

Joint Appendix 1

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UNITED STATES DISTRICT COURT CASE NO. 1:13-CR-435-1
MIDDLE DISTRICT OF NORTH CAROLINA

Join Appendix in attachment to “PETITION FOR A WRIT OF MANDAMUS TO THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA AND MOTION FOR STAY OF DISTRICT COURT JUDGMENT PENDING MANDAMUS OR UNTIL FINAL APPEAL MANDATE”

PROB 12C
11/03

**UNITED STATES DISTRICT COURT
for the
Middle District of North Carolina**

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: BRIAN DAVID HILL Case Number: 1:13CR435-1
Name of Sentencing Judicial Officer: The Honorable William L. Osteen, Jr.
Date of Original Sentence: November 10, 2014
Original Offense: Possession of Child Pornography in violation of 18 U.S.C. § 2252(A)(a)(5)(B) and (b)(2).
Original Sentence: Custody of the Bureau of Prisons for 10 months and 20 days, but not less than time served, followed by 10 years supervised release.

April 29, 2015: Modification suspending mandatory drug testing was filed.

June 30, 2015: Supervised release violation hearing before the Honorable Thomas D. Schroeder. Supervised release was continued with the additional special conditions of six (6) months home incarceration and participation in a Cognitive Behavioral Therapy program.

September 4, 2015: Report of Offender Under Supervision was filed.

Type of Supervision: Supervised Release Date Supervision Commenced: November 13, 2014
Date Supervision Expires: November 12, 2024

Assistant U.S. Attorney: Anand Prakash Ramaswamy Defense Attorney: John Scott Coalter

PETITIONING THE COURT

- To issue a warrant. For compelling reasons, this petition and Warrant shall remain sealed until the Warrant is executed. The Clerk shall provide a copy of the petition and Warrant to the U.S. Attorney's Office and the United States Marshal Office.
- To issue a summons

The probation officer believes that Mr. Hill has violated the following condition(s) of supervision:

Violation 1 - The defendant shall not commit another federal, state or local crime.

On September 21, 2018, Mr. Hill was arrested by the Martinsville Police Department in Martinsville, VA for Misdemeanor Indecent Exposure. The offense date was September 21, 2018. Mr. Hill remains without bond at the Martinsville City Jail as of the date of this report. Mr. Hill's next scheduled court date is December 21, 2018.

According to the police report, on the night of September 21, 2018, a report was received that a nude male had been observed running on a public park trail within the city limits. Officers responded and made contact with the male, later identified as Mr. Hill. Mr. Hill ran away from the officers and was shortly thereafter detained near a creek. Mr. Hill advised the officers that a "black man in a hoodie" made Mr. Hill

RE: Brian David Hill

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"get naked and take pictures of himself." Mr. Hill was in possession of a camera which he voluntarily allowed the officers to examine. The camera contained several nude photographs of Mr. Hill in different locations around the city of Martinsville. Following an examination at a local hospital, Mr. Hill was medically and psychologically cleared. Mr. Hill was subsequently arrested for Indecent Exposure, in violation of Virginia Criminal Code § 18.2-37, a Class 1 Misdemeanor.

U.S. Probation Officer Recommendation:

- The term of supervision should be
 - revoked.
 - extended for _____ years, for a total term of _____ years.

- The conditions of supervision should be modified as follows:

I declare under penalty of perjury that the forgoing is true and correct.

Executed on November 6, 2018



Kevin M. Alligood
U.S. Probation Officer Specialist

Approved by:



Edward R. Cameron
Supervisory U.S. Probation Officer

November 12, 2018

Date

Joint Appendix 2

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UNITED STATES DISTRICT COURT CASE NO. 1:13-CR-435-1
MIDDLE DISTRICT OF NORTH CAROLINA

Join Appendix in attachment to “PETITION FOR A WRIT OF MANDAMUS TO THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA AND MOTION FOR STAY OF DISTRICT COURT JUDGMENT PENDING MANDAMUS OR UNTIL FINAL APPEAL MANDATE”

APPEAL,CASREF,CLOSED

**U.S. District Court
North Carolina Middle District (NCMD)
CRIMINAL DOCKET FOR CASE #: 1:13-cr-00435-TDS-1**

Case title: USA v. HILL
Related Case: 1:17-cv-01036-TDS-JLW

Date Filed: 11/25/2013
Date Terminated: 11/12/2014

Assigned to: JUDGE THOMAS
D. SCHROEDER

Appeals court case number:
15-4057

Defendant (1)

BRIAN DAVID HILL
TERMINATED: 11/12/2014

represented by **BRIAN DAVID HILL**
310 FOREST STREET
APARTMENT 1
MARTINSVILLE, VA 24112
PRO SE

ERIC D. PLACKE
OFFICE OF FEDERAL PUBLIC DEFENDER
301 N. ELM ST., STE. 410
GREENSBORO, NC 27401
336-333-5455
Fax: 336-333-5463
Email: Eric_Placke@fd.org
TERMINATED: 09/30/2014
LEAD ATTORNEY
*Designation: Public Defender or Community
Defender Appointment*

JOHN SCOTT COALTER
COALTER LAW, PLLC
910 NORTH ELM STREET
GREENSBORO, NC 27401
336-549-5386
Email: scott@greensborolawyers.com
TERMINATED: 11/12/2014
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

RENORDA E. PRYOR
HERRING LAW CENTER
1821 HILLDALE ROAD, STE. 1B-220
DURHAM, NC 27705
919-355-5001
Email: rpryor@herringlawcenter.net
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Pending Counts

18:2252A(a)(5)(B) and (b)(2)
Possess child pornography of a
prepubescent minor under 12
years of age
(1)

Disposition

Ten (10) months and twenty (20) days
imprisonment, but not less than time served; ten (10)
years supervised release; \$100.00 special assessment

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

None

Disposition

Plaintiff

USA

represented by **ANAND PRAKASH RAMASWAMY**
 U. S. ATTORNEY'S OFFICE
 101 S. EDGEWORTH ST., 4TH FLOOR
 GREENSBORO, NC 27401
 336-333-5351
 Fax: 336-333-5381
 Email: anand.ramaswamy@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

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Designation: United States Attorney

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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
11/25/2013	<u>1</u>	INDICTMENT as to BRIAN DAVID HILL (1) count(s) 1. (Daniel, J) (Entered: 11/26/2013)
11/26/2013	<u>2</u>	ARREST Warrant Issued in case as to BRIAN DAVID HILL. (Daniel, J) (Entered: 11/26/2013)
12/23/2013		Arrest of BRIAN DAVID HILL on 12/23/2013. (Starr, Logan) (Entered: 12/23/2013)
12/23/2013		Attorney update in case as to BRIAN DAVID HILL. Attorney ERIC D. PLACKE for BRIAN DAVID HILL added. (Starr, Logan) (Entered: 12/23/2013)

		by USA as to BRIAN DAVID HILL re <u>144</u> MOTION for Leave to File Replies due by 4/9/2018 (RAMASWAMY, ANAND) (Entered: 03/23/2018)
03/23/2018	<u>149</u>	MEMORANDUM by USA as to BRIAN DAVID HILL re <u>144</u> MOTION for Leave to File filed by BRIAN DAVID HILL (Attachments: # <u>1</u> Supplement, # <u>2</u> Supplement, # <u>3</u> Supplement, # <u>4</u> Supplement)(RAMASWAMY, ANAND) (Entered: 03/23/2018)
04/06/2018	<u>150</u>	REPLY TO RESPONSE to <u>144</u> MOTION for Leave to File entitled "Petitioner's Response Brief in Opposition to "Government's Response to "Motion and Brief for Leave to File Additional Evidence" and Government's Motion for Pre-Filing Injunction" (Document # <u>148</u>) and "Memorandum in support of Government's Motion for Pre-Filing Injunction" (Document # <u>149</u>)" filed by BRIAN DAVID HILL. (Attachments: # <u>1</u> Supplement 1, # <u>2</u> Supplement 2, # <u>3</u> Supplement 3, # <u>4</u> Envelope – Front and Back) (Civil Case number: 17CV1036) (Garland, Leah) (Entered: 04/09/2018)
04/10/2018		Motion Referred to MAG/JUDGE JOE L. WEBSTER RE: <u>144</u> MOTION entitled "Petitioner's Motion and Brief for Leave to File Additional Evidence." (1:17CV1036) (Engle, Anita) (Entered: 04/10/2018)
06/25/2018	<u>151</u>	MOTION entitled "Petitioner's Motion for requesting Psychological/Psychiatric Evaluation to Determine actual Innocence factor under False Confession element and to resolve the controversy/conflict between Government and Petitioner over "Delusional Disorder" filed by BRIAN DAVID HILL. Response to Motion due by 7/17/2018. (Attachments: # <u>1</u> Supplement 1, # <u>2</u> Supplement 2, # <u>3</u> Supplement 3, # <u>4</u> Supplement 4, # <u>5</u> Envelope – Front and Back) (Garland, Leah) (Entered: 06/26/2018)
06/27/2018		Motion Referred to MAG/JUDGE JOE L. WEBSTER RE: <u>151</u> MOTION entitled "Petitioner's Motion for requesting Psychological/Psychiatric Evaluation to Determine actual Innocence factor under False Confession element and to resolve the controversy/conflict between Government and Petitioner over "Delusional Disorder." (Engle, Anita) (Entered: 06/27/2018)
10/03/2018	<u>152</u>	STATUS REPORT by BRIAN DAVID HILL. Civil Case 1:17CV1036. (Attachments: # <u>1</u> Envelope – Front and Back)(Taylor, Abby) (Entered: 10/03/2018)
10/17/2018	<u>153</u>	MOTION to Appoint Attorney and STATUS REPORT filed by BRIAN DAVID HILL. (Attachments: # <u>1</u> Envelope – Front and Back) (Garland, Leah) (Entered: 10/18/2018)
10/19/2018		Motion Referred to MAG/JUDGE JOE L. WEBSTER RE: <u>153</u> MOTION to Appoint Attorney and STATUS REPORT filed by BRIAN DAVID HILL. (1:17cv1036) (Engle, Anita) (Entered: 10/19/2018)
10/24/2018	<u>154</u>	MOTION entitled "Petitioner asks Court to continue Supervised Release" filed by BRIAN DAVID HILL. Response to Motion due by 11/16/2018. (Attachments: # <u>1</u> Envelope – Front and Back) (Garland, Leah) (Entered: 10/24/2018)
10/25/2018		Motion Submission to CHIEF JUDGE THOMAS D. SCHROEDER as to BRIAN DAVID HILL re <u>154</u> MOTION entitled "Petitioner asks Court to continue Supervised Release." (Engle, Anita) (Entered: 10/25/2018)
10/29/2018	<u>155</u>	STATUS REPORT entitled "October 25, 2018 Status Report" filed by BRIAN DAVID HILL. (Attachments: # <u>1</u> Envelope – Front and Back) (Garland, Leah) (Entered: 10/29/2018)
11/13/2018	<u>156</u>	SEALED Statement of Reasons as to BRIAN DAVID HILL. (Bailey, Jeanne) (Entered: 11/13/2018)
11/13/2018	<u>157</u>	USPO PROB 12C – Offender Under Supervision as to BRIAN DAVID HILL. (Bailey, Jeanne) Modified on 5/15/2019 to unseal. (Daniel, J) (Entered: 11/13/2018)
11/13/2018	<u>158</u>	SEALED USPO PROB 12C – Supplement Report as to BRIAN DAVID HILL (Attachments: # <u>1</u> Memo to Clerk) (Bailey, Jeanne) (Entered: 11/13/2018)
11/13/2018		Case Referred to CHIEF JUDGE THOMAS D. SCHROEDER as to BRIAN DAVID HILL, RE: <u>157</u> SEALED USPO PROB 12C – Offender Under Supervision and <u>158</u> SEALED USPO PROB 12C – Supplement Report. (Engle, Anita) (Entered: 11/13/2018)

