him, showed Brian the part of the Mayodan police report with Brian's signature stating that he was guilty. If Brian didn't hurry up and do that, he would have had a diabetic seizure right there at the police station and would have been in a coma from not eating or having anything with sugar. This attorney also ignored Brian's autism the entire time. Brian was very anxious to see the NC SBI discovery. He already had copies of the police records (not the confession tape though).

We all found out in 2015 that Attorney Placke had deleted all of the attachments we sent to him about Brian's disabilities and our proof that Brian was innocent and proof of Brian's USWGO webpage that was an alternative news site which Brian did as a hobby and proof that Brian had been attending Mayodan town hall meetings and had been writing articles which upset the ones who went after him with child porn and copies of 2 threat emails that they put the child porn on his computer and hard drives. Brian told him the same thing. On June 9, 2014 in the evening before the court was going to choose a jury, we found out that his attorney had nothing to offer the court in Brian's defense, no proof, no witnesses, and he told us the jury would not know that Brian had autism, and we could not be witnesses for Brian. He said that Brian was going to court determined to say that he was innocent. He would lose because his defense attorney had nothing, and the prosecution had the discovery where Brian admitted to downloading child porn. We would have to tell Brian to say he's guilty of possession or Brian would get 20 years in prison. We had no choice but to tell Brian to say "Guilty" even though we all knew he was innocent, and Brian went to court that day planning to tell the court that he was innocent.

Here are some of the reasons why: Brian called us a lot so we knew about the low blood glucose (probably had a seizure and was probably unconscious when they found him). He saved sugar packets for his diabetes. It went low. You will see this proof in our PDF "Brian's Treatment in Jail with brittle diabetes, autism and OCD". Brian started eating the sugar. The guards took the sugar away from him. He fought with the guards to get his sugar. They took all of his clothes off from him and put him in an area that contained human feces. Later either an RN nurse or a doctor was called in. Knowing about Brian's many insulin reactions and diabetic seizures, he either was having a seizure or probably was in a coma when the guards checked on him. You will see where Brian wrote that his blood glucose was low, and he needed something to eat on May 25, 2014, and a nurse signed that she received it on May 26, 2014 and there is an RN nurses' note to make sure that Brian has something sweet when his glucose is low, etc.

Brian tells about that experience in this court document: Case 1:13-cr-00435-TDS Document 128-2 Filed 11/14/17 Page 19 – 21. Cone Hospital in the same document Page 29 – 31. We were also aware that Brian was only receiving 2 insulin shots a day and no insulin shots to cover him for 24 hours. He was not receiving any insulin shots on court days until after he came back from court. Only 1 fast acting insulin shot on court days. We found out after Brian was released from jail and obtained copies of his medical records that his glucose was in the 400s or 500s on court days after court abt 3:00 PM. Would you not call this "Cruel and unusual punishment" and a violation of his constitutional, disability and civil rights? This was under his first attorney.

According to medical records in November, 2014, under his 2<sup>nd</sup> attorney, it looks like there was someone there in the court who tested his blood glucose which was over 500 and gave him insulin. It wouldn't go down much so the U.S. Marshalls took him to Cone Hospital. We were at the court that day and talked to the US Marshalls. They were very upset with the Orange County Jail after they found out that Brian had not gotten insulin before they picked him up. We knew that months ago. Brian had told us that on the phone and also told us that he told the U.S. Marshalls, and they wouldn't believe him. We also noticed and wondered why they always made sure that he was at the Orange County Jail before court days in

Greensboro, NC. There was a jail in Greensboro, NC which he was at from time to time. The Orange County Jail in Hillsborough, NC was over 42 miles from Greensboro where the federal court was which was also a 42 minute trip one way. This would affect his brittle type 1 diabetes as well as make his autism, OCD and anxiety worse. Attorney Placke let this happen under his watch. Cruel and Unusual punishment is a violation of Brian's 8<sup>th</sup> Amendment of the Constitution.

The court and prosecution then for years kept bringing out that Brian said he was guilty of child porn possession on June 10, 2014 and that he approved of his attorney. They don't bring out any facts, just the WORDS of this man with autism spectrum disorder (ASD) which is a communication & a developmental disability and with his brittle type 1 diabetes, he can become confused and say anything which doesn't make any sense just like anyone who is drunk when his glucose is low (under 70) or real high (over 300). Look at his pro se motions where he wants another attorney from April to September, 2014. The court denied him that while he continued suffering in various jails under the care of Attorney Placke. Brian is innocent of downloading child porn. He is guilty of having brittle type 1 diabetes, autism spectrum disorder (ASD), an ineffective attorney and a federal court which ignores his pro se motions, denies all and denies this disabled person the right to have a medical expert professional witness to testify in Brian's case. Ignoring his disabilities do not make them go away. It just denies this person all of his constitutional, Civil rights and his disability rights. It even goes further; it turns the court into the "Bully" and the "Persecutor". All things that a court of Justice is not supposed to be.

Proof that Attorney Placke was deleting all attachments from all emails we sent. If he was doing that to ours, he was doing the same thing to other potential witnesses who sent their proof to him in emails. We found this out in 2015 when I was forwarding emails from Attorney Placke to my daughter to print out for Brian. We wanted to send proof to the court during Brian's appeal of the emails of proof of at least "benefit of the doubt" to present to the jury in Brian's defense that we had sent this to him, yet he had nothing to offer to the court on June 9-10, 2014 as well as medical proof sent to him about Brian's disabilities in Dec. 2013 as well as Jan. 2014. We found out that he deleted all attachments.

----- Forwarded Message -----  
**From:** Eric Placke <Eric\_Placke@fd.org>  
**To:** Ken & Stella <kenstella2007@yahoo.com>  
**Sent:** Monday, December 30, 2013 2:57 PM  
**Subject:** Re: Info pertaining to Brian D. Hill

Mr. and Mrs. Fornish

Thank you for the documents attached to your email, as well as the medical records you faxed earlier today. I look forward to meeting you Thursday afternoon in Winston-Salem.

Eric D. Placke  
Assistant Federal Public Defender

Case 1:13-cr-00435-TDS Document 131 Filed 11/14/17 Page 27 – 29

Mr Placke,  
Attached are files containing info we believe you should have pertaining to Brian D. Hill. If you have any questions or need to contact us, you can contact us at this email or at phone 276-632-2599. We also sent a fax to your office this morning with medical information about Brian.

We want to thank you for all you are doing to help Brian.

