

Oral Argument Speech Preparation – Brian David Hill v. Commonwealth of Virginia and City of Martinsville – Supreme Court of Virginia – Case no. 240164

Thank you justices.

This case represents a very important issue which affects every American citizen of the Commonwealth of Virginia if this is not addressed by this court.

This case represents whether a Circuit Court judge can be a dictator in his or her judicial district. A dictator who can freely charge a litigant, a criminal defendant with criminal contempt of court for simply criticizing the judge for not doing his or her duty under the Canons of Professional Conduct.

A judge does not have a right to thwart an appeal and to use his or her powers of criminal contempt to criminalize protected freedom of speech and freedom of press, and then turn around to use this power to cause multiple pending appeals to be wrongfully dismissed as untimely.

If a judge has this kind of power, he or she is literally becoming a Dictator, who had decided he or she doesn't like somebodies criticism and doesn't like the appeals so the judge targets the appellant in the higher court to quash his appeals to protect a corrupt Commonwealth Attorney engaging in disobedience of court orders, and willfully or neglectfully destroys evidence which was the subject of three court orders for discovery materials in a criminal case.

In this case, evidence has been presented, audio recordings legally recorded prove that the judge of the Martinsville Circuit Court Giles Carter Greer, had appointed counsel named Fred Dempsey Smith. This lawyer had been appointed by the very judge who his clerk charged the criminal defendant with criminal contempt of court for criticizing him for not charging Glen Andrew Hall, the Martinsville City Commonwealth's Attorney with criminal contempt for willfully disregarding and disobeying three court orders for discovery material to be turned over to the criminal defendant's attorney. The evidence of the FOIA response letter from the Martinsville Police Chief Rob Fincher proved that it was the sole responsibility and duty of the Commonwealth's Attorney to mark the body-camera footage as evidence and mark the police car cam footage as evidence. The footage would have proven that Brian David Hill was intoxicated at the time of arrest for indecent exposure which would have posed a problem for this corrupt

Commonwealth's Attorney presenting the narrative that Brian was intentionally in the nude in a public place at night. It would have disproved the claim by Officer Robert Jones that Brian was medically and psychologically cleared when the medical records proven that lab tests were covered up, deleted from the chart.

The Commonwealth's Attorney covered up evidence of intoxication of Brian Hill during the incident which brought the charge of indecent exposure. Covering up evidence that Brian Hill was innocent of his charge all along. This prosecutor could even charge a drunken nudist or drunken or drugged teenager with indecent exposure and cover up the evidence of intoxication. This is unacceptable.

Then the judge charges Brian Hill for simply criticizing this Circuit Court judge with contempt. Had appointed a lawyer Fred Smith. This judge was criticized, and therefore would be biased from being judge in the case, not impartial. He should have recused himself as the judge when he admitted that the prosecutor should recuse himself but the judge did not recuse himself. Instead, he appoints this lawyer. The conversation recordings prove that this lawyer manipulated the Appellant, lied to the Appellant, lied to the Assistant Attorney General Justin Hill, and lied indirectly to the Court of Appeals of Virginia. Lied about the fact that the Attorney General had already agreed to extend the deadline for Appellant to file his appeal briefs due to a condition Attorney Fred Smith had imposed barring the Appellant from filing anything in his appeals. Demanding that he not file anything in "state court" as recordings show. Lied that Justin Hill had already agreed to extend the time for Appellant's appeals if he simply contact the Attorney General's office requesting that they file an extension with the Court of Appeals on Brian's behalf. The Assistant Attorney General responded that he cannot legally do what Attorney Fred Smith had advised to the Appellant Brian Hill. That Justin Hill is not Brian's lawyer, and does not file anything on Brian's behalf. So the attorney Fred appointed by Judge Greer in Brian's criminal contempt of court case had lied and misled Brian into thinking his appeals would be extended for Brian to file after his criminal contempt case was dismissed after Brian agreed not to file anything in any Virginia state court for six months.

This is a clear cut official oppression or suppression against Brian Hill's first amendment right to freedom of speech as long as he does not make criminal threats and as long as he is not a clear and present danger. Brian didn't lie about the judge, wasn't accused of it. Was only accused of vile, contemptuous or insulting language. Brian's free speech was made into a crime by the judge who acted as a dictator.

Then the dictator decided to take away Brian's appeals of right in the Court of Appeals of Virginia by appointing him a lawyer who demanded that Brian not file anything in his appeals or his contempt case would not go away. Brian would face jail time for contempt, then face a supervised release violation in federal court over his protected freedom of speech.

This is very dangerous for our republic. Donald Trump faces the same dilemma as Appellant. Brian's procedural due process right has been violated, as well as his freedom of speech. He didn't criticize the judge directly to him, but criticized him in Notices of Appeal to a superior court. The judge clearly retaliated against the Appellant and attempted to suppress his speech and his appeals which are clearly illegal, unconstitutional, and unethical with what both the judge and the Attorney Fred Smith had done. They took away an Appellant's freedom of speech and procedural due process of law.

Ignoring or refusing the petition for appeal sends the message to everyone in Virginia, that a single court judge can now become a dictator of his or her court and can use dictatorial powers of contempt to suppress both appeals and speech which is not a clear and present danger. Appellant did not cuss out the judge, Appellant did not disrupt proceedings, but simply criticized the judge for not charging the Commonwealth's Attorney with contempt of court. Instead the judge charged the critic with criminal contempt instead of the one who's misconduct isn't protected under the First Amendment of the U.S. Constitution.

This is dangerous for our republics of Virginia and America. We need to preserve and protect our Constitutional God given rights so help me God.

Any questions from this Court???