11/13/2018	<u>159</u>	ORDER FOR WARRANT as to BRIAN DAVID HILL. Signed by CHIEF JUDGE THOMAS D. SCHROEDER on 11/13/2018. (Daniel, J) Modified on 5/15/2019 to unseal. (Daniel, J) (Entered: 11/13/2018)
11/14/2018	<u>160</u>	Warrant Issued SRV as to BRIAN DAVID HILL. (Daniel, J) Modified on 5/15/2019 to unseal. (Daniel, J) (Entered: 11/14/2018)
11/29/2018	<u>161</u>	DECLARATION entitled "November 28, 2018 Status Report and Declaration of Brian David Hill in support of Doc. # <u>125</u> , # <u>128</u> " filed by BRIAN DAVID HILL. (Attachments: # <u>1</u> Envelope – Front and Back) (Garland, Leah) (Entered: 11/30/2018)
11/30/2018	<u>162</u>	NOTICE entitled "Status Report of Brian David Hill – November 27, 2018" filed by BRIAN DAVID HILL. (Attachments: # <u>1</u> Envelope – Front and Back) (Civil Case number: 17CV1036) (Garland, Leah) (Entered: 11/30/2018)
12/12/2018	<u>163</u>	DECLARATION of BRIAN DAVID HILL filed by BRIAN DAVID HILL. (Attachments: # <u>1</u> Envelope – Front and Back) (Garland, Leah) (Entered: 12/12/2018)
12/13/2018	<u>164</u>	AMENDED DECLARATION of BRIAN DAVID HILL entitled "Declaration of Brian David Hill in support of continuing Supervised Release, towards innocence of case" filed by BRIAN DAVID HILL. (Attachments: # <u>1</u> Envelope – Front and Back)(Garland, Leah) (Entered: 12/13/2018)
12/21/2018	<u>165</u>	MOTION to Dismiss (Entitled: Motion for Summary Judgment or Case Dismissal of Supervised Release Violation) by BRIAN DAVID HILL. Response to Motion due by 1/9/2019. Civil Case 1:17CV1036. (Attachments: # <u>1</u> Envelope – Front and Back)(Taylor, Abby) (Entered: 12/26/2018)
12/24/2018		Arrest of BRIAN DAVID HILL in the WESTERN DISTRICT OF VIRGINIA. (Daniel, J) (Entered: 05/15/2019)
12/27/2018		Motion No Longer Submitted to CHIEF JUDGE THOMAS D. SCHROEDER: <u>154</u> MOTION entitled "Petitioner asks Court to continue Supervised Release" filed by BRIAN DAVID HILL. (Engle, Anita) (Entered: 12/27/2018)
12/27/2018		Motions Referred to MAG/JUDGE JOE L. WEBSTER RE: <u>165</u> MOTION to Dismiss, (Entitled: Motion for Summary Judgment or Case Dismissal of Supervised Release Violation), and <u>154</u> MOTION entitled "Petitioner asks Court to continue Supervised Release" filed by BRIAN DAVID HILL. (Engle, Anita) (Entered: 12/27/2018)
01/09/2019	<u>166</u>	NOTICE OF CHANGE OF ADDRESS filed by BRIAN DAVID HILL. Address updated on docket sheet. (Attachments: # <u>1</u> Envelope – Front and Back) (Garland, Leah) (Entered: 01/09/2019)
01/17/2019	<u>167</u>	NOTICE OF CHANGE OF ADDRESS filed by BRIAN DAVID HILL. Address updated on docket sheet. (Attachments: # <u>1</u> Envelope – Front and Back) (Garland, Leah) (Entered: 01/17/2019)
01/24/2019	<u>168</u>	LETTER MOTION for Certified Copies filed by BRIAN DAVID HILL. Response to Motion due by 2/14/2019. (Attachments: # <u>1</u> Envelope – Front and Back) (Garland, Leah) (Entered: 01/24/2019)
01/25/2019		Motion Referred to MAG/JUDGE JOE L. WEBSTER RE: <u>168</u> LETTER MOTION for Certified Copies filed by BRIAN DAVID HILL. (Engle, Anita) (Entered: 01/25/2019)
01/30/2019	<u>169</u>	MOTION for Hearing and for Appointment for Counsel filed by BRIAN DAVID HILL. Responses due by 2/20/2019. (Attachments: # <u>1</u> Envelope – Front and Back) (Garland, Leah) (Entered: 01/30/2019)
01/30/2019		Motion Referred to MAG/JUDGE JOE L. WEBSTER RE: <u>169</u> MOTION for Hearing and for Appointment for Counsel filed by BRIAN DAVID HILL. (1:17CV1036) (Engle, Anita) (Entered: 01/30/2019)
03/01/2019	<u>170</u>	EXHIBIT to <u>125</u> MOTION to Vacate, Set Aside or Correct Sentence (pursuant to 28 U.S.C. 2255), by BRIAN DAVID HILL. (Attachments: # <u>1</u> Envelope – Front and Back) (Civil Case number: 17CV1036) (Garland, Leah) (Entered: 03/04/2019)

03/13/2019	<u>171</u>	BRIEF/MEMORANDUM entitled "Brief/Memorandum of Law on Rule 11 Plea in support of 2255 Motion (Doc. # <u>125</u>) and 2255 Brief (Doc. # <u>128</u>)" filed by BRIAN DAVID HILL to <u>128</u> Memorandum, <u>125</u> Motion to Vacate/Set Aside/Correct Sentence (2255) filed by BRIAN DAVID HILL. (Attachments: # <u>1</u> Supplement 1, # <u>2</u> Supplement 2, # <u>3</u> Supplement 3, # <u>4</u> Supplement 4, # <u>5</u> Envelope – Front and Back) (Civil Case number: 17CV1036) (Garland, Leah) (Entered: 03/13/2019)
03/28/2019	<u>172</u>	DECLARATION entitled "Declaration of Brian David Hill in opposition to charge under documents <u>156</u> , <u>157</u> , and <u>158</u> " filed by BRIAN DAVID HILL. (Attachments: # <u>1</u> Envelope – Front and Back) (Garland, Leah) (Entered: 03/28/2019)
04/11/2019	<u>173</u>	DECLARATION entitled "Declaration of Brian David Hill in Opposition to Government's Documents <u>156</u> , <u>157</u> , and <u>158</u> " filed by BRIAN DAVID HILL. (Attachments: # <u>1</u> Envelope – Front and Back) (Garland, Leah) (Entered: 04/11/2019)
05/03/2019	<u>174</u>	DECLARATION of BRIAN DAVID HILL entitled "Declaration of Brian David Hill in Opposition to Government's charging documents # <u>156</u> , # <u>157</u> , and # <u>158</u> " filed by BRIAN DAVID HILL. (Attachments: # <u>1</u> Envelope – Front and Back) (Civil Case number: 17CV1036) (Garland, Leah) (Entered: 05/03/2019)
05/03/2019	<u>175</u>	NOTICE OF CHANGE OF ADDRESS filed by BRIAN DAVID HILL. Address updated on docket sheet. (Attachments: # <u>1</u> Envelope – Front and Back) (Civil Case number: 17CV1036) (Garland, Leah) (Entered: 05/03/2019)
05/15/2019	<u>176</u>	Rule 32.1 Documents Received from the WESTERN DISTRICT OF VIRGINIA as to BRIAN DAVID HILL. (Attachments: # <u>1</u> WDVA Competency/Detention Minutes, # <u>2</u> WDVA Order Setting Conditions of Release, # <u>3</u> WDVA Appearance Bond, # <u>4</u> WDVA Waiver of Rule 32.1 Hearings, # <u>5</u> WDVA Docket Sheet) (Daniel, J) Modified on 6/26/2019 to correct typo. (Engle, Anita) (Entered: 05/15/2019)
06/24/2019	<u>177</u>	NOTICE OF CHANGE OF ADDRESS filed by BRIAN DAVID HILL. Address updated on docket sheet. (Attachments: # <u>1</u> Envelope – Front and Back) (Civil Case number: 17CV1036) (Garland, Leah) (Entered: 06/25/2019)
06/24/2019	<u>178</u>	DECLARATION entitled "Evidence Declaration of Brian David Hill regarding State Pro Se Motion in Opposition to Government's/Respondent's Document #156, #157, and #158" filed by BRIAN DAVID HILL. (Attachments: # <u>1</u> Envelope – Front and Back) (Civil Case number: 17CV1036) (Garland, Leah) (Entered: 06/25/2019)
06/24/2019	<u>179</u>	DECLARATION entitled "June 21, 2019 Declaration of Brian David Hill in Opposition to Government's/Respondent's Documents #156, #157, and #158" filed by BRIAN DAVID HILL. (Attachments: # <u>1</u> Envelope – Front and Back) (Civil Case number: 17CV1036) (Garland, Leah) (Entered: 06/25/2019)
06/26/2019		Case Referred to MAGISTRATE JUDGE L. PATRICK AULD as to BRIAN DAVID HILL, RE: Appointment of Counsel. (Engle, Anita) (Entered: 06/26/2019)
06/26/2019		Attorney update in case as to BRIAN DAVID HILL. RENORDA E. PRYOR for BRIAN DAVID HILL added pending review of Financial Affidavit. (O'Doherty, Sinead) (Entered: 06/26/2019)
06/26/2019	<u>180</u>	NOTICE OF HEARING as to BRIAN DAVID HILL. Final Hearing re Revocation of Supervised Release set for 8/9/2019 at 02:00 PM in Winston-Salem Courtroom #2 before CHIEF JUDGE THOMAS D. SCHROEDER. (Engle, Anita) (Main Document 180 replaced on 6/27/2019) (Engle, Anita). (Entered: 06/26/2019)
06/26/2019		Attorney update in case as to BRIAN DAVID HILL. (Engle, Anita) (Entered: 06/26/2019)
07/22/2019	<u>181</u>	DECLARATION entitled "Evidence Declaration of Brian David Hill Regarding Carbon Monoxide and Letgter to Martinsville Police Chief in Opposition to Government's/Respondent's Documents # <u>156</u> , # <u>157</u> , # <u>158</u> , # <u>159</u> , and # <u>160</u> " filed by BRIAN DAVID HILL. (Attachments: # <u>1</u> Exhibit 0, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8, # <u>10</u> Exhibit 9, # <u>11</u> Exhibit 10, # <u>12</u> Envelope – Front and Back) (Garland, Leah) (Entered: 07/22/2019)

