Burning Cross: Motive.

Generally the constitution prohibits the loss of Liberty without a meaningful opportunity to defend, Jackson V. Virginia, supra, 443 U.S. 307, 314, 99 S.Ct. 2781, 2786 (1979), while prohibiting the conviction of any person except upon proof of guilt beyond a reasonable doubt, In re Winship, 397 U.S. 358, 90 S.Ct. 1068 (1970)." Generally.

Problem is, Nevada, Utah rather, their justice, courts and juries are skewed to favor the anglosaxon social order status quo, the burning cross illuminatti. Saints under the color of Law. "Ahem"....

Foundation of this saga began 14 April 1990, case 651, after a few police vehicles run afoul a little accident. Charges had ranged from X number of conspiracy to committ murder, this that and the other, firearms possession, etc. ad nauseum. All dismissed on 28 June 1990 on a technicality called false arrest.

At the conclusion of that proceeding, I was arrested for an incident that occurred while falsely imprisoned, an event of which occurred on 17 June 1990. The complaint was subscribed on 25 June 1990 but wasn't filed until 19 June 1990. Never mind - that Nevada statute mandates dismissing such cases, neither a murder or manslaughter. Never mind, as proven at trial, - the complaint and supporting Affidavits by two officers in - Support, twice testified to, were wholly based upon perjury. Never mind the court disregarded its encumbancy to declair a mistrial and order the officers held in contempt of court - pending charges for perjury and prosecution therefore. Thats not the point." Not with that outfit.

Fast forward about 20 years--- A black kid gets assaulted by a white correctional guard. The kid sues. A Federal District Court judge whose family are one of the - corner stones of the texas Ku Klux Klan, dismisses the case with prejudice. I did the appeal, the Ninth Circuit reversed and remanded. A las Vegas attorney was prepareing the case for trial. Another was argueing appellate causes after prevailing against the state for delaying his criminal - case appeal as bar to its timely fileing, time barring the appeal.

Resulting my assistance, out of three pending A.G. (Attorney General) referrals for felony batter, only the one involving the white correctional guard that assaulted the black kid was chosen for prosecution. Similarly situated prisoners that could have been prosecuted, had'nt. Whereas, I was.

First trial, an all white court and jury, defense as - well, resulted conviction and sentence of life without the possibility of parole.

Second trial, ditto. Excluding sentence. That ended in habituation devoid the prosecutor reserving a procedural Notice of Intent to Habituate. A mere life with the possib- ility of parole - with caveats.

Here we begin with the meatier aspects of, "Oh"; - supremacy by fiat of color of law. Kidnapping. Etc.

Backtracking a few years, just to give the reader an idea of Desert Politics, noting that I'm an Aboriginal but indigenous Native American Indian Atheist. On Tuesday, 11 -

December 2012, upon relizing he'd lost his case at Prelim, the local jewish mossad Political Officer - devoid any prior notice as otherwise mandated N.R.S. § 173.075(1), invoked - "transferred intent" as the animous of his case regarding a charge of to wit: Battery upon a correctional officer by a - prisoner in [Sic.] lawful custody. See E.g. West V. State, 119 Nev. 410, 419, 75 P.3d 808, 814 (2003)(notice as requirement to prevent - theory shifting); and Simpson V. Dist. Ct., 88 Nev. 654, 656, 503 P.2d 1225, 1227 (1975)(notice requirement as clearly established state and federal right of criminal defendants).

The white officer, e.g., the victim, no matter how its - sliced and diced, - three times now incidently, testified - the alledged incident of 24 October 2011 had been accidential. See McDonald V. Sheriff, 89 Nev. 326, 327 n.1, 512 P.2d 774, 775 n.1 (1973) (accidental battery an untriable offense). By invoking transf- erred intent as the onus of the state's case, the prosecutor no longer had to show that the testified accident wasn't. Converting thus an untriable matter into a felony offense that is triable. However, by the same token, as a matter of clearly established federal law and principle thence, neither had I been charged with 'Battery upon a correctional officer by transferred intent of/by a prisoner in lawful custody' either. A procedure by which only can a theory of transferred - intent be made to legally apply, i.e., original or outset chg. Noting, historically, I'm the third person in America whose been convicted under the theory of transferred intent.