Stella & Ken Forinash[attachment "Asperger's Syndrome Info for Prosecutors.pdf" deleted by Eric Placke/NCMF/04/FDO] [attachment "Brian - Dec. 2013 list of health issues and medical - 2.doc" deleted by Eric Placke/NCMF/04/FDO] [attachment "Brian - Dec. 2013 list of health issues and medical.doc" deleted by Eric Placke/NCMF/04/FDO] [attachment "Fax to Guilford County Jail.doc" deleted by Eric Placke/NCMF/04/FDO] [attachment

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3/16/2017

Print

"Ken-Affidavit.jpg" deleted by Eric Placke/NCMF/04/FDO] [attachment "Ken's Affidavit.doc" deleted by Eric Placke/NCMF/04/FDO] [attachment "Roberta-Affidavit.doc" deleted by Eric Placke/NCMF/04/FDO] [attachment "Roberta-Affidavit.jpg" deleted by Eric Placke/NCMF/04/FDO] [attachment "Stella-Affidavit.doc" deleted by Eric Placke/NCMF/04/FDO] [attachment "Stella-Affidavit.jpg" deleted by Eric Placke/NCMF/04/FDO]

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**So, according to the last of what I shall excerpt from Exhibit 1, my family had emailed Mr. Placke around Monday, December 30, 2013 at 01:24 PM. Mr. Placke responded to their email on the very same day, around 2:57 PM. He responded to the email after 93 Minutes. In that short time period, in his reply, it stated in his reply that "Roberta-Affidavit.doc" deleted by Eric Placke/NCMF/04/FDO]". Other Affidavits in the**

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We found out more in 2015 when another friend of Brian's who also knew he was innocent was trying to help Brian and paid for some transcripts that Attorney Placke was acting more like a prosecution attorney than a defense attorney. Brian told the court he had a bad attorney. The court ignored Brian. Defense attorney & Prosecuting attorney kept saying Brian was "delusional". The meaning of "delusional" is characterized by or holding idiosyncratic beliefs or impressions that are contradicted by reality or rational argument, typically as a symptom of mental disorder. "Based on or having faulty judgment; mistaken". "Delusion, illusion, hallucination, mirage mean something that is believed to be true or real but that is actually false or unreal". So no matter what proof Brian sent to the court, from these 2 attorneys' descriptions, the court ignored it all – but accepted all "false" guilty remarks as well as accepting that Brian was satisfied with his attorney.

Brian is not delusional, and he did not want this attorney representing him from April-September, 2014. Not one of his regular medical doctors has diagnosed him as being delusional. Due to both the defense and the prosecution attorneys ignoring his proof of innocence, his actual disabilities from medical doctors as well as all witnesses, it makes the "delusional" seem more real to the court. No proof & no witnesses, Wouldn't that be part of "Fraud on the Court"? Where 2 attorneys get together: A situation in which a material misrepresentation has been made to the court. The overall defining requirement is that the impartiality of the court has been disrupted so significantly that it cannot perform its tasks without bias or prejudice. Judicial fraud; intentionally failing to inform the parties of necessary appointments or requirements, as an effort to impede the judicial process; and/or Schemes considered to be unconscionable, as they attempt to deceive or make misrepresentations through the court system. It is important to note that fraud on the court only involves court officials, or officers of the court, such as judges or court-appointed attorneys. The fraudulent activity must be directed at the "judicial machinery" itself. The threats are starting to make more sense to me now. See the PDF "THREATS". We had

emailed this medical proof to Attorney Placke who deleted them in December, 2013 and January, 2014. We sent the court medical documents in 2014 – 2017. Medical doctors who knew Brian never diagnosed him as being “Delusional”. Diagnoses have always been: Type 1 diabetes, diabetic seizures, autism (a developmental & communication disability), OCD (in Brian’s case, he is scared of germs) and an anxiety disorder. The way these attorneys are using “Delusional” is that Brian is guilty but thinks he is innocent and has no proof. Brian has sent a lot of proof of his innocence to this court from 2014-2017. That is the reason both of these attorneys hide Brian’s proof and ignore his witnesses and the parts of the discovery which proves his communication disability because his false confession does not match with the discovery facts (police report from 2012 & NC SBI report from 2013 & confession tape) that both attorneys had and ignored.

It’s now time for Brian’s family to bring their proof that Brian is INNOCENT, NOT DELUSIONAL and had a very lazy, ineffective defense attorney who time has proven was actually acting as a prosecution attorney against Brian not working for Brian and for Brian’s constitutional, medical and civil rights. It’s time this court actually read all evidence because It is a cardinal principle of our system of justice that every person accused of a crime is presumed to be innocent unless and until his or her guilt is established beyond a reasonable doubt. The presumption is not a mere formality. It is a matter of the most important substance. The presumption of innocence alone may be sufficient to raise a reasonable doubt and to require the acquittal of a defendant. The presumption of innocence until proven guilty means that the burden of proof is always on the government. It is now time with all of this proof to have Brian David Hill acquitted, removed from the sex registry and probation. I also noticed that everything in this court is one sided. I keep reading the police report, a one sided conversation (only Brian is saying words. Police are silent; just what Brian (autism spectrum disorder (ASD) which is a developmental communication disability) says, nothing about what the police say, and like everything else this attorney Placke didn’t do, he should have had this tape examined by a professional in autism as well as another professional to see if parts of this confession tape was erased.

TRANSCRIPT OF PROCEEDINGS  
BEFORE THE HONORABLE N. CARLTON TILLEY, JR. Greensboro, North Carolina  
UNITED STATES DISTRICT JUDGE June 4, 2014

Part of transcript Case 1:13-cr-00435-TDS Document 131 Filed 11/14/17 Page 56 – 68

**Placke:**

The report does go into some detail about the conditions, autism spectrum disorder and some other conditions as well, but I think the Government wanted to

Finally, Your Honor, in a letter accompanying one of those motions, Mr. Hill indicated that he wanted new counsel. I've spoken with him several times recently

THE COURT: Now, talk to me about -- you're saying you don't want Mr. Placke to represent you, that you want someone else appointed to represent you.

THE DEFENDANT: Yes, Your Honor.

THE COURT: Why is that?

THE DEFENDANT: Because he didn't conduct an investigation like he should have.

THE COURT: I will deny your motion to substitute counsel. That is not a sufficient basis for the appointment of new counsel.

Mr. Hill, let me tell you, the Court has no better lawyer to give you than Eric Placke. Mr. Placke is regarded widely as the best lawyer that practices in this Court, so if you think you're going to get a better lawyer by getting rid of Mr. Placke, the chances are, you're going to be very disappointed.

THE DEFENDANT: I do want to say something. Eric Placke had plenty of time to get a basis. He has not done that. He has not -- if I had the evidence, I would give it to you, but he's not doing it. He should have done that. If it had been the Rutherford Institute or the ACLU, they would have conducted a proper investigation with the FBI or DOJ or other private investigators. This man is not doing it. He's not doing what he is supposed to do to prove my innocence, and because of -- I mean, the

filed on the docket yet, Your Honor. The papers are right over here. And pretty much it contains all the facts that my counsel has not done a good enough job to prove my innocence. My counsel has basically not suppressed the evidence when there was evidence of such. And in these four pages, it explains everything. That is the reason why I withdraw Mr. Placke as counsel.

**THREAT EMAILS in APRIL 2013**

## Child Porn Investigations May Snare the Innocent

Loaded on NOV. 15, 2010 by Michael Rigby (/news/author/michael-rigby/) published in Prison Legal News November, 2010 (/news/issue/21/11/), page 14

US v. Hill - Motion - September 3, 2014

THE COURT: Now, having warned you about that, you've written a letter making allegations against Mr. Placke with respect to some of the facts of the case and some other information you want investigated, and you sent that to the Probation Office. I've seen that letter. Knowing that I've

THE COURT: And you remember telling me that you were pleading guilty because you were, in fact, guilty?

THE DEFENDANT: Yes, sir.

THE COURT: And are you now coming in here and telling me that's not true?

THE DEFENDANT: Permission to speak?

THE COURT: Just a yes or no. Are you coming in here and telling me that's not true?

THE DEFENDANT: Yes, sir.