07/22/2019	<u>182</u>	MOTION to Continue <i>Revocation of Supervised Release Hearing</i> by BRIAN DAVID HILL. (Attachments: # <u>1</u> Text of Proposed Order)(PRYOR, RENORDA) (Entered: 07/22/2019)
07/23/2019		Motion Submission to CHIEF JUDGE THOMAS D. SCHROEDER as to BRIAN DAVID HILL re <u>182</u> MOTION to Continue <i>Revocation of Supervised Release Hearing</i> . (Engle, Anita) (Entered: 07/23/2019)
07/23/2019	<u>183</u>	ORDER as to BRIAN DAVID HILL signed by CHIEF JUDGE THOMAS D. SCHROEDER on 7/23/2019; that the Defendant's motion for a continuance is GRANTED, and the Defendant's supervised release violation hearing is rescheduled to September 12, 2019, at 2:00 p.m. in Courtroom 2 in Winston-Salem, North Carolina. (Sheets, Jamie) (Entered: 07/23/2019)
07/23/2019		Reset Hearings as to BRIAN DAVID HILL: Final Hearing re Revocation of Supervised Release set for 9/12/2019 at 02:00 PM in Winston-Salem Courtroom #2 before CHIEF JUDGE THOMAS D. SCHROEDER. (Sheets, Jamie) (Entered: 07/23/2019)
07/23/2019	<u>184</u>	NOTICE OF ATTORNEY APPEARANCE JOHN M. ALSUP appearing for USA. (ALSUP, JOHN) (Entered: 07/23/2019)
08/16/2019	<u>185</u>	SRV Arrest Warrant Returned Executed on 12/22/2018 in case as to BRIAN DAVID HILL. (Sheets, Jamie) (Entered: 08/16/2019)
09/12/2019	<u>186</u>	Minute Entry for proceedings held before CHIEF JUDGE THOMAS D. SCHROEDER in WS-2:FINAL HEARING RE REVOCATION OF SUPERVISED RELEASE as to BRIAN DAVID HILL held on 9/12/2019. AUSA Anand Ramaswamy present for the Government. Attorney Renorda Pryor present for the Defendant. Defendant present on bond. Defendant moves for a continuance. Government opposes the motion. Court DENIES motion. Defendant denies violation 1 of <u>157</u> Petition. Matter is contested (see Witness and Exhibit List) The Court finds the defendant in violation and Supervised Release is revoked. The defendant is REMANDED to the Bureau of Prisons for 9 months, followed by 9 years of Supervised Release (see Judgment and Commitment). Defendant permitted to self-report directly to the institution designated by the BOP or to the USMS in Greensboro, NC by 12:00 PM on 12/6/2019. Defendant's Release Conditions modified to include GPS location monitoring to begin within 7 days and a curfew at the probation officer's discretion.(Court Reporter Briana Bell.) (Engle, Anita) Modified on 9/13/2019 to correct typographical error. (Engle, Anita) (Entered: 09/12/2019)
09/12/2019	<u>187</u>	PRO SE NOTICE OF APPEAL (Interlocutory) by BRIAN DAVID HILL re <u>183</u> Order on Motion to Continue. (Attachments: # <u>1</u> Envelope - Front and Back)(Engle, Anita) (Entered: 09/12/2019)
09/12/2019	<u>188</u>	Exhibit Receipt Pursuant to Local Rule 79.4 for Exhibits from 9/12/2019 Supervised Release Violation Hearing. (Engle, Anita) (Entered: 09/12/2019)
09/12/2019	<u>189</u>	Exhibit Receipt Pursuant to Local Rule 79.4 for Exhibits from 6/30/2015 Supervised Release Violation Hearing. (Engle, Anita) (Entered: 09/12/2019)
09/12/2019	<u>190</u>	PRO SE NOTICE OF APPEAL without payment of fees by BRIAN DAVID HILL. (Attachments: # <u>1</u> Envelope - Front and Back)(Engle, Anita) (Entered: 09/12/2019)
09/13/2019	<u>191</u>	Electronic Transmission of Notice of Appeal and Docket Sheet as to BRIAN DAVID HILL to US Court of Appeals re: <u>187</u> Notice of Appeal - Interlocutory and <u>190</u> Notice of Appeal Without Fee Payment. (Daniel, J) (Entered: 09/13/2019)
09/18/2019	<u>192</u>	MOTION by BRIAN DAVID HILL for stay of judgment pending appeal and its supporting memorandum of law - emergency motion. Response due by 10/15/2019. (Attachments: # <u>1</u> Envelope - Front and Back) (Daniel, J) (Entered: 09/18/2019)
09/18/2019	<u>193</u>	DECLARATION of BRIAN DAVID HILL re: <u>192</u> Motion to Stay for stay of judgment pending appeal and its supporting memorandum of law - emergency motion. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Envelope - Front and Back) (Daniel, J) (Entered: 09/18/2019)

09/19/2019		Motion Submission to CHIEF JUDGE THOMAS D. SCHROEDER as to BRIAN DAVID HILL re <u>192</u> MOTION for stay of judgment pending appeal. (Engle, Anita) (Entered: 09/19/2019)
09/23/2019	<u>194</u>	REQUEST by BRIAN DAVID HILL for Transcript. Response due by 10/18/2019. (Attachments: # <u>1</u> CJA 24, # <u>2</u> Envelope – Front and Back) (Daniel, J) (Entered: 09/23/2019)
09/24/2019		Motion Referred to MAGISTRATE JUDGE JOE L. WEBSTER RE: <u>194</u> REQUEST for Transcript. (Engle, Anita) (Entered: 09/24/2019)

Joint Appendix 3

USWGO

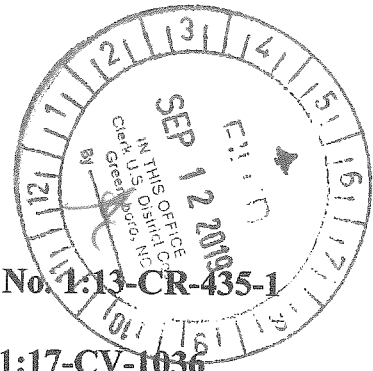
QANON // DRAIN THE SWAMP
MAKE AMERICA GREAT AGAIN



UNITED STATES DISTRICT COURT CASE NO. 1:13-CR-435-1
MIDDLE DISTRICT OF NORTH CAROLINA

Join Appendix in attachment to “PETITION FOR A WRIT OF MANDAMUS TO THE
UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH
CAROLINA AND MOTION FOR STAY OF DISTRICT COURT JUDGMENT
PENDING MANDAMUS OR UNTIL FINAL APPEAL MANDATE”

In the United States District Court
For the Middle District of North Carolina



**Brian David Hill,
Petitioner/Defendant**

v.

**United States of America,
Respondent/Plaintiff**

Criminal Action No. 1:13-CR-435-1

Civil Action No. 1:17-CV-1036

EMERGENCY

PETITIONER'S NOTICE OF INTERLOCUTORY APPEAL

NOW COMES the Petitioner, by and through Brian David Hill ("Brian D. Hill"), "Petitioner", or "Hill"), that is acting pro se in this action before this Honorable Court in the Middle District of North Carolina, and hereby respectfully moves to file this notice of interlocutory appeal.

Notice is hereby given that Defendant/Petitioner Brian David Hill in the above named case hereby appeal to the United States Court of Appeals for the Fourth Circuit from an order (Document #183, "Order on Motion to Continue") entered in this action on July 23, 2019. Hill shall give a lawful excuse as to why such appeal was filed untimely.

*See Fed. R. App. P. 3(c) for permissible ways of identifying appellants.

Hill's lawful excuse for filing untimely (as of August 6, 2019) is of medical health issues. Hill has had to attend a lot of medical appointments including those mandated by Hill's federal bond conditions requiring him to attend mental health

1

appointments for Piedmont Community Services. Hill had also to attend a lot of legal appointments for his current ongoing state appeal in Martinsville Circuit Court Case # CR19000009-00. Hill had many appointments, some located in Roanoke, Virginia, causing Hill to have no ability to determine if filing such an appeal would be frivolous or worthy of attempting. Hill can provide an affidavit or any evidence of all such appointments to the court if requested by the Court. Hill also had appointments with social security, social services for his Medicaid, and other appointments that could not have been avoided to permit more time to file in a timely fashion.

Also this NOTICE OF APPEAL concerns the protection of the constitutional rights of Hill including his right to appeal in the state court before the final supervised release revocation hearing to protect his procedural due process right to a speedy trial. The final revocation hearing scheduled for September 12, 2019, at 2:00PM is an error of law and violates Hill's right to a speedy trial in his state court trial (case # CR19000009-00) and Hill's right to the appeal in the Martinsville Circuit Court in connection with the Supervised Release Violation ("SRV"). The hearing the day thereafter violates Brian's right to participate in his state criminal case appeal process, violates his speedy trial rights, violates his right to cross examine the witnesses in his state case, his right to prove that he is actually innocent (legally innocent) of his state charge which is cause for such SRV petition for revocation, and is a unconstitutional error of law and an abuse of discretion. This appeal needs to be accepted and filed to protect Hill's due process rights being deprived by the final SRV hearing that is scheduled for the next day. This state case concerns the actual innocence of Brian David Hill (case # CR19000009-00) and any attempt to revoke his supervised release over a state charge that Hill is actually innocent of is cruel and unusual punishment, creates a legal system that punishes probationers or

any criminal defendants for any charges that they are legally innocent of, and is in contradiction to Congress's intent when the United States Probation statute was created. Congress never intended to create Federal Probation with an intent to revoke probation of anybody accused of a crime that they are actually innocent of (legal innocence is actual innocence). This creates a precedent where any criminal defendant that makes any enemies within the Government or Law Enforcement could face harassment by fake criminal charges and then probation can be revoked based on fake or wrongful criminal charges. Congress never intended for Federal Probation to be used as a mechanism to revoke those who were accused of violating a federal, state, or local law but was actually innocent of such charge.

Respectfully filed with the Court, this the 12th day of September, 2019.

Respectfully submitted,

Brian D. Hill
Signed

Signed

Brian D. Hill (Pro Se)

310 Forest Street, Apartment 1

Martinsville, Virginia 24112

Phone #: (276) 790-3505

U.S.W.G.O.

Former U.S.W.G.O. Alternative News reporter

I stand with QANON/Donald-Trump – Drain the Swamp

Brian asks Donald Trump for a full pardon of innocence, asks Qanon for help

Make America Great Again

Petitioner also requests with the Court that a copy of this pleading be served upon the Government as stated in 28 U.S.C. § 1915(d), that "The officers of the court

shall issue and serve all process, and preform all duties in such cases. Witnesses shall attend as in other cases, and the same remedies shall be available as are provided for by law in other cases". Petitioner requests that copies be served with the U.S. Attorney office of Greensboro, NC via CM/ECF Notice of Electronic Filing ("NEF") email, by facsimile if the Government consents, or upon U.S. Mail.

Thank You!

CERTIFICATE OF SERVICE

Petitioner hereby certifies that on September 12, 2019, service was made by hand delivery of the original of the foregoing:

EMERGENCY "PETITIONER'S NOTICE OF INTERLOCUTORY APPEAL"

Addressed to the Clerk of the Court in the United States District Court for the Middle District of North Carolina, 251 N. Main Street, Winston-Salem, N.C. 27101.

Then pursuant to 28 U.S.C. §1915(d), Petitioner requests that the Clerk of the Court move to electronically file the foregoing using the CM/ECF system which will send notification of such filing to the following parties to be served in this action:

Anand Prakash Ramaswamy U.S. Attorney Office Civil Case # 1:17 -cv-1036 101 South Edgeworth Street, 4th Floor, Greensboro, NC 27401 Anand.Ramaswamy@usdoj.gov	Angela Hewlett Miller U.S. Attorney Office Civil Case # 1: 17 -cv-1036 101 South Edgeworth Street, 4th Floor, Greensboro, NC 27401 angela.miller@usdoj.gov
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This is pursuant to Petitioner's "In forma Pauperis" ("IFP") status, 28 U.S.C. §1915(d) that "The officers of the court shall issue and serve all process, and perform all duties in such cases ... "the Clerk shall serve process via CM/ECF to serve process with all parties.

<p>Date of signing:</p> <p><u>September 12, 2019</u></p>	<p>Respectfully submitted,</p> <p><u>Brian D. Hill</u></p> <p>Signed</p> <p>Signed</p> <p>Brian D. Hill (Pro Se)</p> <p>310 Forest Street, Apartment 1</p> <p>Martinsville, Virginia 24112</p> <p>Phone #: (276) 790-3505</p> <p>U.S.W.G.O.</p> <p>I stand with QANON/Donald-Trump – Drain the Swamp Make America Great Again</p>
--	--

Qanon
S.O.S.
help me

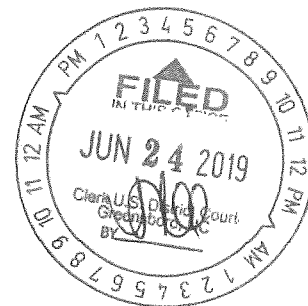
Joint Appendix 4

USWGO
QANON // DRAIN THE SWAMP
MAKE AMERICA GREAT AGAIN



UNITED STATES DISTRICT COURT CASE NO. 1:13-CR-435-1
MIDDLE DISTRICT OF NORTH CAROLINA

Join Appendix in attachment to “PETITION FOR A WRIT OF MANDAMUS TO THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA AND MOTION FOR STAY OF DISTRICT COURT JUDGMENT PENDING MANDAMUS OR UNTIL FINAL APPEAL MANDATE”



In the United States District Court
For the Middle District of North Carolina

Brian David Hill,)	
Petitioner/Defendant)	Criminal Action No. 1:13-CR-435-1
)	
v.)	Civil Action No. 1:17-CV-1036
)	
United States of America,)	
Respondent/Plaintiff)	
)	
)	

JUNE 21, 2019 DECLARATION OF BRIAN DAVID HILL IN OPPOSITION TO GOVERNMENT’S/RESPONDENT’S DOCUMENTS #156, #157, AND #158

NOW COMES the Petitioner, by and through Brian David Hill ("Brian D. Hill"), "Petitioner", "Brian", or "Hill"), that is acting pro se and is proceeding pro se before this Honorable Court in the Middle District of North Carolina, and hereby respectfully moves to report evidence and this Declaration to the United States District Court which can affect the outcome of the Supervised Release Violation ("SRV") charges in Documents #156, #157, and #158, in this criminal case. Evidence is attached below to this pleading.