Another interesting facet of this soredid tale of woe. Nevertheless, lawyers and Professors of law may -

argue the merits, a debate settled by the U.S. Supreme Court in Glebe V. Frost, 135 S.Ct. 429, 190 L.Ed.2d 317 319-20 (2014), and Neder V. United States, 527 U.S. 1, 6-7, 119 S.Ct. 1827 (1999), that the state of Nevada are studiously avoiding due their knowledge of neofarious behavior subject my person once discovered the antecendent mens rea of state abduction from 1990 in 2006, 23 June thereof. Begining from 23 June 2006, unabated and ongoing.

Essentially, theory shifting devod N.R.S. §173.075(1) notice, are plain error. "Structural error by fiat: Transferred intent, as a theory per se, relitive the onus of its use, elicts fatal variance, eq., plain and reversible error, structural error in nature. Each of which verdict contributory. However, although trial vitiating, neither were that from which the state nor appellate counsel had based the direct appeal and subsequent Order for retrial on 26 March 2015.

Notwithstanding other substantive issues, counsel had been provided with information of false arrest, ante., etc., by Affidavit and instructive letter as to its purpose tward obtaining evidence and useing that at trial as a Rebuttabal Presumption Defense. That is, to rebut the presumption and that of its regularity accorded a prosecutor's use of prior convictions as evidence to establish the state's burden of lawful custody relitive thus the sine qua non doctrine, without which theres no battery by a prisoner in lawful custody as theres no lawful custody to have thence begun with. Therefore, had my dumptruck public defender, a former District Attorney hereabouts, used that evidence and defense

as instructed. Not only would I have been acquitted. See E.g. Dumaine V. State, 103 Nev. 121, 124, 734 P.2d 1230, 1232 (1987) (Lawful arrest as a predicate requirement of lawful custody insomuch that battery by a prisoner in lawful custody can only be comitted by a prisoner in lawful custody or confinement). Nevada would be obligated to initiate procedures ensureing my immediate release from its custody: being unlawful to imprison a person whom illegally confined to begin with.

On the flip side of the COIN,-TELPRO operation, due to fiscal and political concerns of, "Oh;" say for example, the Canadian-American north american communist and nazi-parties United States, i.e., Capitolist Catholic Christian Politburo,-National Socialists Administration. (N.S.A.) U.S. navy due the dress whites Captins Mast and Latter Day Saints alliance for neo nazi globalization by german-jews. (Native American Indians not being jews nor thus members of the so-called Biblical lost Tribes of isreal). Nevada and federalist state security members did go through alot of trouble to kidnap-and maintain me as a state hostage since 1990 while I'd-been on an interstate compact agreement probation from-another state that finally expired in Late 1991 while falsely arrested and prosecuted, i.e., technical 18 U.S.C. § 1201 violation with an open. ended statute of limitations according to United States V. Rodriguez-Moreno, 526 U.S. 275, 281, 119 S.Ct. 1239 (1999), proactive from 1988. (Interstate Kidnapping by intrinsic fraud of court). The kidnapping currently remains unabated.

Adding a bit of spice for flavor. In a case similar to-mine, involving a prisoner falsely imprisoned within a prison

by prison officials themselves, Nevada's federal court gave the plaintiff a 100^{00} a day. Back in 11 Dec. 2012 from 24 Oct. 2011, that was'nt very much. The thing was, no one could figure out how to garnish it to the extent that remaining monies could'nt be used tward obtaining one's release from the state's fine hospitality as a state and federalist state security hostage.

Stirring the pot a bit - so to note, by the same token, it now being late August of 2016 at 100^{00} a day sans punitive and treble damages, for a within prison false arrest, types of malicious prosecution coupled with false imprisonment coterminously, i.e., first degree kidnapping. My counsel had evidently made the error in believing that they, the procecutor, and, local fratalanza nee skull & bones --- community, should'nt be made to be held liable for known criminal malfeasance. A decision based upon his knowledge of the 1990 false arrests and malicious prosecution from which stem all ancillary trials and convictions for which I'm currently imprisoned. Explaining the omission of useing that evidence to obtain an acquittal in the case, whichever one it may have been - battery or battery by transferred intent, that would have Legally resulted my release from imprisonment by the state from itself.

