

What are your constitutional rights?

Do you know what Substantial due Process of law means?

Procedural due process of law:

Warrant Requirement

Sufficiency of indictments

Exclusionary Rule

Rights of access to courts

Right to counsel at preliminary hearing.

I was arrested on Sept. 24, 2011 in Darlington S.C. for Disseminating harmful material to a minor. This is what the police officer claimed that charged me. I was actually wearing swim trunks in some photos on a cell phone that my third cousin who was 12 yrs. at the time saw the photos. If that was disseminating harmful material to a minor then the thousands of advertisements on T.V., magazines and newspapers should also be charged. The police used this initial charge to justify getting search and seizure warrants for my phone, service provider Verizon, my internet e-mail provider Yahoo, and a warrant to confiscate my home computer, camera and any storage data devices.

They had the cell phone. There was no legal 2
right for the police to invade my home and media
services, but they did anyway. In doing so, they
added three more charges for what they claim
was child pornography and Sexual exploitation
of a minor. At trial I was found "guilty by
intent". The prosecutor finally admitted I was
not nude in the photos as the affidavit says
on the indictments, but he strongly stressed to
the jury that my intent was to entice these
minors to have sex with me. My public
defender never objected to the prosecutors leading,
and he convinced the jury to find me guilty
on all four charges, by intent.

After learning a bit about the law during
my more violent 8 year sentence in state prison,
I learned how I was found guilty. It was
because of the "birdcatcher". My "ignorance of
the law." That's the birdcatcher. That's much
the reason why so many jailbirds are in the
cage. Caught by their own ignorance of the way
law and justice suppose to work.

Your lawyer or the judge is not going to
protect you from your own ignorance of the
law. They are suppose to, but they don't.

At least not in 50% court of law.

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If I had known just a fraction of the law the day of my arrest my charges would have been dropped. The police told the grand jury I was nude in the photos, and this is how they obtained the indictments. I did not know they were suppose to serve me these indictments. I never saw the indictments until four years later. After my sentence was over and I asked my Post Conviction Relief attorney to get them for me.

Just as I thought. The police did say I was nude. It is the only way it could be a crime.

They also told a lie that the mirrors read an indecent message on the phone in a file, when their testimony at trial denied this. They also said I was not nude in the photos. I did not know what procedure is required by the police to properly have the legal right to hold me in confinement. They violated my 14th Amend. right to due process of law. That means they did not process the right of procedure to keep me under arrest. 1. I did not have a timely preliminary hearing. 2. The indictment was not obtained until a year and a half after my arrest. 3. I was never served the indictments, 4. I was shown the evidence against me by my attorney.

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5. The warrant was facially flawed because it did not state who said I was nude in the photos, and it did not agree with the photos showing no nudity at all. 6. The indictments were insufficient for the same reasons. 7. They violated the Exclusionary Rule by obtaining search and seizure warrants having no valid reason to do so. So any evidence obtained in these searches should never have been allowed submission in court, but it was.

My assigned Public Defender never said a word at the preliminary hearing to defend that I was not nude in the photos or that the minors never read an indecent message I wrote. She was so ineffective, it was as though I had no legal defender. In fact, she told me not to say a word at the hearing. I learned later I had the right to speak at the hearing.

During that year and a half before trial I tried everything to get help by mail to organizations, attorneys and the state court to defend me but I did not get a reply from anyone. I even wrote the governor, S.W.F.S. and the F.B.I.

The jail staff in the mail dept. blocked all my mail, going out or coming in. I felt like a hostage in my own country.

The weapon that kills more minorities in this 5 country is not police guns but the "birdcatcher".

The killing is not a physical death but a societal death, when you're taken out of society by locking you up in prisons for years, you're dead to society. To it, you don't even exist. Minorities include the whites that live just above and below the poverty level. It is the poor that fill the jails and prisons, largely because they don't know the law, and what their constitutional rights are.

I am the perfect example of the birdcatcher.

The average person on the street know nothing of how the law works, and the police and the courts know this. They don't know about

1. constructive amendment,
 2. the Brady Rule,
 3. Beyond Reasonable Doubt,
 4. Judicial Deception,
 - or 5. Double Jeopardy.
- Ignorance of the law is an excuse and that's why you are given an attorney, but here is where the birdcatcher works best.

We believe this attorney is going to work for our best interest. We have no idea if a lawyer has defended us well or not. I really thought after trial he did his best. I even shook his hand. Thanking him for trying. Two years in the law library told me an entirely different story.

Especially after reading caselaw *Strickland*

v. Washington, 447 U.S. 1267, 104 S. Ct. 3562.

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It is education in understanding the law and its procedures that eliminates the birdcatcher.

If you're not in a state prison then you most likely are in a county jail which normally have very little legal research material. If you can get your family or friends to get you the Georgetown Law Journal, it is a very good start for you to learn the law. \$25.00 at: GEORGETOWN LAW
600 NEW JERSEY AVE., NW, WASHINGTON, DC,
20001.

ALSO SUBSCRIBE TO A FREE "CRIMINAL LEGAL NEWS" MAGAZINE: CRIMINAL LEGAL NEWS
BOX 1151, LAKE WORTH, FL 33460. Inside,
you'll find many self training books.