If the United States Attorney wants to continue this SRV case as is their right, they are prosecuting a Violation based upon a criminal Defendant/Petitioner who has proven to the United States Probation Officer Jason McMurray that: (#1) he had been subject to carbon monoxide gas exposure according to a witness who is an expert on Chimney work; (#2) that the police had failed or refused to do a Laboratory blood test results or if there was Laboratory results they were likely

covered up or destroyed or concealed; (#3) that Sovah Hospital in Martinsville, Virginia had drawn blood and the record said they had ordered different Laboratory tests but instead Hill was arrested on September 21, 2018 so the staff wouldn't do the Laboratory results but instead that it would be Martinsville Police Department.

The evidence was given over to U.S. Probation Officer ("USPO") Jason McMurray ("McMurray") on June 20, 2019 during the June monthly home visit. A photocopy of the evidence that was given over to USPO McMurray is attached to this Declaration filing, along with a Declaration of Brian David Hill certifying that he had given such evidence to USPO McMurray on June 20, 2019 (with original signatures).

The evidence proves that Martinsville Police Department had committed the civil wrongdoing of negligence which caused an innocent man to be arrested then spend months in Martinsville City Jail, then only to be arrested again but by the U.S. Marshals Service to be sent to Western Virginia Regional Jail in December, 2018, then to be evaluated again at FCI-1 Butner, then FCI Petersburg, then Central Virginia Regional Jail, then released on Federal bond. All of that could have been avoided had the Martinsville Police Department done their job after the Hospital staff had drawn blood from Brian David Hill on September 21, 2018. The Lab tests being ordered by the Hospital in Martinsville, (citing Medical Records obtained from Hill "MM00370912 MM7806761243 SOVAH Health - Martinsville, ED Physician Record - Electronic - Page 4/4, Job 23328 (05/17/2019 13:34) - Page 7 Doc# 2", photocopy of the record given to USPO McMurray) but then the tests which were supposed to be ordered were "Deleted from the chart" because the Hospital will not do the Lab tests themselves when the patient is under police custody since the Martinsville Police Department conducts their own Laboratory

tests according to what I was told at the Medical Records office at Sovah Hospital in Martinsville.

This is a clear cut case of negligence on the part of both Martinsville City Jail and Martinsville Police Department. Had the Police Department and/or the Jail or Hospital conducted the "blood count" test, they would have either detected an abnormal blood cell count or any other signs/evidence of toxicity in the blood which can include exposure to carbon monoxide poisoning caused by exposure to carbon monoxide gas. The Martinsville Police Department on September 21, 2018, violated Hill's rights under the Americans with Disabilities Act ("ADA"), lied to USPO McMurray about Hill recanting his statements made to the Police, failed or refused to conduct Laboratory test results after blood was drawn from Hill (*even the Medical Record shown that the blood count test and other test results would have been ordered by the Hospital had Hill not been arrested*), and their negligence led to the wrongful arrest warrant (Documents #156, #157, and #158) against Hill. The Police failed and refused to prove Hill's claims about being possibly drugged which would have revealed possible carbon monoxide toxicity. They should have thought it was abnormal for an autistic man to be walking naked on a hiking trail at night with brittle diabetes and Autism Spectrum Disorder, abrasions all on Hill's body, and not thinking straight.

REVIEW OF HILL'S PAST FILINGS

The Court can review what Hill had wrote on October 17, 2018 (Document #153). Hill felt like someone was watching him while he was mowing the yard on September 18, 2018 between the hours of 1-4 PM. He was talking on a talk show on September 19, 2018 about his federal case and the Americans with Disabilities Act. On September 20, 2018 some of his memories had been blocked out. He was under stress and anxiety. He was keeping his apartment doors unlocked, was

psychologically afraid to sleep on his bed, sometimes sleeping on the couch and had a bad feeling that something bad was going to happen to him.

Page 3 of 11: He had gone to a resort in Western Virginia in his own district a few days before and did not want to come back to his house. He explained "As if something was terrifying in my psychological mind, and I haven't kept my door or doors locked", While at his house, he kept his doors unlocked according to document #153. He left his house at about 11 to go walking beside the road on the sidewalk.

He walked to the Dick & Willie Trail (miles from his home) and about 11 to 12 midnight he met a guy in a hoodie near a warehouse who told Brian to remove his clothes and take photos of himself and leave the SD card on the nearby bench. He said the guy was probably white, 5 to 6 feet tall. This guy told Brian if he didn't do this, they (or he) would kill Brian's mother. Brian thought he might have been drugged.

At a later time not known to Brian or this Court until this year, Brian's family found out that he was exposed to carbon monoxide for about a year in his apartment 4 months after his September 21, 2018th arrest on January 30, 2019. His description leading up to the guy in the hoodie is the description of someone exposed to carbon monoxide which can cause effects of impulsiveness and hallucinations and brain damage. According to the hospital, his blood glucose was fine in the early hours of Sept. 21 which meant that he could have forgotten to give himself an insulin shot the night before. Brian has autism. Brian is a brittle diabetic who takes several insulin shots per day, and he has seizures when his glucose goes too low. Walking a lot causes his glucose to go very low. He needs someone with him at all times when he is walking or he is at risk of falling out into a diabetic seizure. He also was at risk of being attacked by a black bear or even coyotes. Why

would he walk naked at night when that is the time when dangerous animals can come out and maul him? Attack him? When he had no history of doing this kind of thing before? Abnormal behavior, abnormal thinking patterns? Carbon monoxide exposure? Hmmmmm

THE CONCLUSION

The failure of Martinsville Police Department testing for drugs or anything, or cover up or concealment of such report (*if such report exists or had existed at one time, which may be Obstruction of Justice by concealing the existence of such report if such report had existed*), led to the wrongful Supervised Release Violation charge and wrongful arrest of Brian David Hill. All of that time wasted, tax payers money wasted, judicial resources wasted, all because of carbon monoxide gas exposure of an autistic man. If Hill's apartment had not been big (compared to California efficiency apartments), Hill would have highly likely died, then instead of being arrested for abnormal behavior, Hill would have been sitting dead smelling like a corpse in his apartment with high toxicity in his blood. Carbon monoxide exposure can lead to brain damage, doing crazy abnormal acts, and can eventually lead to death if the exposure is not detected then deterred. Carbon monoxide can lead to impulsiveness (conducting acts without thinking of the consequences), hallucinations (one could think they are taking a bath or shower but instead it can be out in public or one can hallucinate a man in a hoodie?). The possibilities of what one can hallucinate based on how much exposure to a gas? Can somebody truly think rational and act rational when under carbon monoxide gas exposure?

Brian has been punished far too long and far too much when he is the victim of carbon monoxide exposure, and him and his mother had received threats.

One greeting card which Roberta Hill received with the same Method of Operation (“MO”) (same writing style) by an unknown assailant before the threatening greeting card had mentioned about that it was no fun feeling (or being) sick. What would the greeting card sender know that Brian’s mother was feeling sick? Was it referring to carbon monoxide exposure? Were they thinking of a biological attack against Brian’s mother? Why is the FBI refusing to investigate anything Brian mails them or faxes them? The threatening greeting card said that they will conduct a “controlled action” against Brian’s mother if she didn’t stop what she was doing (presumably they did not like Roberta putting stuff on YouTube and having her books for sale on Amazon). Both were before the Dick and Willie trial incident on September 21, 2018.

Brian is a pure fan of U.S. President Donald John Trump for his “drain the swamp” campaign slogan and a pure ally of QANON because the corruption within the U.S. Department of Justice and the Federal Bureau of Investigation caused the wrongful suffering of Brian David Hill for all of these years. Brian believes it is time to drain the swamp of the corrupt and non-empathic psychotic Government corruption and abuses of power. The abuses of power by U.S. Attorneys and other Government employees is out of control, the frauds upon the court by the Government will make people not believe anything in our federal courts anymore and will create distrust of our federal courts, the frauds have to stop, the court should go after the frauds. Brian doesn’t understand why they all haven’t been fired from their jobs and barred from all Government jobs as a repercussion for their corrupt actions and psychopathic behaviors. The SRV violation is another form of retaliation/revenge against Brian David Hill and they are ignoring USPO McMurray to go on a witchhunt that will likely last over a year (*compared to the last Supervised Release Violation charge in 2015*) over Hill fighting to prove his

actual innocence and exposing the fraud or frauds upon the Court. Even I have witnessed on watching Sean Hannity show on Fox News, that the FBI and the DOJ had engaged in the fraud upon the court to get a FISA surveillance warrant against U.S. President Donald John Trump for the Russian Collusion Delusion. The DOJ and FBI seem to have a long history of dirty tricks to win every criminal case, at whatever cost that may be, whether it be criminally illegal or legal.

What Dr. Graney is doing to me, what AUSA Ramaswamy is doing to me, what other corrupt Government officials are doing to me and trying to hurt me and ruin my life, they are acting the very same way towards our honorable U.S. President Donald John Trump, a corrupt and unaccountable bureaucracy. I and President Trump are being treated the same. We are being abused and attacked by the U.S. Department of Justice which is legally terrorizing us, our friends, and/or our families. Terrorizing anybody who wants to exercise their freedom of speech and freedom of press, to speak out against Government corruption, eugenics, and abuse of power that has gone unchecked since the September 11, 2001 attacks. Now they can abuse any Americans they want, take away all their Constitutional rights, and get away with it. Our checks and balances are disappearing more and more every single year.

Why is the U.S. Department of Justice continuing to terrorize me and my family???????????? This SRV violation charge based on already abnormal behavior which had never happened before, caused by carbon monoxide gas exposure, and the Martinsville Police Department's lack of empathy and they didn't even want to investigate whether I was drugged or not. They didn't want to find out that I had toxicity in my blood as caused by carbon monoxide exposure.

Their negligence led to me being jailed from September 21, 2018, all the way till May 14, 2019, then spending another 5 days in jail for the State case until I was

bonded out on State Bond conditions simply because I appealed it to the Circuit Court for trial do novo. All of the days I spent sitting in Jails and Butner prison and Petersburg prison, all because the Police Department failed or refused to test for toxicity in my blood. How stupid can that be? That stupidity is ruining my life and making me stressed out beyond imagination. Martinsville Police is acting just as bad as Mayodan Police Department? Wouldn't any reasonable person think that the SRV charge and the State charge has gone too far with the evidence?

I plan on suing Government people and Martinsville Police Department for negligence, suing for as much money as I can get including Attorney fees, any medical fees, any fees for removing the toxicity from my blood, suing them all including the U.S. Attorney for supporting the negligence of Martinsville Police Department. I may also sue United States Probation Supervisory Officer Edward R. Cameron for wasting my time by wrongfully petitioning for arresting me when all of this could have been avoided by proving my earlier claim last year that I was drugged which such Laboratory tests would have proven toxicity/poisoning in the blood stream due to carbon monoxide gas exposure. USPO Supervisory Officer Edward Cameron allowed Kristy Burton to lie on the stand multiple times (Document #137), committing her perjury, and USPO Cameron seems to be retaliating against me for simply for bringing up on record her fraud upon the court for lying on the stand, making a mockery of true justice, a mockery by both Kristy Burton and the Assistant U.S. Attorney. Mocking the true justice system by perpetuating this lawfare, legal warfare against me and dragging my family into this perpetual criminal case nightmare. Till this day, Kristy Burton still works as a U.S. Probation Officer, she has not once been punished for any crimes that she may committed under the guise of justice.

I plan on suing both the U.S. Probation Office in Greensboro, NC (not Jason McMurray since he never called for my revocation, Jason McMurray should be excluded from my future lawsuit or lawsuits depending on how bad the negligence is.), the U.S. Attorney office in Greensboro, NC, the Martinsville Police Department, and the Martinsville City Jail, all for wrongful imprisonment, ignoring evidence, ignoring and violating my disability rights, and negligence. They want to make my life a living hell by pushing to revoke my Supervised Release and me being charged in the State of Virginia all for being a victim of gas exposure, poisoning, and the Law Enforcement failed or refused to test for drugs which would have shown carbon monoxide and/or toxicity in the blood. The negligence had led to the witchhunt against me which is negatively affecting my family and my health.

