

**LETTER TO CLERK OF MARTINSVILLE CIRCUIT COURT**  
**RE: CASE NO: CR19000009-00**  
**CC: Court of Appeals of Virginia;**  
**RE: Case nos. 1424-22 and 1425-22**

Friday, January 27, 2023

ATTN: Hon. Jean P. Nunn Clerk of the Court Martinsville Circuit Court 55 W. Church Street Martinsville, VA 24114-1206	Phone: (276) 403-5106 Fax: (276) 403-5232
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Hon. Jean P. Nunn,

Congratulations on becoming the interim Clerk. I am filing this letter with very important information, very serious information. I will also file this letter with the Court of Appeals of Virginia in cases no. 1424-22 and 1425-22.

I would like to make sure as a litigant in this case that the due process of law is being followed, as both the U.S. Constitution and Virginia Constitution gives every citizen of this great Commonwealth, and every citizen of this great country of the United States of America, the right to procedural due process of law as well as the substantive due process of law.

On January 17, 2023, before the Court of Appeals of Virginia's ("CAV") 40 day deadline for filing an appeal brief in both appeal cases which that deadline was set for January 31, 2023, I was unable to file any briefs or designations or anything because the entire record of the Trial Court was not transmitted on December 13, 2022 in both appeal cases. Referring to Ashby R. Pritchett who didn't transmit the entire record.

I had filed two motions asking to restart both appeals on the basis that I was not given access to the entire record of the Trial Court which means both the CAV and the Appellees would also not have been given access to the entire record of the Trial Court. It was incomplete in both appeal cases when the record was transmitted in December, 2022. I had provided evidence to the CAV that the record was incomplete. After I had filed pleadings of my concerns about the incomplete record, I had feared that Ashby

Pritchett could have been angry or could retaliate in some way somehow, so I only filed these concerns with the CAV on January 17, 2023, as well as copies to Appellees/Respondents and see what the CAV wanted to do regarding those matters of concern.

As the Hon. Ashby R. Pritchett is not the Clerk of the Trial Court any longer, I will go ahead and put in this letter my request which was also in my motions for restarting both appeals. Requests to the CAV for the CAV to request from your office the entire record, not an incomplete record.

Once the CAV makes a decision to both my motions to restart the appeals, and if they are granted then the CAV asks your office for the complete record of the Trial Court, I request that it be the complete record of the Trial Court meaning:

1. All records from the beginning of the criminal case to the end of the criminal case at the time the request comes in from the CAV for the entire record of the Trial Court. Including the records from the General District Court transferred to this criminal case. And sealed records too through whatever procedure your Court has for transmitting the sealed records securely to the Court of Appeals of Virginia (CAV).
2. Including the very motions (New Trial on evidence disproving elements of prosecution, other Motion for New Trial on JaCody Cassell and his business The Chimney Sweep being the culprit of the carbon monoxide gas poisoning) which the Hon. Giles Carter Greer had denied last year, since those denied motions were not in the transmitted record of the Trial Court transmitted last month. It makes sense that the record should include the very same motions which were denied by the Judge, otherwise the record is like Swiss cheese. No appeal can function in any supervisory Court of Law with a Swiss Cheese type of record from any Trial Court. Swiss cheese is full of holes, missing pieces, missing records, you get my analogy here.
3. CORRESPONDENCES as always. Since the Judge didn't really interpret or state on the record what specifically which pending motions were denied in the two orders in September 2022, the Hon. Ashby R. Pritchett had explained in one correspondence that the Judge denied the "motions" meaning two Motions for New Trial, I assume. So correspondences is also important in the record of the Trial Court as those correspondences which

are also records are needed for the Court of Appeals to determine which motions were denied by Judge Greer in his two orders. One correspondence which explains that multiple motions were denied was in email to [rbhill67@comcast.net](mailto:rbhill67@comcast.net) was Date: 9/13/2022, 10:47 AM, Subject: RE: Judge Greer's order, from Ashby Pritchett <[apritchett@vacourts.gov](mailto:apritchett@vacourts.gov)> at the time he was the Clerk.

So I am only asking simply for the entire record of the Trial Court from start to finish to be submitted to the Court of Appeals of Virginia when they ask for the entire record if they grant my motions asking for restarting both appeals and for asking for the complete record to be transmitted by the Trial Court.

My only interest in all of this is protecting my Constitutional rights and in seeking for true justice under due process of law. My intent is not to disparage your office but to make sure that due process of law is being followed every step of the way in my criminal case in the Circuit Court for the City of Martinsville. Due Process of law matters above all else in every litigation.

Thank you for your time and attention to this matter.

Where We Go One We Go All (WWG1WGA), Nothing Can Stop What Is Coming (NCSWIC).



Brian D. Hill

God bless you,  
Brian D. Hill

Ally of Q, Former news reporter of U.S.W.G.O. Alternative News  
310 Forest Street, Apartment 2  
Martinsville, Virginia 24112  
(276) 790-3505

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