

LETTER TO CLERK OF THE COURT REGARDING CLERICAL ERROR OR COVER UP/CONCEALMENT

Re: Case No. 1:21-cr-542 (TJK)

Monday, October 2, 2023 03:07 PM

ATTN: CLERK OF THE COURT
U.S. DISTRICT COURT
333 CONSTITUTION AVE NW
WASHINGTON DC 20001-2804

UNITED STATES OF AMERICA,
Plaintiff
v.
JONATHAN OWEN SHROYER,
Defendant

CC: Please notify all counsel through CM/ECF Notice of Electronic Filing. If possible, please file if leave to file is granted. Please file the sentencing letter since the original letter was received a day before the sentencing hearing, and was assumed lost or covered up after receipt by your Mail Room.

Clerk of the Court,

I am mailing again a DECLARATION filing which was originally mailed on Saturday, September 9, 2023 by Express Mail and was received by A JONES of the Mail Room at your U.S. District Court on Monday, September 11, 2023, a day before the sentencing hearing for Jonathon Owen Shroyer.

The Clerk is also being notified that the mailing envelope which contains this letter, DECLARATION, proof of delivery confirmation, and proof of emailing both Norm Pattis and U.S. Attorney, all of it is under some form of a return receipt where the U.S. Postal Service will collect a signature which will bring notification when it is delivered and when it was signed for. So it will be difficult for a second cover up.

I am also mailing printouts of emails which were emailed from my filing assistant (*because I am not allowed to use the internet due to my supervised release conditions*) Roberta Hill my mother who I had asked to email both the U.S. Attorney (Plaintiff) and Norman Pattis ("Norm Pattis") a copy of the DECLARATION. The same DECLARATION which I believe was covered up or was misplaced or some other form of clerical error had happened.

The reason I am writing this letter is because I had called the chambers (Hon.

Timothy James Kelly) by phone, left several voicemails which went unanswered, and a man who worked there had informed me by phone when I had called again on September 28, 2023, that he would not confirm receiving my sentencing letter (Declaration) even though I had sent it. I am the one who is trying to file this, and yet I am not allowed to even know if it was received, and that didn't make any sense to me. The claim was because of "privacy reasons" but other judge's clerks had contacted me to confirm receiving my sentencing letters in the two other cases before the U.S. District Court in the District of Columbia. I had argued back to that person over the phone at the chambers that I suspected cover up of the sentencing letter I had mailed, that I would mail something again alleging the cover up allegations, and hung up the phone in anger.

So I am writing this letter informing the CLERK OF THE COURT as to the error or deliberate cover up/concealment where my DECLARATION aka my sentencing letter was received by your Courthouse a day before the sentencing hearing set for Tuesday, September 12, 2023. It was Wednesday, September 13, 2023, when the written judgment was filed by the Honorable Timothy J. Kelly but was entered on the docket at a later date.

I suspect either a cover up (by a court employee) of my sentencing letter to the judge in the Owen Shroyer case in violation of Federal statute 18 U.S. Code § 2071 (*a clerk or court official who conceals or covers up a filing rather than a official decision be made on leave to file being granted or denied*) or it was an error on the part of an officer of the Mail Room or an error on the part of an officer of the Chambers or somebody else in the clerks office. This letter can at least seek to correct this error.

I almost was planning on filing a complaint or going to the chamber clerk's supervisor but since this is not at my fault, I am mailing the attempted filed letter again and asking that the Clerk date the filing as being timely as if it were filed on Monday, September 11, 2023, due to the cover up or concealment or clerical error. I rather not have to report this (violation of 18 U.S. Code § 2071?) to the U.S. FBI or report this to the U.S. Marshals on cover up of a filing in the case that it may be just some simple clerical error. WRIT OF ERROR. Coram Nobis, NOTICE OF ERROR, you know what those terms mean. The sentencing letter was timely filed in the Owen Shroyer case. However, it disappeared and no explanation from the chamber clerk at all.

So I would like to ask that the CLERK OF THE COURT contact me by phone or by written correspondence, to confirm receipt of this letter, confirm receipt of the DECLARATION which was originally received on September 11, 2023, confirm receipt of USPS delivery confirmation, and confirm receipt of the proof of notifying counsel of both plaintiff and Defendant.

It would be difficult to cover up everything a second time, so I am taking a risk by writing this letter to the Court. Taking a risk of wasting time, money, printer ink, paper, and effort. But it would be difficult to cover up my sentencing letter for a second time. I did promise the chamber clerk that I would mail something about the cover up of my letter, and I keep my promises even though I never used the word “promise” or “promised” to the chamber clerk. I walk the talk.

The main clerk needs to read this letter and everything else mailed to the U.S. District Court so that the sentencing letter is not covered up twice in a row.

Arguably, If the letter is rejected for filing, that is one thing as at least I would either be notified or something on the docket showing that leave to file was denied if that was the case. However, I am not even being notified of approval of filing or rejection of filing. I should at least be notified or a decision should at least be made on the record so that I don't suspect a cover up or concealment of something mailed to a Federal Court. My letter should have had some kind of a decision, not some secretive assistant in the judge's chambers telling me that I have no right to know whether my sentencing letter was approved for filing or was rejected and returned back to me or at least me being notified of the rejection of my attempted filing. That is the LAW under 18 U.S. Code § 2071. A judge's clerk cannot cover up or conceal a filing from the record in a criminal or civil case. A filing or attempted filing cannot be completely concealed. I'm sure you read this law regarding a clerk's duties and responsibilities.

CONTENTS BEING MAILED:

1. THIS LETTER
2. DECLARATION OF BRIAN DAVID HILL IN SUPPORT OF JONATHAN OWEN SHROYER, CONCERNING CHARACTER WITNESS OF JONATHAN OWEN SHROYER, IN SUPPORT OF SENTENCING OR ANY OTHER PURPOSE (SENTENCING LETTER) – 24 pages
3. USPS delivery confirmation – 1 page
4. Proof of notifying U.S. Attorney assistants (plaintiff) and counsel for the Defendant Owen Shroyer:
 1. 1-URGENT_ Sentencing letter for Owen Shroyer, please

acknowledge receipt.pdf – 1 page

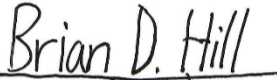
2. 2-Sentencing letter for Jonathan Owen Shroyer.pdf – 2 pages
3. 3-Read_ URGENT_ Sentencing letter for Owen Shroyer, please acknowledge receipt.pdf – 1 page
4. 4-Read_ Sentencing letter for Jonathan Owen Shroyer.pdf – 1 page

Since it was already attempted filed on September 9, 2023 by express mail but failed due to error or cover up, please consider the filing date of the sentencing letter as it if it were filed on Monday, September 11, 2023 on the date of receiving my original letter due to clerical error or on the date it was mailed out by USPS Express Mail which was September 9, 2023, since that was also the date in which counsel was notified.

I ask of you, I beg of you, to notify me that you received everything, and please notify me on whether leave to file is granted or denied. I do not like it when something is covered up. Privacy or not, I have a right to know as a filer if my own attempted filing was received and whether or not it was rejected or granted under requested leave of court to file under DUE PROCESS OF LAW.

I appreciate you taking the time and effort to look into this matter and make sure to do your job properly in ensuring that what I had tried to file before the sentencing hearing, that there is at least a decision on whether my letter is granted or filing or if it was rejected. Please let me know.

USPS Tracking number: 7022-3330-0000-5699-5930


Signed

Brian D. Hill

God bless you,
Brian D. Hill

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