I am currently incarcerated because the state classified me as a "sexually violent predator" before I was released from prison and I was not even notified. I was taken from state prison to the county jail to now be sentenced to civil commitment to take sex evaluation test to determine if I should be put in a mental institution for the rest of my life. All this stemming from that arresting police officer's bias

to the magistrate judge and the grand jury of
a crime proven in court I never committed. 7

I am fighting the state that has illegally
classified these non-violent crimes by federal
guidelines as violent crimes according to S.C.
guidelines under the S.V.P. act. The only way
I was able to learn of the two guideline
differences was by studying the law. States
can not override clearly established Federal law
as determined by the Supreme Court.

The court appointed attorney assigned to me
fifteen minutes before I went before the
adversarial hearing for S.V.P. never opened
his mouth to defend me against the prosecutors
inaccurate allegations. He said I had sex
with the two minors and they read an irrelevant
message I wrote. Now if I was convicted
of sex with the minors I should have been
sentenced to more than 8 years non-violent.

The judge that was over the S.V.P. hearing
was the same judge over the criminal hearing.

So he knew I never had sex with the minors
and yet he went along with this kangaroo court
to sentence me to take the evaluations.

If a lay person like me who is just learning
the law can easily see that the state of S.C.

has clearly circumvented a clearly established Federal law on crimes of violence, judges in district courts have no excuse for how they purposely sentence people to submit to the requirements of the S.V.P. act when they are not eligible for it. The immorality that prevails in the court system of S.C. is absolutely atrocious, and the sad part is the victim is not even aware of the injustice until it's too late. All because of the birdcatcher. Ignorance of the law.

Just recently, in New York court, Chief Administrative Judge on Nov. 7, 2017 issued a new rule that all trial judges in the state issue a "Brady" order at the outset of all criminal trials. New York becomes the first state in the country to implement a state wide notice requirement by presiding judges to prosecutors in all applicable criminal trials. Every state needs to do the same. Prosecutors are notorious for not revealing all the evidence to the defense. In my case, the prosecutor never told the jury it was the arresting officer that said I was nude in photos and not the minors who said it. The alleged victims never said anything at trial.

to accuse me of a crime. It was the police officer⁹ that did. The prosecutor or my attorney never stated to the jury that the testimony of the police officer committed perjury. That is, he lied about me under oath.

I have found 23 errors that occurred in my trial. All due to my attorney not effectively defending me. To name a few: 1. Prejudicial statements, 2. Misjoinder, 3. Opening and closing arguments, 4. Presumptions jury instructions, 5. prior criminal history revealed, 6. abuse of discretion, 7. Plain Error.

It takes a determined effort to seek out knowledge and defend yourself against this "Prison Industrial Complex" this country has created. It's a lucrative business to incarcerate people, and since I've been in the system now for over ten years combined, the line is very clearly drawn who gets the lions share and who gets the crumbs. It is the court system and the police dept's that get the lions share. The prisons and jails get the crumbs. Had to say but true that the whites control the courts and the blacks run the confinements. That's in S.C. It

uses its courts as the modern day hanging rope. 10
I've yet to see a black attorney come in this
jail to defend a prisoner, or a black judge
for a trial. 95% of the police in the sheriff's
dept are white. 70% of the people in Darlington
are black. It adds up to one thing. Racism plays
heavily in the judicial system in not just
Darlington county, but the entire state. There
are only 3.6 million people in the entire state with
30 prisons. So when the police arrest someone, they
try to pile every sort of crime on him to keep
him incarcerated as long as possible. It's why
the fabricated crimes against me and now
creating another reason to keep me confined.

As long as you remain unaware of how the law
is supposed to work, the authority will run over your
constitutional rights like a run away freight train.
There is freedom in knowledge and a protection.
Power in knowledge and that's what the ones who
control the courts have because not only do they
know the law, they also know how to maneuver
it to their advantage because of the birdcatcher.
I have become a jailhouse lawyer and help
many other inmates over the years. I am an
eye witness as to how the sheriff's office tries

to stick it to you. One of their favorite tactics is "compounding" more charges on you for the same crime. A violation of the Fifth Amendment. No person shall be subject for the same offense to be twice put in jeopardy of life or limb. Yet the police do this quite frequently.

So in conclusion, if you are a birdcatcher, you have a choice. You can stop being a jail-bird and don't let them catch you and keep you in a cage by learning the procedure of law.

It's not difficult to understand basic arrest procedures and what is required of the authority.

It's what you don't know is how they catch you. I will never be a birdcatcher again.

Protect yourself against this juggernaut of injustice in this country. The empire of ignorance of the law. There is injustice in our courts because we have allowed it to exist because we don't know how the law should work. Here are some sources to help you get your info. to learn the law.

PRISON ACTIVIST RESOURCE CENTER

1308 70447, OAKLAND, CA. 94612

ask for their directory.

SAILHOUSE LAWYERS HANDBOOK

17.

133 NASSAU ST. RM 922, NEW YORK, NY 10038

Send \$3.00 for the handbook.

LEWISBURG PRISON PROJECT

BOX 128, LEWISBURG, PA 17837-0128

ask for their legal Bulletins list

The law is good. It's on your side. You have certain ones working in the justice system and police force that apply the law in illegal ways.

Only on the bidcatcher. Learn to use the law to your advantage and stop those in law from breaking the law against you. It's the only way to become free and remain free.

Justice - Case you need to know.