THE DEFENDANT: Basically, I was being rushed into the jury trial, and all my evidence that I had sent to the court never made docket, and all the suppression stuff never made it. I basically sent stuff to the Clerk of Court with the reasons why, but basically my health is bad. My A1C is 10.9. That's verifiable with the FCI Butner medical records. Because of my health, because of the rush to jury trial, and the fact that there was no defense being sent, that Placke didn't have any kind of defense, I would have been found guilty on the spot

US v. Hill - Motion - September 3, 2014

with up to 20 years hard time in prison. I wanted to fight on my own, but then my family told me over there -- you know, when they were sitting over there, they said take the guilty plea, take the guilty plea, and I was like what? And I was wondering why do they want me to take the guilty plea. And I learned later that basically they said I would have been found guilty on the spot. So I had no chance to -- I had no chance to be able to submit evidence. Everything just -- you know, it's a combination, lack of --

of this issue that you have raised. You mentioned OCD, obsessive compulsive disorder. When you were originally debriefed in this case -- or when you were originally arrested and confronted by law enforcement, you told those officers that someone else must have downloaded those images to your computer, is that correct?

THE DEFENDANT: Yes, sir.

THE COURT: Am I remembering correctly, Mr. Placke?

MR. PLACKE: In part, Your Honor. There was a noncustodial interview conducted the day after the search warrant. It was recorded, and I've listened to it several times, played it with Mr. Hill. That was said initially. Later, the course of the interview changed, and Mr. Hill told Document 114 Page 8 - 9 the officers that he had downloaded child pornography.

THE COURT: That's right. There was an initial statement, and then later that changed.

**Brian had 2 prosecuting attorneys in his case. Both hiding the fact that the discovery proves Brian gave misleading statements and a FALSE confession on Aug. 29, 2012.**

THE COURT: So let's say that Mr. Placke went out and got all this evidence to support what you have said about somebody else must have downloaded these images to my computer. You're still left with a problem, and that is you've admitted that you did it. Do you understand that?

**NOTE from Brian's grandmother: Between 2% and 10% of convicted individuals in US prisons are innocent according to this report in Oct. 2021. Keeping in mind that there are over 2.3 million incarcerated individuals in the United States, we can see that the number of innocent people behind bars is anywhere from 46,000 to 230,000. When it comes to the number of wrongful**

convictions, the US is the undisputed leader, which is quite worrying from 46,000 to 230,000. According to the National Institute of Justice, the main contributing factors for wrongful convictions in the US fall into the following six categories: Mistaken witness or eyewitness identification; False confession; False or misleading forensic evidence, or its misapplication; Perjury or false accusation, informants; Official and government misconduct; Inadequate legal defense. <https://thehighcourt.co/wrongful-convictions-statistics/>

THE DEFENDANT: Well, I believe I have enough evidence to challenge the case and that with the letters I've sent to the FBI, the letters I've sent to the DOJ, I have worked hard in trying to challenge the evidence that the Government has so that I would be able to have enough evidence with an investigation to overturn -- overturn the evidence that the prosecution has and prove my innocence.

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MR. PLACKE:

here today. Dr. Hirsch did identify and make one additional diagnosis that's probably particularly relevant, delusional disorder, persecutory type, and that's discussed in his report as well as in the position paper filed.

There you have it: Brian Hill's court appointed attorney, Placke says Brian is delusional, and then, they all in this court refer to my grandson as "Delusional". Medical doctors who know him do not call him delusional. His family does not see him as delusional. All of his medical doctors say he has autism, brittle type 1 diabetes, Diabetic seizures, OCD and Anxiety disorder. Case 1:13-cr-00435-TDS Document 114 Filed 06/24/15 Page 19.

decisions about -- based on the evidence that's been presented, and I make those decisions, and the case continues to move forward. At this point I am denying your motion for new counsel for the reasons that I have described. Do you

THE COURT: All right. I'm going to tell you that you have been very respectful toward me in the way you have

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Then on September 30, 2014 we found out that both of the government's attorneys (Placke) and the prosecution attorney (Ramaswamy) had ignored all of Brian's witnesses who wanted to testify for Brian that he is innocent. We found this out in court.

Here is part of the court transcript a friend paid for Brian & his family to have. We now see the importance of having transcripts of court cases. They are real revealing and proof that Brian's constitutional rights were violated by both the prosecuting attorney as well as the court appointed attorney, and the court had proof of this as well. Prosecutors have a duty to disclose any and all information that would deprive the defendant of a fair trial, whether the defendant asked for the information or not. If the prosecution fails to disclose this information to you, then they may have committed a Brady due process violation. Like other lawyers, prosecutors are subject to Rules 5.1 and 5.3, which relate to responsibilities regarding lawyers. When a prosecutor knows of new, credible and material evidence creating a reasonable likelihood that a person outside the prosecutor's jurisdiction was convicted of a crime that the person did not commit, paragraph (g) requires prompt disclosure to the court or other appropriate authority. This is the Rule 3.8. In regard to all of the witnesses and proof that was ignored. This proof was also in the discovery from the police & NC SBI (conflicts in both reports & proof that the statements from Brian also conflicted with both reports).

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Now, having said that, I received a declaration from a woman named Susan Basko. Ms. Welch, if you'll hand that to Mr. Ramaswamy. I don't know if you all have seen that declaration. If you'll step forward and take a look. Have you seen that, Mr. Placke?

MR. PLACKE: I have, Your Honor. That is what arrived at our office via email last week, one of several different emails from Ms. Basko.

THE COURT: Have you communicated with her at all?

MR. PLACKE: No, I haven't, Your Honor.

THE COURT: I don't know who she is to make -- she claims she's a lawyer.

MR. PLACKE: I did check with the California State Bar and the Illinois State Bar. She is currently admitted to practice in both states.

THE COURT: Is this Mr. Hill's family in the back?

MR. PLACKE: It is, Your Honor.

THE COURT: Grandparents and mother?

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MR. RAMASWAMY: Frankly, Your Honor, I had not considered it in the manner that the Court has framed it. Early in this matter, very early in this matter, there was an email. I believe because our email addresses are part of the ECF record, Mr. Placke and I received the same email. As Mr. Placke did, I did confirm that she was -- this person was a licensed attorney in California, appears to be a licensed but nonpracticing attorney.

I did not look at it so much in the attorney context because -- as with much of the filings here and some of the things that are from prior proceedings in this court and in the magistrate court related to Mr. Hill that become reported on the internet by persons associated with him that are largely

not representing what actually happened, it appeared that person, the attorney, was yet another one of the ones associated through the internet of reporting things were not factually correct to maintain the actual innocence.

I hadn't considered it in terms of her -- she's the only one of the group who is in that filing to the Court using her credentials as an attorney to bolster her statements, but there are a number of people, not in filings to the Court, but in internet postings who, I'd say, maintain similar positions. That had not been a concern because I think to explore that further may go into some of the issues and the persecution --

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THE COURT: I'll tell you what I'm thinking about doing. Let me hear from Mr. Placke. Mr. Placke, do you want to address any of this?

MR. PLACKE: Just two things, Your Honor. One related to Ms. Basko and some of these other folks. I did review everything that she sent to our office. I did check to see if she was actually an attorney. I was concerned that she was expressing opinions that didn't seem to have a basis in

knowledge of the evidence in the case. She had asked in her email that I present this declaration to the Court. I declined to do that. But I tended to view it like much of the other internet material I had seen related to this case, intended to sort of place her in that category of people. I didn't realize

she was going to send her declaration directly to the Court.

THE COURT: She sent it to be filed on CM/ECF, and the Clerk's Office sent it to me for determination as to whether it should be filed on CM/ECF.

MR. PLACKE: Quite frankly, when she sent it to me, and I just let it sit there declining to do anything further, I thought that was going to be the end of it.