In any event, - literally, thats a basis of nonconvoluted ineffective assistance of counsel, a claim which the state had sought to preemptively abridge, disparge and abrogate as part of a damage control liabilities evasion protection racket operation: ongoing since 2006. Removes any claim of incompetence as a further liabilities evasion cross-claim therefore. Thus, the cause of first degree kidnapping, i.e., conviction to protract kidnapping as -

agency and means of both its protracted enforcement & unitary concealment theretofore. Doing so by, even the most jaded corrupt government official ~~would~~ wouldn't believe this, appointing the same - lawyer as my direct appeal counsel. Whom, incidently, as - the trial transcript demonstrates. Along with his wife, are - Life long friends with the actions alledged victim. ----.

As the third person convicted in America under the theory of transferred intent, the basis of my causes of appeal, in all likelihood, would free Artuo Ochoa and the other guy of murder and attempted murder.[1] Each being, or so its my well grounded presumption, illegally charged with murder and attempted murder. In my case, had I initially been charged with "battery upon a correctional officer by a prisoner in lawful custody". Then and only then would the theory of transferred intent have been legally applied. Conversely, or so its my well reasoned thought, Nevada doesn't want the Ochoa case overturned. Nor do the want the seminal theory case itself overturned either.[2] Therefore, again, its a social political supremacy issue by those of the social order status quo, i.e., Republican Guard Commission. (Peace officers union). Or in my case, the Correctional Guards & Peace Officers Union. (Or Goldman-Sachs)[3]

Doubt you'd overlook the significance of that implication, - e.g., "the court", a permutation connoting 'The Order' Knights in White Satin as, "Ahem", cross-dressers. --- And burners.

As this stew simmers, preceeding the ordered retrial, I'd filed a timely made successive collateral attack petition challenging the validity of the retrial order itself. The U.S. Supreme Court reasoned, if a verdict contributory struct-

#1. For clarification, lets call it the Bicycle incident, in which he ordered his girlfriend to shoot the guy with the bike - during a physical altercation, killing him. A - case arising in another state.

#2. See n. 1, ante.

#3. They being the nucleus of a conspiracy to monopolize all natural resources in North America for control purposes.

ual error vitiates a trial and its result. Its only reasonable that a derivitive retrial order are itself unitarily invalid in pira materia. As the order for retrial opens the door for a - challenge of that nature as the rare gateway theretofore. An issue that Nevada very much wishes don't exist.

In light of that, they would'nt decide the issue before the - ordered retrial, nor would they stay the trial pending its determination. Yet by the same token, the prosecutor, my counsel, and the court itself, had all sought to obtain a concessive waiver to my Llebe and Neder federal - rights within their sham retrial theretofore, as concession and bar to their use on direct appeal at the conclusion of their ministrations, e.g., conspiracy. Sensing that their goal, from a Belated Motion to Discharge, at the pre-trial Motions Hearing, I read in verbatum - a Proof - onto the trial court record. It just so happened to contain the very issues the prosecutor (Ku), the trial court judge (Klux), and my counsel (Klan), e.g., Jewish defense league, din't want on the record.[4] As such, its Kinda funny, - although the trial was audio visually recorded - and burned onto a D.V.D along with clear visuals as to my witnesses - and reading the proof onto the transcript record, the Proof attached my Motion for Corrected Transcript and the transcript itself. Damed if they've no resemblence nor bearing of the other, i.e., don't match.

Funny that huh?

Its also entertaining, Nevada's supreme court hadn't decided the - question of the validity of their 26 March 2015 retrial order until well after the trial of 03-04 May of 2016. But by acknowledging error - tacitly, they'd cut their own throats to an extent.[5] Denying the petition on technically nonexistant or ad hoc grounds. Citing the least, Motion for Reconsideration And Suggested Rehearing En Banc issued, followed by a -

#4. They dint want to allow me a 2d bite at the appeal apple. Planing to time bar the issue of my pending appeal challenge. Their math is also a bit licentious when construed toward evading known liabilities.