From everything I had witnessed ever since the start of this federal criminal case, I have learned that Donald Trump and/or Sean Hannity was right about our Department of Justice, they are as corrupt, non-empathetic, abuse of power, and most detrimental to our Constitutional republic that I had ever seen since the Department of Justice was originally created by Congress. The Assistant U.S. Attorneys should share the blame for my wrongful suffering. All of the wrongful acts that they had done to me, being an innocent man in both my federal case and the Commonwealth/State case. Even case law shows that I cannot be guilty of indecent exposure without being obscene. I had to be obscene in order to be guilty of it, which is what both Virginia Circuit case laws, and my own lawyer said to me. I am innocent of the State charge and that was without the carbon monoxide exposure. That evidence just strengthens the innocence arguments in my favor.

I am tired of being punished over and over again, for my actual innocence. I shouldn't be punished for my State appeal either. I am tired of being punished

over my Pro Se work too. I am tired of being wrongfully convicted and then face revocation of Supervised Release on top of that while the laboratory results were either never conducted or were covered up just like the cover up of the State Bureau of Investigation forensic report on my criminal case in the Federal system. I am getting tired of being abused by the DOJ in a prosecutorial system that doesn't care about the American people but cares about power and putting us all in fear of retaliation and repercussions for speaking out. I done nothing wrong when I was a victim of carbon monoxide exposure. I need therapy, detoxification, and any other measures to get the carbon monoxide out of my body, not a revocation of my Supervised Release. I need healing, not jailing.

The only way for justice to be served is to find out what happened to the Laboratory report if there was one, and why the Martinsville Police Department failed or refused to find whether or not there was toxicity in my blood after they had found me on the Dick and Willie hiking trail, at night, naked, and abrasions on my body. Then investigate whether the negligence caused my wrongful incarceration.

Hill introduces three case laws in favor of Hill not being guilty of indecent exposure under Virginia Code § 18.2-387. In all three cases the convictions were reversed when the conduct did not rise to being obscene, because "it does not rise to the level of obscenity required under Code § 18.2-387, as defined in Code § 18.2-372."

1. Kimberly F. Neice v. Commonwealth of Virginia, Record No. 1477-09-3 in the Circuit Court of Giles County
2. A. M. v. Commonwealth of Virginia, Record No. 1150-12-4 in the Circuit Court of Shenandoah County
3. Kenneth Samuel Moses v. Commonwealth of Virginia, Record No. 0985-03-3 in the Circuit Court of Richmond

None of those cases involving such acquittals are carbon monoxide cases. So should there be any criminal charges at all involving victims of carbon monoxide gas poisoning????? You be the Judge?

Respectfully filed with the Court, this the 21st day of June, 2019.

Respectfully submitted,

Brian D. Hill
signed

Signed

Brian D. Hill (Pro Se)

310 Forest Street, Apartment 1

Martinsville, Virginia 24112

Phone #: (276) 790-3505

U.S.W.G.O.

Former U.S.W.G.O. Alternative News reporter

I stand with QANON/Donald-Trump – Drain the Swamp

Make America Great Again

Petitioner also requests with the Court that a copy of this pleading be served upon the Government as stated in 28 U.S.C. § 1915(d), that “The officers of the court shall issue and serve all process, and preform all duties in such cases. Witnesses shall attend as in other cases, and the same remedies shall be available as are provided for by law in other cases”. Petitioner requests that copies be served with the U.S. Attorney office of Greensboro, NC via CM/ECF Notice of Electronic Filing (“NEF”) email, by facsimile if the Government consents, or upon U.S. Mail.

Thank You!

Declaration of Brian David Hill on evidence/records given to USPO Jason McMurray of Roanoke, Virginia

I, Brian David Hill, declare pursuant to Title 28 U.S.C. § 1746 and subject to the penalties of perjury, that the following is true and correct:

11/17/19 11:11 AM
11/17/19 11:11 AM

11/17/19 11:11 AM
11/17/19 11:11 AM

I attach the following evidence in the following order in attachment to this pleading for this Honorable Court in support of the claims made this pleading and any arguments made in this pleading in regards to the Supervised Release Violation charge and therefore supports the opposition to Government's Documents #156, #157, and #158:

1. Declaration of Brian David Hill on June 19, 2019, regarding delivery of certain papers/records to United States Probation Officer Jason McMurray of Roanoke, Virginia – Pursuant to criminal case no. 1:13-cr-435-1, United States District Court – Middle District of North Carolina – 2 pages (original signatures)
2. Photocopy of Declaration of Brian David Hill on June 19, 2019, regarding Laboratory results and Martinsville Police Department – Pursuant to criminal case no. 1:13-cr-435-1, United States District Court – Middle District of North Carolina – 2 pages
3. Photocopy of Sovah Health Martinsville (formerly Martinsville Memorial Hospital) Medical Records of Brian David Hill, dated September 21, 2018, requested on May 17, 2019, MRN: MM00370912, ACCT: MM7806761243 – 7 pages
4. Photocopy of Letter from witness Pete Compton regarding statements of both Brian David Hill's and Roberta Hill's residences at 310 Forest Street, Apartment #1 and Apartment #2, Martinsville, VA, being exposed to carbon monoxide gas – 1 page

Total is 12 pages.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 21, 2019.

Respectfully submitted,

11-11-19
11-11-19
11-11-19

Brian D. Hill
Signed

Signed

Brian D. Hill (Pro Se)

310 Forest Street, Apartment 1

Martinsville, Virginia 24112

Phone #: (276) 790-3505



Former U.S.W.G.O. Alternative News reporter

I stand with QANON/Donald-Trump – Drain the Swamp

Make America Great Again

CERTIFICATE OF SERVICE

Petitioner hereby certifies that on June 21, 2019, service was made by mailing the original of the foregoing:

“JUNE 21, 2019 DECLARATION OF BRIAN DAVID HILL IN OPPOSITION TO GOVERNMENT’S/RESPONDENT’S DOCUMENTS #156, #157, AND #158”

by deposit in the United States Post Office, in an envelope, Postage prepaid, on June 21, 2019 addressed to the Clerk of the Court in the U.S. District Court, for the Middle District of North Carolina, 324 West Market Street, Suite 1, Greensboro, NC 27401.

Then pursuant to 28 U.S.C. §1915(d), Petitioner requests that the Clerk of the Court move to electronically file the foregoing using the CMIECF system which will send notification of such filing to the following parties to be served in this action:

Anand Prakash Ramaswamy U.S. Attorney Office Civil Case # 1:17 -cv-1036 101 South Edgeworth Street, 4th	Angela Hewlett Miller U.S. Attorney Office Civil Case # 1: 17 -cv-1036 101 South Edgeworth Street, 4th
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Floor, Greensboro, NC 27401 Anand.Ramaswamy@usdoj.gov	Floor, Greensboro, NC 27401 angela.miller@usdoj.gov
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This is pursuant to Petitioner's "In forma Pauperis" ("IFP") status, 28 U.S.C. §1915(d) that "The officers of the court shall issue and serve all process, and perform all duties in such cases ... "the Clerk shall serve process via CM/ECF to serve process with all parties.

7016 0600 0000 8319 9190

<p>Date of signing:</p> <p><u>June 21, 2019</u></p>	<p>Respectfully submitted,</p> <p><u>Brian D. Hill</u> <i>Signed</i></p> <p>Signed Brian D. Hill (Pro Se) 310 Forest Street, Apartment 1 Martinsville, Virginia 24112 Phone #: (276) 790-3505</p> <p>U.S.W.G.O.</p> <p>I stand with QANON/Donald-Trump – Drain the Swamp Make America Great Again</p>
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Declaration of Brian David Hill on June 19, 2019, regarding delivery of certain papers/records to United States Probation Officer Jason McMurray of Roanoke, Virginia – Pursuant to criminal case no. 1:13-cr-435-1, United States District Court – Middle District of North Carolina

I, Brian David Hill, declare pursuant to Title 28 U.S.C. § 1746 and subject to the penalties of perjury, that the following is true and correct:

I certify that on June 20, 2019, I had personally delivered, by hand delivery, the following papers to United States Probation Officer Jason McMurray of the Western District of Virginia, Roanoke division, while at my home at 310 Forest Street, Apartment 1, Martinsville Virginia:

1. Declaration of Brian David Hill on June 19, 2019, regarding Laboratory results and Martinsville Police Department – Pursuant to criminal case no. 1:13-cr-435-1, United States District Court – Middle District of North Carolina – 2 pages
2. Sovah Health Martinsville (formerly Martinsville Memorial Hospital) Medical Records of Brian David Hill, dated September 21, 2018, requested on May 17, 2019, MRN: MM00370912, ACCT: MM7806761243 – 7 pages
3. Letter from witness Pete Compton regarding statements of both Brian David Hill's and Roberta Hill's residences at 310 Forest Street, Apartment #1 and Apartment #2, Martinsville, VA, being exposed to carbon monoxide gas – 1 page

Total is 10 pages.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 20, 2019.

Signed, Brian D. Hill
Signed

Brian D. Hill

Former U.S.W.G.O. Alternative News reporter

Phone #: 276-790-3505

Mailing Address: 310 Forest Street, Apartment 1, Martinsville, Virginia 24112

delivery of records/papers - 1 of 2 - delivery of records/papers



Amazon: The Frame Up of Journalist Brian D. Hill

Witnessed by
Roberta Hill

310 Forest Street, Apartment 1, Martinsville, Virginia 24112

A handwritten signature in cursive script, reading "Roberta Hill", is written in black ink. The signature is positioned above a horizontal line.

Signature

delivery of records/papers - 2 of 2 - delivery of records/papers

①

Declaration of Brian David Hill on June 19, 2019, regarding Laboratory results and Martinsville Police Department – Pursuant to criminal case no. 1:13-cr-435-1, United States District Court – Middle District of North Carolina

I, Brian David Hill, declare pursuant to Title 28 U.S.C. § 1746 and subject to the penalties of perjury, that the following is true and correct:

After I was released on Federal bond in Roanoke, Virginia on May 14, 2019, one of those days in May, 2019, I had wanted to ask Sovah Health Martinsville (*formerly Martinsville Memorial Hospital, located at 320 Hospital Drive, Martinsville, VA 24112*) for the Medical Records including the Laboratory results. I asked for those records on May 17, 2019. All I got was seven (7) pages from what I had remembered. Another time thereafter, at a later day I went back to the Medical Records office and asked them to look for Laboratory results. One of the women who worked there called somebody or another office and asked about it, then she asked me if I was escorted there by police or if police were with me when I was at the Hospital. When I said that I was, she said that the Laboratory results would be with the Martinsville Police Department and that they do their own Lab test results.

On September 21, 2018, before I was arrested by Martinsville Police Department under officer Sgt. R. D. Jones, blood was drawn from me and placed into a vial or vials while at the Hospital, then I assumed I was being tested for drugs which I thought was appropriate considering that I thought I was drugged at the time.

The reason I need those Lab results is because they would have been able to tell either an abnormal blood cell count or found toxicity in the blood which would mean the evidence of the presence of a toxicity which can include carbon monoxide gas poisoning. The last page from Sovah Health Martinsville Hospital, "MM00370912 MM7806761243 SOVAH Health - Martinsville, ED Physician Record - Electronic - Page 4/4, Job 23328 (05/17/2019 13:34) - Page 7 Doc# 2", it stated that "COMPLETE BLD COUNT W/AUTO DIFF+LAB ordered. EDMS" would have been ordered which would have proven toxicity in my blood and thus I have the belief that if the Martinsville Police Department, on September 21, 2018, had they done the blood count lab tests, they would have proven my statements regarding my thoughts that I was drugged (*unaware at the time on September 21st that I had been living in my home during the time of carbon monoxide gas exposure all the way up until late night September 20, 2018 when I left my home at Apartment 2, 310 Forest Street, Martinsville, VA 24112*), then they would have eventually found out last year that I had carbon monoxide toxicity in my blood.

I had turned myself in to Martinsville City Jail on May 30, 2019, due to my

1

lawyer Scott Albrecht (*at the time, when he was my lawyer*) instructing me that unless I withdrawn my Appeal of my criminal case to the Circuit Court, I would have to turn myself in and go back into custody at the State of Virginia until I was bonded out on June 4, 2019. I had informed my lawyer through phone (earlier by Fax) after I had turned myself into Martinsville City Jail, about the Laboratory results that I thought the Martinsville Police Department would have a record of since my blood was drawn last year (*around September 21, 2018*), as it would help prove carbon monoxide. He told me that the Commonwealth Attorney will also look for those records, and said that they may or may not exist.