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MR. PLACKE: She actually mentions some folks in there, one of whom I did talk to at length at Mr. Hill's request some months ago, a Mr. Dan Johnson. He -- we spent quite a bit of time on the phone, and he gave me his opinion about exactly what had happened and how I should handle the case and so forth. I asked some pointed questions about how what he was saying would fit in the rules of evidence and the rules of procedure, and that sort of turned the conversation a

little bit. Mr. Johnson is a 20-year-old in Ohio who is very active on the internet and concerned about certain issues and had been in contact with Mr. Hill. After that conversation, I didn't view it as particularly productive for Mr. Hill's defense to continue contacting all these other people.

Anyway, my point there and my first point was simply in trying to triage how to handle things in this case, I tended to put things from Ms. Basko in the same category as my phone conversations with Mr. Johnson, again, not knowing that she intended to send her declaration directly to the Court.

The second thing I would say regarding the whole issue of counsel is Mr. Hill has continued to ask for new counsel. It's continued to be my view that under the circumstances, our office -- I should individually and our office as an office should do everything we can to assist Mr. Hill and as much as possible shrug off, if you will, some

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MR. PLACKE: Your Honor, I received in terms of discovery in this case from the Government two CDs, one of which contained the audio recording of the interview of Mr. Hill, the other of which contained law enforcement reports in PDF format. I've printed those out. The reports are a Mayodan Police Department report dated August 22, 2012, and a

North Carolina State Bureau of Investigation case file dated October 23, 2013. And perhaps in light of everything else, I should just return those to the Government at this point.

THE COURT: Mr. Ramaswamy, I'll note Mr. Placke is returning the material to you. My sealing order does not

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Attorney Sue Basko let the court know that she had contacted both attorneys about proof of Brian's innocence, that Brian had autism and about others being set up by someone sending threats and child porn. She sent these emails to both attorneys in December, 2013 and again in September, 2014.

U.S. District Court  
North Carolina Middle District

USA v HILL )  
 )

Case No: 1:13-cr-00435-WO  
Chief Judge William L. Osteen, Jr.



**Declaration of Susan Basko in Support of Brian David Hill's Motion to Withdraw his Guilty Plea, Motion for a Substitute Attorney, Sentencing, and any other purposes**

1. My name is Susan Basko. I reside in Illinois. I can be reached by email at [SueBasko@gmail.com](mailto:SueBasko@gmail.com) and by phone at 310-770-7413. I have a website at <http://suebasko.blogspot.com> and another one at <http://subliminalridge.blogspot.com>

3. I am aware that Brian David Hill is innocent of the charges and I will explain herein how I know this.

4. I am aware that Brian David Hill was a volunteer independent journalist active in independent online media and in the Patriot or Constitutionalist movement. Brian has many such videos on Youtube. Brian was active in supporting the repeal of the NDAA.

5. I am aware that Brian David Hill was part of a group of friends or associates who also are independent journalists or activists in the Patriot or Constitutionalist movement, including the other men I will name in this declaration.

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15. Brian David Hill has autism and diabetes. When Brian has communicated with me, it takes a lot of patience and time and skill to understand his points, because he concentrates on tiny details. I think he needs a disability advocate to help him have a fair trial.

16. I emailed this information about the child porn set-ups very early in this case to both Brian's lawyer, Eric Placke, and to the prosecutor, and did not hear from either one of them.

17. I have been told by Brian's grandparents, Ken Forinash and Stella Burnette, that Brian wants to withdraw his guilty plea because he is innocent and that he wants a substitute public defender. I have communicated these needs of Brian's to the public defender's office head, Louis Allen, as well as to Brian's lawyer, Eric Placke, and to a Senior attorney with the office, Greg Davis.

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

Executed on September 24, 2014  
signed electronically: /Susan Basko/

**Both attorneys ignored her and never replied. When Brian got home in 2014 he got in contact with his friend, Dan Johnson. Dan sent him proof that he had been in contact with an attorney from the Rutherford Institute in January, 2014. They had gotten in touch with Attorney Placke, and just like Attorney Sue Basko, Attorney Placke never replied. The Rutherford Institute is a nonprofit civil liberties organization based in Charlottesville, Va. <https://www.rutherford.org>**

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[REDACTED]@rutherford.org> Tue, Jan 7, 2014 at 3:33 PM  
To: Dan Johnson [REDACTED]@pandaunite.org>  
Cc: [REDACTED]@rutherford.org>, [REDACTED]@rutherford.org>

Dan, at this point, we have offered our assistance to Brian's court-appointed attorney and are waiting to hear back from him on where things stand. You're welcome to mention that we have offered our assistance in the case in any PR you do, but beyond that, I don't have an update yet and I don't want to discourage the family from getting the word out. We'll be in touch as soon as we know more on the legal front.

**To Dan Johnson who was working with the Rutherford Institute to help Brian. They are telling Dan on Jan. 7, 2014 that they had contacted Brian's court appointed attorney offering their assistance and have not heard back from him. What is the Rutherford Institute? Here is a link to their webpage: <https://www.rutherford.org/about>**

**Sixth Amendment**

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defense.

**3.02 Presumption of Innocence; Proof Beyond a Reasonable Doubt.** It is a cardinal principle of our system of justice that every person accused of a crime is presumed to be innocent unless and until his or her guilt is established beyond a reasonable doubt. The presumption is not a mere formality. It is a matter of the most important substance. The presumption of innocence alone may be sufficient to raise a reasonable doubt and to require the acquittal of a defendant. The defendant before you, [\_\_\_\_\_], has the benefit of that presumption throughout the trial, and you are not to convict [him/her] of a particular charge unless you are persuaded of [his/her] guilt of that charge beyond a reasonable doubt.

The presumption of innocence until proven guilty means that the burden of proof is always on the government to satisfy you that [defendant] is guilty of the crime with which [he/she] is charged beyond a reasonable doubt. The law does not require that the government prove guilt beyond all possible doubt; proof beyond a reasonable doubt is sufficient to convict. This burden never shifts to [defendant]. It is always the government's burden to prove each of the elements of the crime[s] charged beyond a reasonable doubt by the evidence and the reasonable inferences to be drawn from that evidence. [Defendant] has the right to rely upon the failure or inability of the government to establish beyond a reasonable doubt any essential element of a crime charged against [him/her].

If, after fair and impartial consideration of all the evidence, you have a reasonable doubt as to [defendant]'s guilt of a particular crime, it is your duty to acquit [him/her] of that crime. *Taylor v. Kentucky*, 436 U.S. 478 (1978). **Held:** On the facts, the trial court's refusal to give petitioner's requested instruction on the presumption of innocence resulted in a violation of his right to a fair trial as guaranteed by the Due Process Clause of the Fourteenth Amendment.

The constitutional right to be informed of the nature and cause of the accusation entitles the defendant to insist that the indictment apprise him of the crime charged with such reasonable certainty that he can make his defense and protect himself after judgment against another prosecution on the same charge. No indictment is sufficient if it does not allege all of the ingredients that constitute the crime. Where the language of a statute is, according to the natural import of the words, fully descriptive of the offense, it is sufficient if the indictment follows the statutory phraseology, but where the elements of the crime have to be ascertained by reference to the common law or to other statutes, it is not sufficient to set forth the offense in the words of the statute. The facts necessary to bring the case within the statutory definition must also be alleged. If an offense cannot be accurately and clearly described without an allegation that the accused is not within an exception contained in the statutes, an indictment that does not contain such allegation is defective. Despite the omission of obscene particulars, an indictment in general language is good if the unlawful conduct is described so as reasonably to inform the accused of the nature of the charge sought to be established against him. The right to notice of accusation is so fundamental a part of procedural due process that the states are required to observe it.