#5. Obfuscating the onus of the petition while Landing any error upon trial counsel at the - time - in hedging, while attempting to spit the hook out that they'd swallowed.

Motion to Supplement Reconsideration. The latter of which an interesting document in itself. Noting: As of this writing, the state supreme court has not rendered a decision for relief - from an order and decision which themselves both invalid from the get go. (They mean for some neck to be stretched ____.).

With the pot merrily bubbling and content of its own - accord. I'd ~~been~~ doing damage control against my appellate - counsel who'd kidnapped me by not following a simple set of - instructions as to my defense in this case.[6] Filing a Motion to Discharge; - Motion for New Appellate Counsel. We doubt he'd pursue an ineffective assistance of counsel claim.[7] Thus, in preperation for suit against him for criminal malpractice of law, e.g., first degree kidnapping, etc. Complaint to the state bar was filed on 13 August 2016. Might as well get the 50K cap from his surety. Criminal charges will follow. Penalty of wich life with the possibility of parole, life without, or a - flat term of 40 years. So thats equitable.

In just this case alone, 176.7 K are due as of the end of this August 2016 at 100^{00} per day roughly. Again, sans punitive & trebble - damages. But for trebble damages to apply, the state R.I.C.O. action would retroactively apply from 2006 at $370.2K, sans - punitive damages, at roughly 1.1 mil an change. Thats alot of political motive with the quid pro quo of assured continued public defender business thrown his way at the cost of 50 K~ to his surety.

Though hardly the amount of Motive for 25 going on 26 years of known false imprisonment by the state itself. Even at a mil per year, they pay all state and federal taxes on just that one aspect of the - case alone, - amount wise, they'd still be getting a deal for an out of court unappealable settlement, "cash". See the differentiations?

#6. Id obtained an exhibit demonstrating a false - arrest - that my counsel could have obtained long before trial, with alot more, for use in my defense. But he didn't. Id received it the day of sentencing, 11 July 2016, thereafter.

#7. Like a judge, that'd be like tryin to get him to challenge his own competency - an issue known he wouldn't, to conceal his - role in the little conspiracy at hand.

We don't expect the state to cede to those terms, but there remains a statutory amount per day that their bound to with no attachment or other caveats. Thus, Leaving my tort - claims attorney and I free to pursue the whole shebang of note. As the law applies, I'm not a prisoner rather as opposed a Kidnap - victim and hostage accorded all the reliefs of traumas, anguishes, mental and physical disabilities, including perminant injuries, disfigurments, etc., lost consortiums of varieties, etc., so on so forth. Racial, religious & judicial discrimination and punitive if not retalitory punishments for exercise of protected - rights, etc. Racketeering, R.I.C.O. Etc. Everything that legally incarcerat - ed prisoners are not accorded as available reliefs as the societal punishment for having been convicted for felony offense crimes. As it is, 18^{00} remains minimum - wage per hour for operating gold mines: who got tax breaks for employing - ex-felons. So I can max em on that: From 2006. "Legally".

That should explain, why, also, they din't want Glebe and - Neder issues on my Direct Appeal of Conviction. Along with anything else of current claims which it are that their attempting to preemptively - abrogate. Got em in an interesting position - as this litigation stew simmers - otherwise guarandeeing a 2d retrial or ceasation of the pleadings in their entirety.

Anyway, thats the extent of a defense that those of - us whom alledgedly convicted felons are permitted, e.g., no defense at all, by those of the jewish defense league whom - members of the stateside burning cross illuminatti. "Generally." 8

Mr. David O. Hooper: #31893.

#8. With the Jewish defense league qua Jewish mossad, defense right exercise are ipso facto evidence of guilt for any crime accused & being tried for. "Saintly of em---.

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1989.
Ely state prison.
Ely, Nevada.
89301.