On the day that I was released from Martinsville City Jail (June 4, 2019), my family informed me that my lawyer Scott Albrecht told them that there was no Laboratory Report in the Martinsville Police Department. My blood was drawn, and put into vials on September 21, 2018. usually when I see medical staff draw blood from me, it is normally to do Laboratory work, and can even be used for drug testing. So blood was drawn, the Police Department does their own Lab results from what the Hospital staff told me, and yet I had found out that the Police Department does not have any Lab results and the Commonwealth Attorney of Martinsville, VA, cannot find those Lab results. The last page I had received from Sovah Hospital asked for specific tests to have been ordered including a blood count test, and that would have proven to Martinsville Police Department that I had toxicity in my blood at the time that I was naked on the Dick and Willie hiking trail in Martinsville, VA, at night, around early September 21, 2018, and had abrasions/scrapes/scratches all on my body. I wasn't thinking straight because of the carbon monoxide gas exposure, yet the Police Department did not have any Laboratory results even though blood was drawn from me while at the Hospital.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 19, 2019.

Signed, Brian D. Hill
Signed

Brian D. Hill

Former U.S.W.G.O. Alternative News reporter

Phone #: 276-790-3505

Mailing Address: 310 Forest Street, Apartment 1, Martinsville, Virginia 24112



Amazon: The Frame Up of Journalist Brian D. Hill

I stand by QANON/President-Trump and ask for QANON's help

06/19/2019 - 06:46 PM

Brian Hill
MRN: MM00370912
ACCT: MM7806761243

2

Sovah Health Martinsville

320 Hospital Drive
Martinsville, VA 24112
276-666-7237

7806761243

Emergency Department
Instructions for:

Hill, Brian D

Arrival Date:

Friday, September 21, 2018

Thank you for choosing Sovah Health Martinsville for your care today. The examination and treatment you have received in the Emergency Department today have been rendered on an emergency basis only and are not intended to be a substitute for an effort to provide complete medical care. You should contact your follow-up physician as it is important that you let him or her check you and report any new or remaining problems since it is impossible to recognize and treat all elements of an injury or illness in a single emergency care center visit.

Care provided by: Hinchman, Brant, DO

Diagnosis: Abrasion, right knee; Abrasion of unspecified front wall of thorax

DISCHARGE INSTRUCTIONS	FORMS
VIS, Tetanus, Diphtheria (Td) - CDC Abrasion, Easy-to-Read Knee Pain, Easy-to-Read	Medication Reconciliation
FOLLOW UP INSTRUCTIONS	PRESCRIPTIONS
Private Physician When: Tomorrow; Reason: Further diagnostic work-up, Recheck today's complaints, Continuance of care Emergency Department When: As needed; Reason: Fever > 102 F, Trouble breathing, Worsening of condition	None
SPECIAL NOTES	
None	

National Hopeline Network: 1-800-784-2433

If you received a narcotic or sedative medication during your Emergency Department stay you should not drive, drink alcohol or operate heavy machinery for the next 8 hours as this medication can cause drowsiness, dizziness, and decrease your response time to events.

I hereby acknowledge that I have received a copy of my transition care record and understand the above instructions and prescriptions.

Brian D. Hill
Brian Hill

Jenica Tate, RN, BSN
ED Physician or Nurse
09/21/2018 04:52

2

EMERGENCY DEPARTMENT RECORD
Physician Documentation
Sovah Health Martinsville
Name: Brian Hill
Age: 28 yrs
Sex: Male
DOB: 05/26/1990
MRN: MM00370912
Arrival Date: 09/21/2018
Time: 04:04
Account#: MM7806761243
Bed ER 9
Private MD:
ED Physician Hinchman, Brant
HPI:

09/21
04:40 This 28 yrs old White Male presents to ER via Law Enforcement with complaints of Knee Pain. bdh

09/21
04:48 28-year-old male with diabetes and autism presents for evaluation after complaining of right knee pain and scrapes and abrasions. bdh
Patient was apparently taking pictures of himself in the nude across town this evening and when police attempted apprehend him brain through Briar patch. Patient does report scratches and abrasions to the right knee but no pain on range of motion. Unknown last tetanus..

Historical:

- Allergies: Ranitidine;
- PMHx: autism; Diabetes - IDDM; OCD;
- Exposure Risk/Travel Screening:: Patient has not been out of the country in last 30 days. Have you been in contact with anyone who is ill that has traveled outside of the country in the last 30 days? No.
- Social history:: Tobacco Status: The patient states he/she has never used tobacco. The patient/guardian denies using alcohol, street drugs, The patient's primary language is English. The patient's preferred language is English.
- Family history:: No immediate family members are acutely ill.
- Sepsis Screening:: Sepsis screening negative at this time.
- Suicide Risk Screen:: Have you been feeling depressed in the last couple of weeks? No Have you been feeling hopeless to the extent that you would want to end your life? No Have you attempted suicide or had a plan to attempt within the last 12 months? No.
- Abuse Screen:: Patient verbally denies physical, verbal and emotional abuse/neglect.
- Tuberculosis screening:: No symptoms or risk factors identified.
- The history from nurses notes was reviewed: and my personal history differs from that reported to nursing.

ROS:

09/21
04:49 All other systems are negative, except as documented below. bdh

Constitutional: Negative for chills, fever. Respiratory: Negative for

2

Brian Hill
MRN: MM00370912
ACCT: MM7806761243

FOLLOW UP INSTRUCTIONS

Private Physician

When: Tomorrow

Reason: Further diagnostic work-up, Recheck today's complaints, Continuance of care

Emergency Department

When: As needed

Reason: Fever > 102 F, Trouble breathing, Worsening of condition

7806761243

2

Brian Hill
MRN: MM00370912
ACCT: MM7806761243

MRN # MM00370912

X-RAYS and LAB TESTS:

If you had x-rays today they were read by the emergency physician. Your x-rays will also be read by a radiologist within 24 hours. If you had a culture done it will take 24 to 72 hours to get the results. If there is a change in the x-ray diagnosis or a positive culture, we will contact you. Please verify your current phone number prior to discharge at the check out desk.

MEDICATIONS:

If you received a prescription for medication(s) today, it is important that when you fill this you let the pharmacist know all the other medications that you are on and any allergies you might have. It is also important that you notify your follow-up physician of all your medications including the prescriptions you may receive today.

TESTS AND PROCEDURES

Labs

None

Rad

None

Procedures

None

Other

Call ERT, IV saline lock

Chart Copy

7806761234

②

cough, dyspnea on exertion, shortness of breath. MS/extremity: Positive for pain, Negative for decreased range of motion, paresthesias, swelling, tenderness, tingling. Skin: Positive for abrasion(s), Negative for rash, swelling.

Exam:

09/21

04:49 Constitutional: This is a well developed, well nourished patient who bdh is awake, alert, and in no acute distress. Head/Face: Normocephalic, atraumatic. Eyes: Pupils equal round and reactive to light, extra-ocular motions intact. Lids and lashes normal. Conjunctiva and sclera are non-icteric and not injected. Cornea within normal limits. Periorbital areas with no swelling, redness, or edema. ENT: Oropharynx with no redness, swelling, or masses, exudates, or evidence of obstruction, uvula midline. Mucous membranes moist. No meningismus. Neck: Supple, full range of motion without nuchal rigidity, or vertebral point tenderness. No Meningismus. No JVD Cardiovascular: Regular rate and rhythm with a normal S1 and S2. No gallops, murmurs, or rubs. No JVD. No pulse deficits. Respiratory: Lungs have equal breath sounds bilaterally, clear to auscultation and percussion. No rales, rhonchi or wheezes noted. No increased work of breathing, no retractions or nasal flaring. Abdomen/GI: Soft, non-tender, with normal bowel sounds. No distension or tympany. No guarding or rebound. No pulsatile mass. Back: No spinal tenderness. No costovertebral tenderness. Full range of motion. Skin: Multiple superficial abrasions to the groin and abdomen without fluctuance or tenderness. MS/ Extremity: Pulses equal, no cyanosis. Neurovascular intact. Full, normal range of motion. No peripheral edema, tenderness. Abrasion to right knee but nontender, no deformity or swelling. Ambulating without difficulty. Neuro: Awake and alert, GCS 15, oriented to person, place, time, and situation. Cranial nerves II-XII grossly intact. Psych: Awake, alert, with orientation to person, place and time. Behavior, mood, and affect are within normal limits.

Vital Signs:

09/21

04:09 BP 124 / 86; Pulse 119; Resp 19; Temp 98; Pulse Ox 98% ; Weight 99.79 jt kg; Height 6 ft. 0 in. (182.88 cm); Pain 0/10;

09/21

05:01 BP 119 / 80; Pulse 106; Resp 16; Temp 98.2; Pulse Ox 99% ; Pain 0/10; jt

09/21

04:09 Body Mass Index 29.84 (99.79 kg, 182.88 cm) jt

MDM:

09/21

04:04 MSE Initiated by Provider. bdh

09/21

04:50 Differential diagnosis: fracture, sprain, penetrating trauma, et al. bdh
ED course: Cleared from a psychiatric standpoint by Behavioral Health. Patient will be discharged to jail. No new complaints.. Data reviewed: vital signs, nurses notes. Counseling: I had a detailed

discussion with the patient and/or guardian regarding: the historical points, exam findings, and any diagnostic results supporting the

2

discharge/admit diagnosis, the need for outpatient follow up, to return to the emergency department if symptoms worsen or persist or if there are any questions or concerns that arise at home.

09/21
04:16 Order name: Call ERT; Complete Time: 04:25 bdh
09/21
04:16 Order name: IV saline lock; Complete Time: 04:36 bdh
09/21
04:29 Order name: Other: NO suicidal homicidal risk; Complete Time: 05:03 bdh

Dispensed Medications:

Discontinued: NS 0.9% 1000 ml IV at 999 mL/hr once
09/21
04:36 Drug: Tetanus-Diphtheria Toxoid Adult 0.5 ml (Manufacturer: Grifols Therapeutics. Exp: 09/27/2020. Lot #: A112A.) Route: IM; Site: right deltoid; lb1
09/21
05:04 Follow up: Response: No adverse reaction lb1
09/21
04:36 Drug: NS 0.9% 1000 ml Route: IV; Rate: 999 mL/hr; Site: right arm; Delivery: Primary tubing; lb1
09/21
05:11 Follow up: IV Status: Completed infusion dr

Disposition:

09/21
04:52 Electronically signed by Hinchman, Brant, DO at 04:52 on 09/21/2018. Chart complete. bdh

Disposition:

09/21/18 04:52 Discharged to Jail/Police. Impression: Abrasion, right knee, Abrasion of unspecified front wall of thorax.
- Condition is Stable.
- Discharge Instructions: VIS, Tetanus, Diphtheria (Td) - CDC, Abrasion, Easy-to-Read, Knee Pain, Easy-to-Read.
- Medication Reconciliation form.
- Follow up: Private Physician; When: Tomorrow; Reason: Further diagnostic work-up, Recheck today's complaints, Continuance of care. Follow up: Emergency Department; When: As needed; Reason: Fever > 102 F, Trouble breathing, Worsening of condition.
- Problem is new.
- Symptoms have improved.