<https://caselaw.findlaw.com/us-supreme-court/397/759.html>

“[T]he right to counsel is the right to the effective assistance of counsel.” McMann v. Richardson, 397 U.S. 759, 771 n.14 (1970). “[I]f the right to counsel guaranteed by the Constitution is to serve its purpose, defendants cannot be left to the mercies of incompetent counsel . . .” 397 U.S. at 771. As a corollary, there is no Sixth Amendment right to effective assistance where there is no Sixth Amendment right to counsel. Wainwright v. Torna, 455 U.S. 586 (1982) (summarily holding that defendant may not raise ineffective assistance claim in context of proceeding in which he had no constitutional right to counsel).” data-toggle="tooltip" aria-label="McMann v. Richardson, 397 U.S. 759, 771 n.14 (1970). “[I]f the right to counsel guaranteed by the Constitution is to serve its purpose, defendants cannot be left to the mercies of incompetent counsel . . .” 397 U.S. at 771. As a corollary, there is no Sixth Amendment right to effective assistance where there is no Sixth Amendment right to counsel. Wainwright v. Torna, 455 U.S. 586 (1982) (summarily holding that defendant may not raise ineffective assistance claim in context of proceeding in which he had no constitutional right to counsel).”

Brian is innocent of downloading child porn and he, his mom, grandmother & grandfather put the proof of his innocence in the federal court records in November, 2017 in his 2255 Motion. You can see the proof at this website along with all of the proof in many various attachments in Nov. & Dec., 2017 and before those dates. Case 1:13-cr-00435-TDS Document 134 Filed 11/14/17 Page 17 - 99. Filed on Nov. 14, 2017. SEE DOCUMENT NUMBERS 125-134 and more proof on Document Numbers 135-140 and other documents in September, 2014 & 2015. Affidavits from Brian’s family as witnesses for him presented to this court on September, 2014: Case 1:13-cr-00435-TDS Document 37 Filed 09/18/14 Page 51 – 55; 59-75. Also read more about what Brian’s family told the court in their Notarized Affidavit on January 26, 2018: Case 1:13-cr-00435-TDS Document 143-2 Filed 01/26/18 Page 2 – 22. Brian’s Notarized Affidavit on the same date: Case 1:13-cr-00435-TDS Document 143-1 Filed 01/26/18 Page 2 – 19. He was fighting to get his discovery from 2015-2018 by trying to get an attorney to help with his 2255 Motion, requesting FOIA, then after not receiving what he thought was really needed, he brought the Suit: 895 Freedom of Information Act in Danville, VA on April 25, 2017. Hill v. Executive Office for United States Attorneys (4:17-cv-00027). Brian’s Notarized Affidavit of INNOCENCE in November, 2017: Case 1:13-cr-00435-TDS Document 134 Filed 11/14/17 Page 17 – 22. Case 1:13-cr-00435-TDS Document 136-1 Filed 12/04/17 Page 19. Document 136-2 Filed 12/04/17 Page 7.

Brian’s grandmother felt like he had all of the proof he needed and the witnesses who also viewed the discovery & took notes and talked Brian into going ahead & put his 2255 Motion in the court records in November, 2017 with proof that he is innocent and was in fact a victim. We also put the threats in the court records. Whoever made these threats were the same ones who put that child porn virus in Brian’s computer in July, 2012. This person or persons are the real owner of the child porn (virus). Case 1:13-cr-00435-TDS Document 210 Filed 10/21/19 Page 18 .

☆ **United States v. HILL**

**Motion to Vacate/Set Aside/Correct Sentence (2255) — Document #125**

District Court, M.D. North Carolina

I plead guilty to possession of child pornography because from what I understood, the U.S. Attorney claimed that it was on my computer, regardless of whom put it there, so therefore I thought I was technically guilty of possession of child porn. However at a later time I realized that I was wrong to assume that, that I am entitled to prove the affirmative defense of Frame Up which is recognized by the U.S. Supreme Court. I falsely plead guilty because of ineffective Counsel and deteriorating health. See Brief/Memorandum in attachment to this Motion for more information.

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**GROUND ONE: Actual Innocence**

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

Defendant Brian David Hill ("Defendant"), is asserting the claim of actual innocence based on particular elements of what was discovered after conviction.

The Defendant didn't get to review over the rest of all of the discovery material for the criminal case until January 22, 2015 at the office of John Scott Coalter (court appointed lawyer).

(Confession element)The Defendant confirmed after conviction that he made false confession statements which could have been proven by cross referencing/examining the U.S. Attorney's discovery material. Defendant made a confirmed false confession statement regarding child pornography in his Netbook, regarding the child pornography download date for "about a year or so", and his statement of describing PTHC which stands for "Preteen Hardcore" (excerpt cited from Mayodan Police Report) was fabricated over what was already described in Police detective Robert Bridge's search warrant affidavit and in the Police Report, so Defendant describing what PTHC stood for was already described in Detective Bridge's Affidavit. Defendant exhibited a sophisticated form of echolalia which means he repeated what was already described to him by Police. See Brief/Memorandum in attachment to this Motion for more information.

(Forensic element)The Defendant asserts that the entire "SBI Case File" forensic report is questionable on it's own merits. Making a claim that child pornography downloaded using the eMule program between the dates "July 20, 2012, and July 28, 2013." That same Laptop had been seized on August 28, 2012. The child porn download dates corroborate the claims in various threatening emails from tormail.org. More are stated in the Brief attached.

## **GROUND TWO: Ineffective Assistance of Counsel**

**GROUND THREE:** Deprivation of due process rights as guaranteed by Fourteenth Amendment. Deprivation of discovery rights

**GROUND FOUR:** Prosecutorial misconduct - Based upon new evidence that has surfaced in a 2017 Freedom of Information Act ("FOIA") lawsuit and FOIA Appeal case, in the Western Dist. of Virginia.

Is there any ground in this motion that you have not previously presented in some federal court? If so, which ground or grounds have not been presented, and state your reasons for not presenting them:

U.S. Attorney refusing to give me access to my entire criminal case discovery material even though requested via Freedom of Information Act.

Federal civil case "Brian David Hill v. Executive Office for United States Attorneys (EOUSA) et al," case no. 4:17-cv-00027, U.S. Dist. Court for Western District of Virginia.

### **BRIAN FILED HIS 2255 MOTION on 11/14/17 He got an answer on 1/10/18**

NOW COMES the United States of America, by and through Matthew G.T. Martin, United States Attorney for the Middle District of North Carolina, and moves the Court to dismiss the Motion to Vacate, Set Aside, or Correct Sentence filed herein on June 10, 2016, on the ground that the Petitioner's motion is barred by the one-year limitation period imposed by amendments to § 2255 in the Antiterrorism and Effective Death Penalty Act of 1996, P.L. 104-

**Case 1:13-cr-00435-TDS Document 141 Filed 01/10/18 Page 1**

**Then on Oct. 21, 2019 (2 years later)  
Brian receives a reply to his 2255 motion submitted on 11/14/2017 from  
U. S. Magistrate Judge Joe L. Webster**

with respect to his innocence[.]” (*Id.*) The Court acknowledged further that, in addition to his mild autism, obsessive-compulsive disorder, and anxiety disorder, Petitioner had also been diagnosed as having a “delusional disorder, persecutory type.” (*Id.* at 8, 19.) The Court observed that Petitioner’s allegations seemed “entirely consistent with [that] disorder[.]” (*Id.* at 20.) The Court did not permit Petitioner to withdraw his guilty plea. (*Id.* at 2-24.)

**Case 1:13-cr-00435-TDS Document 210 Filed 10/21/19 Page 6 of 27**

According to the new autism law (Virginia Code § 19.2-271.6) in Virginia (Autism is in other states & countries), but Virginia has proven that people with autism do not have the “criminal intent” or “mens rea”. In all alleged crimes in Virginia, Autism must now be taken into consideration especially those with developmental problems at a young age. When stressed, communications skills may diminish or disappear (even though many are smart). For adults with autism, answers may seem evasive or unconnected to the question that was asked during stressful times. Brian has the proof that he was diagnosed with a developmental disability (PDD) since the age of 3 and Autism at the age of 4. Criminal intent or mens rea must be proven to exist in a crime. Finding child porn on a computer does not prove intent especially when it has been proven in courts that people have on purpose hacked into a computer and put child porn, viruses and other things in a distant computer while the owner is not aware this is happening. If the prosecuting attorney or Brian’s two court appointed attorneys would have taken the time to compare the Mayodan, NC police report in 2012 with the NC SBI report in 2013 with Brian’s false confession, they would have seen that what Brian said to the Mayodan Police conflicted with what the NC SBI Discovery found as well as what the federal government found. All of this started when the Mayodan, NC police department questioned someone with autism spectrum disorder (ASD) and brittle type 1 diabetes at lunch time while ignoring the Americans with Disabilities Act and the medical Civil Rights of Brian David Hill and got a false confession & misleading statements which could be proven and was proven by the Prosecution’s discovery and family’s testimony. Brian Hill said he had been downloading it for a year or so. The police department claimed it had been downloading for 7 days NOT a year. The NC SBI said that it had been downloading for about a year, 11 months of that year was AFTER the police confiscated that computer and the 2 hard drives and memory stick that was connected to that laptop computer due to Brian’s USWGO work (Videos & articles) and private nature photos work (both hobbies).

Medical professionals do say that a person with autism spectrum disorder (ASD) can and do give misleading statements and false confessions. This is a developmental as well as a communication disability that Brian has had since before the age of 4 with a diagnosis at the age of 4. Yet without a medical expert witness, this court has decided that Brian is DELUSIONAL under the guidance & influence of Brian’s first court appointed attorney, Placke. I have noticed that various members of this court keep saying that Brian has a “Delusional Disorder” as they all continue ignoring everything he says, everything he files and everything his family & friends say. Read PDF “Who is Brian Hill – Pictures & Descriptions” (22 pages). Also read the PDF “Brian Hill’s Proof of Innocence for the Court in 2022” (47 pages).

It’s not delusional when you actually PROVE persecution from a local police department due to investigative articles you have written about various people in your town, and a video you put up about rough handling by the police chief in your town who is watching you for an hour at a public town hall

meeting, then removes you due to one question you as an alternative news reporter who obtained a petition of over 200 local residents ask the local town attorney who is also a state senator. See PDF **"INVESTIGATION 1"** That is all PROOF not delusional. It's not delusional when you actually put in court threats to you & others that someone placed child porn in your computer and will make sure you stay on a sex registry and says they know people in the state who will make sure. Read PDF **"Threats"**. It's not delusional when you prove that your government court appointed attorney (Placke) as well as the government prosecution attorney (Ramaswamy) admit in court that they both have been ignoring witnesses for the defense. Read PDF **"INVESTIGATION 2"** for actual proof.

Was this "delusion" something both of these attorneys came up with to ensure the court would continue to ignore everything Mr. Brian David Hill put in court, continue ignoring all proof and witnesses like none of it exist? **Brian David Hill is innocent.** Read the PDF **"Brian Hill's proof of Innocence for the court in 2022"** by Brian's family who realize Brian has gotten nowhere due to this "Delusional" per his own Defense (prosecution) attorney Placke who according to some judges in the Middle District of NC is the best attorney! We use Brian's own proof as well as the Prosecution's Discovery to prove his innocence as recorded in all PDF's. One final note: the Government's attorneys fought to make sure Brian would not get a copy of the Discovery used against him because they probably know as we found out that their discovery proves the mild Autism and type 1 Diabetic specialist correct that when someone with autism who also has diabetes is questioned alone at lunch time by a police department that ignores the "Americans with Disabilities Act" will give misleading statements and a false confession. A lazy attorney who ignores and deletes all proof of innocence, ignores all constitutional laws, medical disabilities and all witnesses for the defense can benefit by bringing out "delusional" and the prosecution who also ignored all can benefit too. After all, the judges can ignore everything Brian puts in court because when a person is delusional, characterized by or holding idiosyncratic beliefs or impressions that are contradicted by reality or rational argument, based on or having faulty judgment; mistaken.

Please read the PDF **"Danville, VA – Brian – Discovery"**. Brian and his family can't afford an attorney so his family has decided to bring all of the "PROOF" to this court per various PDF's that BRIAN DAVID HILL is INNOCENT.

Brian and his family thank you, Magistrate Judge Webster for this comment:

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Petitioner is correct that there is an actual innocence exception to the one-year time limitation. *McQuiggin v. Perkins*, 133 S.Ct. 1924, 1928 (2013). However, to establish actual innocence, "a petitioner must show that it is more likely than not that no reasonable juror would have found petitioner guilty beyond a reasonable doubt." *Schlup v. Delo*, 513 U.S. 298, 327 (1995); see *McQuiggin*, 133 S.Ct. at 1935. "[S]uch a claim requires petitioner to support his allegations of constitutional error with new reliable evidence—whether it be exculpatory scientific evidence, trustworthy eyewitness accounts, or critical physical evidence—that was not presented at trial." *Schlup*, 513 U.S. at 324. Petitioner has not met this high burden.

OK, U.S. Mag/Judge Joe L. Webster and the other judges in Brian's case, Brian and his family did prove that over 4 years ago. We (Brian and his family who are law abiding citizens and give trustworthy eyewitness accounts with PROOF). Why do you, attorneys in your district and other judges keep ignoring us? Why do you all keep denying Brian expert medical witnesses? Why did you all fight him in Danville, VA to get his discovery? You know, the same discovery that one of your attorneys threatened Brian's family if they didn't tell Brian to say he is "guilty" this discovery would get him 20 years in prison on June 9, 2014. His attorney would not let Brian or Brian's family see this discovery. When we did see it, we discovered that this discovery along with other proof we had is the proof we need to prove he's innocent. That's ok, we all presented this proof to the court over 4 years ago: Almighty God is our main witness. Nov. 2017 along with more proof of other ways your attorneys & judges deprived Brian of his Medical Civil Rights and his Constitutional Rights. All of you need to read our PDF with PROOF "- Brian's Treatment in Jail – Brittle Diabetes, Autism & OCD". If you took the time to actually read his 2255 Motion, Brian David Hill has met his high burden of proof. Even then, we have decided to add more and due to his disabilities & this court reference constantly to the false claim of "Delusional" giving the court a false unconstitutional reason to ignore all. Brian's family talked Brian into letting his family present this information to the court.