Order Results:

There are currently no results for this order.
Signatures:

Dispatcher MedHost
Tate, Jessica, RN RN jt
Hinchman, Brant, DO DO bdh

2

Ramey, Nicole			nmr
Bouldin, Lauren, RN		RN	lbl
Reynolds, Daniel R		RN	dr

Corrections: (The following items were deleted from the chart)

09/21
04:48 09/21 04:16 COMPREHENSIVE METABOLIC PANEL+LAB ordered. EDMS EDMS
09/21
04:48 09/21 04:16 COMPLETE BLD COUNT W/AUTO DIFF+LAB ordered. EDMS EDMS
09/21
04:49 09/21 04:16 CPK, TOTAL+LAB ordered. EDMS EDMS
09/21
04:50 09/21 04:16 ALCOHOL, ETHYL+LAB ordered. EDMS EDMS
09/21
04:50 09/21 04:16 STAT OVERDOSE PANEL+LAB ordered. EDMS EDMS
09/21
04:52 09/21 04:52 09/21/2018 04:52 Discharged to Jail/Police. Impression: bdh
Abrasion, right knee; Abrasion of unspecified front wall of thorax.
Condition is Stable. Discharge Instructions: Medication
Reconciliation. Follow up: Private Physician; When: Tomorrow; Reason:
Further diagnostic work-up, Recheck today's complaints, Continuance
of care. Follow up: Emergency Department; When: As needed; Reason:
Fever > 102 F, Trouble breathing, Worsening of condition. Problem is
new. Symptoms have improved. bdh
09/21
04:54 09/21 04:16 URINALYSIS W/REFLEX TO CULTURE+LAB ordered. EDMS EDMS

3

To Whom This May Concern:

On January 30, 2019 I went to the house at 310 Forest St., Martinsville, Va 24112 to measure and give a price for a Chimney cover. Roberta Hill and her parents: Ken & Stella Forinash escorted me to Apt 1 to show me the fireplace which had a small amount of white residue inside, no damage to the ceiling and wall around the fireplace. They then escorted me downstairs to Apt 2 where parts of the ceiling above the fireplace had fallen and there was a lot of damage in the remaining ceiling below the hearth of the fireplace in apt 1 located above apt 2 and a lot of damage along the wall in apt 2 above and on both sides of the fireplace as well as a lot of white residue inside of the fireplace. After this, we went down another flight of stairs to the basement where the gas boiler heater and the gas hot water heater were located to show me that there would be 3 holes in the chimney.

I then went outside and got my ladder to measure the chimney. This was when I found out that all 3 holes were covered with tin. Knowing that the gas boiler heater & gas hot water heater needed to be vented at all times, I immediately removed the tin covering the hole so carbon monoxide would no longer go through the house. Ms Hill had informed me that she had called a chimney sweep in Rocky Mount, VA in October, 2017 to clean the chimney and to put screen on all holes after the family spotted birds going into their fireplace the year before. In my 25 years of doing this type of work, this was the first time I have ever seen tin covering holes where it is important to vent gas heaters. I showed the family the tin I had just removed and had them to climb my ladder to look at the chimney. We then went back in the house, and I informed them that the white residue inside both fireplaces was from the gas that had no other place to escape and informed them that they had been exposed to carbon monoxide poisoning, but now that the tin had been removed, there should no longer be any problems. I returned to the house on February 4, 2019 and installed a stainless steel multifaceted chimney cap vented with screen on all 4 sides. GA
EA

Signed as a witness on this date: Kenneth R. Forinash 6-13-19

Pete Compton # 6-13-19

Pete Compton ACE Chimney & Wildlife; Bassett, VA

Phone 276-629-4453



Joint Appendix 5

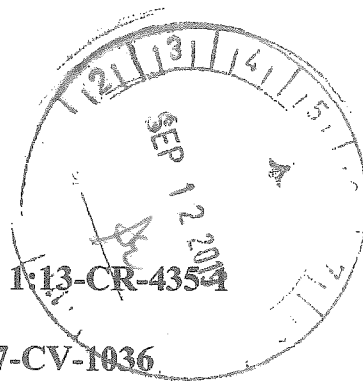
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MAKE AMERICA GREAT AGAIN



UNITED STATES DISTRICT COURT CASE NO. 1:13-CR-435-1
MIDDLE DISTRICT OF NORTH CAROLINA

Join Appendix in attachment to “PETITION FOR A WRIT OF MANDAMUS TO THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA AND MOTION FOR STAY OF DISTRICT COURT JUDGMENT PENDING MANDAMUS OR UNTIL FINAL APPEAL MANDATE”

In the United States District Court
For the Middle District of North Carolina



Brian David Hill,
Petitioner/Defendant

v.

United States of America,
Respondent/Plaintiff

)
)
) **Criminal Action No. 1:13-CR-4354**
)
) **Civil Action No. 1:17-CV-1036**
)
)
)
)
)

**EMERGENCY
PETITIONER'S NOTICE OF APPEAL**

NOW COMES the Petitioner, by and through Brian David Hill ("Brian D. Hill"), "Petitioner", or "Hill"), that is acting pro se in this action before this Honorable Court in the Middle District of North Carolina, and hereby respectfully moves to file this notice of appeal.

Notice is hereby given that Defendant/Petitioner Brian David Hill in the above named case hereby appeal to the United States Court of Appeals for the Fourth Circuit from an order entered in this action on September 12, 2019 after the proceeding.

*See Fed. R. App. P. 3(c) for permissible ways of identifying appellants.

This NOTICE OF APPEAL concerns the protection of the constitutional rights of Hill including his right to appeal in the state court before the final supervised release violation aka the revocation hearing to protect his procedural due process right to a speedy trial. The final decision/order during the revocation hearing

scheduled for September 12, 2019, at 2:00PM is an error of law and violates Hill's right to a speedy trial in his state court trial (case # CR19000009-00) and Hill's right to the appeal in the Martinsville Circuit Court in connection with the Supervised Release Violation ("SRV"). The hearing the day thereafter violates Brian's right to participate in his state criminal case appeal process, violates his speedy trial rights, violates his right to cross examine the witnesses in his state case, his right to prove that he is actually innocent (legally innocent) of his state charge which is cause for such SRV petition for revocation, and is a unconstitutional error of law and an abuse of discretion. This appeal needs to be accepted and filed to protect Hill's due process rights from being deprived by the final SRV hearing that is scheduled for the next day. This state case concerns the actual innocence of Brian David Hill (case # CR19000009-00) and any attempt to revoke his supervised release over a state charge that Hill is actually innocent of is cruel and unusual punishment, creates a legal system that punishes probationers or any criminal defendants for any charges that they are legally innocent of, and is in contradiction to Congress's intent when the United States Probation statute was created. Congress never intended to create Federal Probation with an intent to revoke probation of anybody accused of a crime that they are actually innocent of (legal innocence is actual innocence). This creates a precedent where any criminal defendant that makes any enemies within the Government or Law Enforcement could face harassment by fake criminal charges and then probation can be revoked based on fake or wrongful criminal charges. Congress never intended for Federal Probation to be used as a mechanism to revoke those who were accused of violating a federal, state, or local law but was actually innocent of such charge.

Respectfully filed with the Court, this the 12th day of September, 2019.

Respectfully submitted,

Brian D. Hill
Signed

Signed

Brian D. Hill (Pro Se)

310 Forest Street, Apartment 1

Martinsville, Virginia 24112

Phone #: (276) 790-3505

U.S.W.G.O.

Former U.S.W.G.O. Alternative News reporter

I stand with QANON/Donald-Trump – Drain the Swamp

Brian asks Donald Trump for a full pardon of innocence, asks Qanon for help

Make America Great Again

Petitioner also requests with the Court that a copy of this pleading be served upon the Government as stated in 28 U.S.C. § 1915(d), that “The officers of the court shall issue and serve all process, and preform all duties in such cases. Witnesses shall attend as in other cases, and the same remedies shall be available as are provided for by law in other cases”. Petitioner requests that copies be served with the U.S. Attorney office of Greensboro, NC via CM/ECF Notice of Electronic Filing (“NEF”) email, by facsimile if the Government consents, or upon U.S. Mail.

Thank You!

Q

CERTIFICATE OF SERVICE

Petitioner hereby certifies that on September 12, 2019, service was made by hand delivery of the original of the foregoing:

EMERGENCY "PETITIONER'S NOTICE OF APPEAL"

To the presiding Judge or Chamber Clerk during the hearing, or will be delivered to the Clerk of the Court in the United States District Court for the Middle District of North Carolina, 251 N. Main Street, Winston-Salem, N.C. 27101.

Then pursuant to 28 U.S.C. §1915(d), Petitioner requests that the Clerk of the Court move to electronically file the foregoing using the CM/ECF system which will send notification of such filing to the following parties to be served in this action:

<p>Anand Prakash Ramaswamy U.S. Attorney Office Civil Case # 1:17 -cv-1036 101 South Edgeworth Street, 4th Floor, Greensboro, NC 27401 Anand.Ramaswamy@usdoj.gov</p>	<p>Angela Hewlett Miller U.S. Attorney Office Civil Case # 1: 17 -cv-1036 101 South Edgeworth Street, 4th Floor, Greensboro, NC 27401 angela.miller@usdoj.gov</p>
---	--

This is pursuant to Petitioner's "In forma Pauperis" ("IFP") status, 28 U.S.C. §1915(d) that "The officers of the court shall issue and serve all process, and perform all duties in such cases ... "the Clerk shall serve process via CM/ECF to serve process with all parties.

<p>Date of signing:</p> <p><u>September 12, 2019</u></p>	<p>Respectfully submitted,</p> <p><u>Brian D. Hill</u></p> <p><i>Signed</i> Signed</p> <p>Brian D. Hill (Pro Se)</p> <p>310 Forest Street, Apartment 1 Martinsville, Virginia 24112 Phone #: (276) 790-3505</p> <p>U.S.W.G.O.</p> <p>I stand with QANON/Donald-Trump – Drain the Swamp Make America Great Again</p>
--	--

Joint Appendix 6

USWGO

QANON // DRAIN THE SWAMP
MAKE AMERICA GREAT AGAIN



UNITED STATES DISTRICT COURT CASE NO. 1:13-CR-435-1
MIDDLE DISTRICT OF NORTH CAROLINA

Join Appendix in attachment to “PETITION FOR A WRIT OF MANDAMUS TO THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA AND MOTION FOR STAY OF DISTRICT COURT JUDGMENT PENDING MANDAMUS OR UNTIL FINAL APPEAL MANDATE”

RICHMOND
VA 230
20 SEP '19
PM 3 L



Received on
September 24, 2019
Brian D. Hill
Signed

CLERK'S OFFICE
U.S. COURT OF APPEALS
FOR THE FOURTH CIRCUIT
1100 E. MAIN STREET, SUITE 501
RICHMOND, VIRGINIA 23219
OFFICIAL BUSINESS

BRIAN DAVID HILL
310 FOREST STREET
APARTMENT 1
MARTINSVILLE, VA 24112

24112-421010

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT
LEWIS F. POWELL, JR. UNITED STATES COURTHOUSE ANNEX
1100 EAST MAIN STREET, SUITE 501
RICHMOND, VIRGINIA 23219-3517
WWW.CA4.USCOURTS.GOV

PATRICIA S. CONNOR
CLERK

TELEPHONE
(804) 916-2700

September 20, 2019

John S. Brubaker, Clerk
U.S. District Court
Middle District of North Carolina
324 West Market Street, Suite 401
Greensboro, NC 27401

Re: USA v. Brian David Hill
1:13-cr-00435-TDS

Dear Mr. Brubaker:

Review of the district court docket discloses that the district court has not yet entered judgment in this case. Under Fed. R. App. P. 4(b)(2), a notice of appeal filed after a decision, sentence, or order is announced but before judgment is entered, is treated as filed on the date of and after entry of judgment.

This court will treat the notice of appeal as filed as of the date the district court enters its judgment and will docket the appeal following entry of judgment. Please notify this court upon entry of the judgment.

Yours truly,

/s/ Margaret Thomas

cc: Brian David Hill, Pro se
John M. Alsup, AUSA

Joint Appendix 7

USWGO
QANON // DRAIN THE SWAMP
MAKE AMERICA GREAT AGAIN



UNITED STATES DISTRICT COURT CASE NO. 1:13-CR-435-1
MIDDLE DISTRICT OF NORTH CAROLINA

Join Appendix in attachment to “PETITION FOR A WRIT OF MANDAMUS TO THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA AND MOTION FOR STAY OF DISTRICT COURT JUDGMENT PENDING MANDAMUS OR UNTIL FINAL APPEAL MANDATE”

UNITED STATES DISTRICT COURT
for the
Western District of Virginia

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED

MAY 14 2019

JULIA C. EDDLEY, CLERK
BY:

Case No. 7:18-MJ-00149

United States of America)

v.)