**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.

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**Ground Two:**

Did you actually read his 2255 Motion? Why don't you ever say anything about the witnesses in his 2255 Motion? What part that Brian's witnesses have written do you not agree with? Do you think Brian's mother is lying? Do you think that Brian's grandparents are lying? Do you think Attorney Susan Basko is lying? Is it justice for all or justice for some? Do you consider he is guilty due to his disabilities? Are you aware that saying one is guilty is part of his disabilities when all of his disabilities are ignored and everyone is ignoring the Federal "Americans with Disability Acts"? There are many different cards for autism that people can buy to explain autism and type 1 diabetes. I haven't seen any cards which say "I am delusional. Ignore everything I say". Do you know who Attorney Susan Basko who testified for Brian in September, 2014 is? Are you aware that she is an attorney for independent journalist? Brian (USWGO) was from 2009-2013 a volunteer independent journalist with disabilities. She is also Attorney and Counselor, U.S. Supreme Court. Here are two links to her web pages:

<https://www.linkedin.com/in/suebasko> <http://suebasko.blogspot.com/p/about.html>

Mag/Judge Joe L. Webster and other court judges, here is what we have witnessed from you, most attorneys and judges in the Middle District of NC. You all keep saying these adjectives over & over "He says he's guilty", "child porn possession", "Delusional". None of you bring out the FACTS according to the NC SBI – the child porn you claim he possessed was being downloaded on his computer for 11 months when it was in the possession of the Mayodan, NC police & the Greensboro, NC SBI – so the computer belonged to Brian for 39 days of that year. He did not even know it was there and still does not know for sure. I see where all of you have taken someone with autism Spectrum Disorder (ASD) and keep moving him to various jails & prisons, you all have had him evaluated by someone who works for the Butner Prison twice and doesn't seem to understand autism. You all have put him in jails and prisons

giving him insulin for breakfast & dinner (none for lunch and not the type insulin that's suppose to carry for 24 hours, you did not give him food according to the Diabetic diet.

On court days he would not get insulin until that evening. He is a brittle type 1 diabetic since 1992. For 4 days in the Winston Salem jail in 2013, he had no insulin at all. For the first few days he was in Butner prison, he was given no insulin until he almost died, and it was explained to us that when he was transferred to Butner, he had no medical papers, and they couldn't take Brian's word that he was diabetic. I guess he must have gone unconscious, and that's when they realized that he wasn't lying, and they did feel bad about it, and let Brian call us and told us too on the phone what happened. There are a lot more stories I can tell you about Brian and his diabetic experiences in other jails. This court gives him attorneys who do not really represent him, meaning he has an attorney in name only, then when he files papers himself, you & the other judges in that area deny everything saying he has an attorney. You all call him "delusional" while ignoring his real disabilities and ignoring all of the proof he has sent you and ignoring all of his witnesses. You only want to hear one thing from him since 2012 "Guilty of possessing child porn". Anything else, all of you ignore. The PROOF is in all court records. The government had 2 witnesses: 2 police detectives. Brian had many witnesses who offered to testify. Your attorneys made sure to ignore all and hide them from the court. Brian had a lot more proof of his innocence than what your attorneys had. In fact, Brian & his family discovered that he can use your discovery to prove more about his innocence. We are basing Brian's on FACTS. The court is basing theirs on WORDS from a disabled person (communication disability) during a very stressful time & lazy attorneys.

All attorneys also ignored the fact that the proof of Brian's false guilty was revealed in what he said to the Mayodan, NC police and what the NC SBI Discovery revealed that Brian gave false answers due to being questioned alone (autism violation) at lunch time when his blood glucose would go low without testing his blood glucose (His mom was at the police station), but the police ignored when she told them about his disabilities and ignored the Americans with Disabilities Act. Doing this, they were also breaking Constitution and Civil Rights laws to get a guilty plea from an innocent young man at the age of 22 with many disabilities. The autism and American Diabetic Association explains how both can cause unreliable answers when ignoring these disabilities. Then the NC SBI discovery report goes further by showing that child porn or items of interest was being placed on Brian's laptop computer for 11 months after the police confiscated this laptop computer.

Both attorneys knowing that Brian was innocent worked together to get him to give another guilty plea to the court in June 2014 by using his family. His attorney called his grandparents and his mom the night before his case was going to trial (the Sixth Amendment guarantees the right to a speedy and public trial) to tell them to tell Brian to say "Guilty" because his attorney had nothing to offer to the court, and Brian would get 20 years in prison. His attorney would not let Brian or Brian's family see the NC SBI Discovery from 2013. Brian and his family already had the Mayodan, NC report from 2012. (Not the tape – we would have proven that false too). Didn't get to see the NC SBI report until January, 2015 which proved he was innocent and his 2 attorneys and the prosecuting attorney who has been on Brian's case from the very beginning had this report and ignored it like everything else. Jails were not giving Brian insulin on court days until after he came back to the jail. That is another human civil rights violation that can be proven. Brian was in bad physical & mental shape every court day due to his autism, OCD and brittle diabetes with no medical prescribed insulin and courts ignoring his disabilities. Using his disabilities was in fact how they got the "guilty words" from him. His actions are opposite of the words they got. Brian Hill is innocent and is a victim. Read more of the threats he and others who have tried to help him have received. These threats seem to imply that NC SBI, judges (same prosecution attorney the entire time) will make sure Brian stays on the sex register from the things they are sending to Brian's computer in 2012 and again in 2015 by phone text to him & emails to others.

One magistrate judge in the middle district of NC made this statement about Brian David Hill's 2255 Motion of Actual Innocence. "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". Case 1:13-cr-00435-TDS Document 210 Filed 10/21/19 Page 19 of 27. In view of all of the constitutional and civil rights violations in the middle district of NC, Brian & his family ask that this case be moved to the Roanoke, VA federal court to have a judge and a committee to review all of Brian's & his family's proof of his Innocence. Brian's probation office is located n Roanoke, VA. Brian has been a citizen of Martinsville, VA since August, 2012. North Carolina has been very unfair to Brian, ignoring all witnesses, proof, Constitutional laws, Civil Rights laws and Americans with Disabilities laws to keep an Innocent, disabled man on a sex registry just like the person who put this virus on his computer said that they knew people in NC who would make sure regardless of any proof Brian had.

After you read all proof that Brian David Hill is innocent of putting child porn in a computer. That he is in fact a victim of whoever has made these threats and admits to putting this on Brian's computer, and the prosecution's discovery from NC SBI have proved it (CP Virus) was on Brian's computer for 11 months after police got it, and all of our other proof of innocence and ineffective attorneys. I was the owner & administrator of a licensed family care home in NC in the early 1980s and took a special class about the legal rights of disabled people. We ask that Brian is acquitted, removed from probation and the sex registry. Please read the PDF "THREATS" and all 8 PDF's.

Before signing out, let's look at some important dates together: I just found some more things in April, 2022 (Autism Awareness month).

March – July, 2012 Brian was attending Mayodan, NC town hall meetings, writing about it on USWGO. He had also obtained a petition in Rockingham County, NC signed by over 200 people about the unconstitutional parts of the NDAA. He was also sending emails to the Mayodan police chief and all of the towns in Rockingham County, NC and many to various people in Mayodan, NC. We later found out that Brian's IP address is in every email: 24.148.156.211.

July 10, 2012 Brian put a video about the Mayodan police chief grabbing his arm on July 9, 2012 and making him leave the public town hall meeting when Brian went up to the Mayodan lawyer who is also a NC state senator to ask him a question about the petition. Brian also wrote an article about it on USWGO.

July 12, 2012 Police go up to Brian's mom (first time this has happened since moving to Mayodan in 2005) and asked her if she saw a little girl on the street and where did she (Brian's mom) live, which house. Brian got on the internet and wrote about it saying "The police are harassing my mom". He thought the police were going to do something to set him or his mom up due to articles he had been writing and try to have one of them arrested. He wrote this in that article. Document 132 PAGE 78-81, 86-88

July 20, 2012 - July 26, 2012 According to the Mayodan police, child porn is being downloaded on Brian's computer.

July 20, 2012 – July 28, 2013 Files were being downloaded to Brian's computer according to the NC SBI.

August 28, 2012 There was a police raid done at Brian's & his mom's house where the police in Mayodan got all of their computers, hard drives, etc which included all of their photo memories (including some family members & cats who were now dead), all of Brian's USWGO articles & videos, all of his mom's poems and PDF's for her books. She is an author.

August 29, 2012 Police interrogate Brian's mom then Brian at lunchtime. Brian is disabled and the police did not obey Americans with Disabilities laws and got a false confession & misleading statements from Brian.

August 22, 2012 2 police got together and hacked into Brian's computer without a search warrant.

I just discovered something else very important. Reidsville, NC police detective Robert Bridge on July 20, 2012 hacked into Brian's computer without obtaining a search warrant. He is the brother of the Rockingham County Asst District Attorney who had been working for years with Philip Berger Jr (Rockingham County Distict attorney) who is the son of the NC Senator & Mayodan lawyer, Phil Berger whom Brian had been investigating and writing articles about in June – July, 2012 (USWGO).

Your affiant then selected the option to monitor a particular IP address; in this case 24.148.156.211 on July 20, 2012. When the IP address was online in the eDonkey Network, your affiant's computer would automatically begin to download the files available for trade by the suspect computer. This is done through a law enforcement-only designed system, which your affiant refers to as Undercover Investigative Software (hereinafter referred to as UIS), currently used in state and local Peer-to-Peer P2P file sharing investigations and utilized through the CPS suite of tools. It this particular case it was used to request a download of the files of child pornography from IP address 24.148.156.211. Downloading is a transfer of data from one computer to another. Since your affiant was doing the download, your affiant was receiving data, which was transmitted from another computer. This software is designed by and for law enforcement and only available to law enforcement officers who have attended the appropriate training. Your affiant has done so and conducts that training for others. The UIS is designed to connect directly to one IP address and browse or download from one specific peer at a time using technology to block all other IP addresses from delivering any piece of the file. The UIS is a P2P file sharing client similar to other file sharing which are free and available to the public.

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According to the North Carolina Bureau of Investigation's Case number 2012-02146 915, files of interest were being downloaded from July 20, 2012 until July 28, 2013. This was the time frame of 11 months when Brian Hill no longer had that laptop.

"None of the children have been identified as part of a known series by the National Center for missing and exploited children (NCMEC)" Document #33, Filed 09/16/2014, Page 6 of 26

Presenting these facts on these 2 pages alone is enough to prove to a judge or to a jury that Brian David Hill is innocent of downloading child porn. Case closed. Acquit Brian David Hill, take his name off of the sex registry, remove him from probation. Then an investigation needs to be done. Think of all of the torture he & his family have been through for almost 10 years.

Thank you. Stella Forinash (Brian's grandmother); Martinsville, VA. Email: [stellaforinash@yahoo.com](mailto:stellaforinash@yahoo.com)

Kenneth R. Forinash reading this & a witness that Brian is innocent as well as knowing about lies to all of us from police in this case.

# ATTACHMENT 10: “9-Child Pornography Through a Computer Virus - Roberts Law Group.pdf”

For “MEMORANDUM OF STELLA FORINASH AND KENNETH FORINASH IN FAVOR OF ACTUAL INNOCENCE OF BRIAN DAVID HILL; IN SUPPORT OF WHY BRIAN DAVID HILL SUSPECTS BLACKMAIL OF “JUDGES” AND “OFFICIALS”; AND IN SUPPORT OF GROUND VI - UNCONSTITUTIONAL INTERFERENCE WITH THE STATE COURT PROCESS AND/OR UNWARRANTED USURPATION OF POWER AGAINST THE STATE COURT PROCESS IN VIOLATION OF THE TENTH AMENDMENT OF THE UNITED STATES CONSTITUTION; AND IN SUPPORT OF 2255 MOTION (DOC. #291)”

Case no. 1:13-cr-435-1; civil no. 1:22-CV-00074

Ally of Q, Former news reporter of USWGO Alternative News  
JUSTICEFORUSWGO.WORDPRESS.COM



# Child Pornography Through a Computer Virus? - Roberts Law Group

Can child porn really find its way to your computer without your knowledge? While police and prosecutors are skeptical, alleged pedophiles often claim that a computer virus deposited illegal pictures or video on their hard drives.

A recent Associated Press investigation, however, has revealed a number of instances where computer viruses have, in fact, been designed to place pornographic images of children on the computers of innocent victims. For those affected, proving their innocence costs thousands of dollars – sometimes hundreds of thousands.

According to designers of computer security software, approximately 20 million computers worldwide are infected with viruses that could give someone else complete control. Pedophiles can take advantage of these hacked computers to store and access child porn remotely, protecting themselves in case of an investigation. Hackers can also take control of a computer's internet access, forcing the computer to surf to sites containing [child pornography](#) without the owner's knowledge.

In 2007, a former Massachusetts workers' compensation investigator was charged with possession of child pornography when his employer found child porn on the hard drive of his state-issued computer. An inspection later revealed that the computer was badly infected; it had been programmed to visit over 2000 child porn sites per hour, all without his knowledge.

After almost a year, the case against him was dropped, but not before he lost his job and his friends. He even had his car vandalized and experienced death threats.

While law enforcement officials admit that a virus can sometimes place child porn on a computer, the ubiquity of the excuse leads them to question it in every instance. The director of the Cyberlaw Clinic at Harvard's Berkman Center for Internet & Society compares it to the "dog ate my homework" excuse used by schoolchildren everywhere. The problem, he says, is that sometimes the dog really did eat the homework.

What can you do to protect yourself? Keeping your computer's firewall or antivirus program up to date will help, as will refraining from opening email attachments from unknown sources. Also, if you believe that you have been charged wrongly for possession of child pornography, contact an experienced criminal defense attorney immediately.

## **State v. B.S.: Not Guilty Verdict in First Degree Murder Case..**

In this case, our client was charged with First Degree Murder in connection with a "drive-by" shooting that occurred in Charlotte, NC. The State's evidence included GPS ankle monitoring data linking our client was at the scene of the crime and evidence that our client confessed to an inmate while in jail. Nonetheless, we convinced a jury to unanimously find our client Not Guilty. He was released from

jail the same day.

### **State v. S.G.: First Degree Murder Charge Dismissed.**

Our client was charged with First Degree for the shooting death related to alleged breaking and entering. The State's evidence included a co-defendant alleging that our client was the shooter. After conducting a thorough investigation with the use of a private investigator, we persuaded the State to dismiss entirely the case against our client.

### **State v. B.D.: First Degree Murder Charged Dismissed.**

After conducting an investigation and communicating with the prosecutor about the facts and circumstances indicating that our client acted in self-defense, the case was dismissed and deemed a justifiable homicide.

### **State v. I.R.: Reduction from First Degree Murder to Involuntary Manslaughter and Concealment of Death..**

Our client was charged with the First Degree Murder of a young lady by drug overdose. After investigating the decedent's background and hiring a preeminent expert toxicologist to fight the State's theory of death, we were able to negotiate this case down from Life in prison to 5 years in prison, with credit for time served.

### **State v. J.G.: .**

Our client was charged with First Degree Murder related to a "drug deal gone bad." After engaging the services of a private investigator and noting issues with the State's case, we were able to negotiate a plea for our client that avoided a Life sentence and required him to serve only 12 years.