Brian David Hill)

Defendant)

ORDER SETTING CONDITIONS OF RELEASE

IT IS ORDERED that the defendant's release is subject to these conditions:

- (1) The defendant must not violate any federal, state or local law while on release.
(2) The defendant must cooperate in the collection of a DNA sample if the collection is authorized by 42 U.S.C. § 14135a.
(3) The defendant must immediately advise the court, defense counsel, and the U.S. attorney in writing before any change in address or telephone number.
(4) The defendant must appear in court as required and must surrender to serve any sentence imposed

The defendant must appear at (if blank, to be notified)

Place

on

Date and Time

Release on Personal Recognizance or Unsecured Bond

IT IS FURTHER ORDERED that the defendant be released on condition that:

- (5) The defendant promises to appear in court as required and surrender to serve any sentence imposed.
(6) The defendant executes an unsecured bond binding the defendant to pay to the United States the sum of Twenty thousand dollars and no cents dollars (\$ 20,000.00) in the event of a failure to appear as required or surrender to serve any sentence imposed.

DISTRIBUTION: COURT DEFENDANT PRETRIAL SERVICES U.S. ATTORNEY U.S. MARSHAL

ADDITIONAL CONDITIONS OF RELEASE

Upon finding that release by one of the above methods will not by itself reasonably assure the defendant's appearance and the safety of other persons or the community, IT IS FURTHER ORDERED that the defendant's release is subject to the conditions marked below:

(7) (7) The defendant is placed in the custody of:

Person or organization Roberta Hill

Address (only if above is an organization)

City and state Martinsville, VA

Tel. No. (only if above is an organization)

who agrees (a) to supervise the defendant in accordance with all of the conditions of release, (b) to use every effort to assure the defendant's appearance at all scheduled court proceedings, and (c) to notify the court immediately if the defendant violates any condition of release or disappears.

Signed: Roberta Hill Custodian or Proxy

5/14/2019 Date

(8) (8) The defendant must:

BH RH

(7) (a) report to the USPO telephone number (540) 857-5180, no later upon release

BH RH

(7) (b) execute a bond or an agreement to forfeit upon failing to appear as required the following sum of money or designated property: \$20K Unsecured

(7) (c) post with the court the following proof of ownership of the designated property, or the following amount or percentage of the above-described sum

(7) (d) maintain or actively seek employment.

(7) (e) maintain or commence an education program.

(7) (f) surrender any passport to:

BH RH

(7) (g) abide by the following restrictions on personal association, place of abode, or travel: remain in WDVA & not travel outside the WDVA without permission of the supervising officer

(7) (h) avoid all contact, directly or indirectly, with any person who is or may become a victim or potential witness in the investigation or prosecution, including but not limited to: co-defendants.

(7) (i) undergo medical or psychiatric treatment:

(7) (j) return to custody each (week) day at o'clock after being released each (week) day at o'clock for employment, schooling, or the following purpose(s):

BH RH

(7) (k) maintain residence at a halfway house or community corrections center, as the pretrial services office or supervising officer considers necessary.

BH RH

(7) (l) refrain from possessing a firearm, destructive device, or other dangerous weapons.

BH RH

(7) (m) refrain from (7) any (7) excessive use of alcohol.

(7) (n) refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.

(7) (o) submit to any testing required by the pretrial services office or the supervising officer to determine whether the defendant is using a prohibited substance. Any testing may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance testing or monitoring which is (are) required as a condition of release.

BH RH

(7) (p) participate in a program of inpatient or outpatient substance abuse therapy and counseling if the pretrial services office or supervising officer considers it advisable.

BH RH

(7) (q) participate in one of the following location monitoring program components and abide by its requirements as the pretrial services officer or supervising officer instructs.

(7) (i) Curfew. You are restricted to your residence every day (7) from 7:00 pm to 8:00 am, or (7) as directed by the pretrial services office or supervising officer; or

(7) (ii) Home Detention. You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities pre-approved by the pretrial services office or supervising officer; or

(7) (iii) Home Incarceration. You are restricted to 24-hour-a-day lock-down except for medical necessities and court appearances or other activities specifically approved by the court.

(7) (r) submit to location monitoring and abide by all of the program requirements and instructions provided by the pretrial services officer or supervising officer related to the proper operation of the technology.

(7) The defendant must pay all or part of the cost of the program based upon your ability to pay as the pretrial services office or supervising officer determines.

BH RH

(7) (s) report as soon as possible, to the pretrial services office or supervising officer any contact with any law enforcement personnel, including, but not limited to, any arrest, questioning, or traffic stop.

BH RH

(7) (t) follow the directions and instructions of the supervising officer

(7) (u) submit to warrantless search and seizure of person and property as directed by supervising officer.

(7) (v) not frequent places where controlled substances are illegally sold, used, distributed, or administered, and shall not associate with any persons engaged in criminal activity or associate with any person convicted of a felony, unless under the supervision of law enforcement

BH RH

(7) (w) Defendant to be evaluated by the local community board for mental health treatment within 10 days of release. Defendant to execute a waiver giving USPO access to any and all treatment records.

BH RH

(7) (x) Defendant may travel to the Middle District of North Carolina for court appearances.

BH RH

(7) (y) Mother to be 3rd party custodian and co-sign on the Appearance Bond.

(7) (z)

(7) (aa)

(7) (bb)

ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (i.e., in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more -- you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years -- you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony -- you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor -- you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of the Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.

Kelsey Brown
Deputy Clerk

Brian D. Hill
Defendant's Signature
Monticello, VA
City and State

Directions to the United States Marshal

- The defendant is ORDERED released after processing.
- The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.

Date: May 14, 2019

Robert S. Ballou
Judicial Officer's Signature
Robert S. Ballou, United States Magistrate Judge
Printed name and title

DISTRIBUTION: COURT DEFENDANT PRETRIAL SERVICE U.S. ATTORNEY U.S. MARSHAL

Joint Appendix 8

USWGO

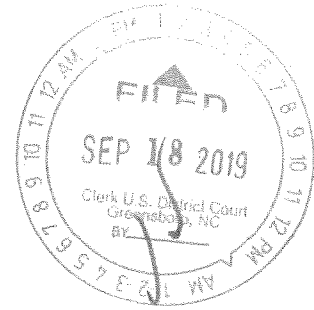
QANON // DRAIN THE SWAMP
MAKE AMERICA GREAT AGAIN



UNITED STATES DISTRICT COURT CASE NO. 1:13-CR-435-1
MIDDLE DISTRICT OF NORTH CAROLINA

Join Appendix in attachment to “PETITION FOR A WRIT OF MANDAMUS TO THE
UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH
CAROLINA AND MOTION FOR STAY OF DISTRICT COURT JUDGMENT
PENDING MANDAMUS OR UNTIL FINAL APPEAL MANDATE”

In the United States District Court
For the Middle District of North Carolina



Brian David Hill,)	
Defendant)	
)	
v.)	Criminal Action No. 1:13-CR-435-1
)	
United States of America,)	
Plaintiff)	
)	
)	

**DEFENDANT’S MOTION FOR STAY OF JUDGMENT PENDING
APPEAL AND ITS SUPPORTING MEMORANDUM OF LAW –
EMERGENCY MOTION**

NOW COMES the criminal Defendant Brian David Hill ("Brian D. Hill"), ("Defendant", "Brian", or "Hill"), by and through Brian David Hill who is acting Pro Se in this action before this Honorable Court in the Middle District of North Carolina, and hereby respectfully moves this Court for a stay of its September 12, 2019 Judgment ("judgment") and Order (Document No. 186) pending final appeal of this case. Hill also asks that the appearance bond conditions (Document No. 176, Attachment 3, Attachment 2) be reinstated for Hill’s supervised release pending final appeal. A "DECLARATION OF BRIAN DAVID HILL IN SUPPORT OF DEFENDANT’S MOTION FOR STAY OF JUDGMENT PENDING APPEAL AND ITS SUPPORTING MEMORANDUM OF LAW" is also filed with this motion in support of such motion. This is pursuant to Fed. R. App. P. 8; Loc. R. 8. See also Loc. R. 18 (stay pending consideration of petition for review). Also pursuant to Rule 38. Staying a Sentence or a Disability, of the Fed. Rules of Crim. Procedure.

In the alternative, Hill requests that this Court stay those portions of its decision ordering for Hill to voluntarily surrender to federal prison on December 6, 2019, and of the GPS location monitoring since Hill had been completely compliant with the appearance bond conditions that such portions be stayed until the final appeal of this case.

Both the Notice of Interlocutory Appeal (Document #187; "PRO SE NOTICE OF APPEAL (Interlocutory) by BRIAN DAVID HILL re 183 Order on Motion to Continue. (Entered: 09/12/2019)"), and Notice of Appeal (Document #190; "PRO SE NOTICE OF APPEAL without payment of fees by BRIAN DAVID HILL. (Entered: 09/12/2019)"), were transmitted to the U.S. Court of Appeals for the Fourth Circuit. See Document #191, "*Electronic Transmission of Notice of Appeal and Docket Sheet as to BRIAN DAVID HILL to US Court of Appeals re: 187 Notice of Appeal – Interlocutory and 190 Notice of Appeal Without Fee Payment. (Daniel, J) (Entered: 09/13/2019)*".

Because the Defendant had filed a Notice of Interlocutory Appeal (Document No. 187) with the U.S. Probation Office in the federal courthouse in Winston-Salem around noon (12:00PM-12:30PM) since that courthouse has no manned clerk's office and was delivered to the CSO, and was noted before the hearing had begun, the Judgment on September 12th may had been a procedural due process error and an error of law regarding Hill's due process right to appeal a decision, the appeal should have been acted upon prior to commencement of such hearing. For this exact reason, the Defendant should be placed back on the appearance bond conditions (Document No. 176) that was set by the Western District of Virginia prior to the final appeal decision in this case. Brian had been compliant with the bond conditions and had attended all mental health appointments and was reportedly at the courthouse approximately two hours early. Brian poses no flight

risk and would be happy with the court reverting Brian's release conditions back to those conditions of his appearance bond before the erroneous judgment was made on September 12, 2019.

Brian had been documented (Document No. 86) as having Obsessive Compulsive Disorder ("OCD"), Type 1 brittle Diabetes and Generalized Anxiety Disorder. Brian also has eczema and being forced to wear an ankle monitor may exacerbate one or more medical conditions of Defendant on record.

The Hon. U.S. Magistrate Judge Robert S. Ballou under Document #176 and all attachments show that he approved of Defendant's bond conditions for the Supervised Release Revocation hearing, and that the "Government does not oppose bond" under Document #176-1 in the Middle District of North Carolina (Western District of Virginia Case #7:18-mj-00148, Document #21, Filed 05/14/19). He approved such bond conditions for Brian's release without requiring an excessive and harsh ankle monitor.

Analysis of "Rule 8. Stay or Injunction Pending Appeal; (a) Motion for Stay"

"(1) Initial Motion in the District Court. A party must ordinarily move first in the district court for the following relief: (A) a stay of the judgment or order of a district court pending appeal";

"(B) Approval of a bond or other security provided to obtain a stay of judgment"; or "(C) an order suspending, modifying, restoring, or granting an injunction while an appeal is pending."

There is a \$20,000 unsecured bond that was already posted in the Western District of Virginia, a bond with specific conditions has already been approved by the Court prior to the final revocation hearing which was appealed prior to the final revocation hearing (Notice of Interlocutory Appeal, Document #187) and was appealed right after the hearing (Notice of Appeal, Document #190), the Government in Roanoke did not object to the bond and conditions of that bond.

There is no good reason why the Defendant should not be placed back on the bond conditions and be relived of the ankle monitor (GPS location monitoring) as set forth by the Court prior to the appealed Judgment on September 12, 2019.

A bond or other security was already provided, and that appearance bond conditions would be reinstated if the Court of Appeals reverses the final judgment on September 12, 2019, by the Hon. Judge Thomas D. Schroeder.

Brian the Defendant prays for relief from the final judgment on September 12, 2019 from this court, pending appeal of the judgment that was made that day. God Bless America, god bless the good people in the U.S. District Court.

Respectfully filed with the Court, this the 17th day of September, 2019.

Respectfully submitted,

Brian D. Hill
Signed

Signed

Brian D. Hill (Pro Se)
310 Forest Street, Apartment 1
Martinsville, Virginia 24112
Phone #: (276) 790-3505

U.S.W.G.O.

Former U.S.W.G.O. Alternative News reporter
I stand with QANON/Donald-Trump – Drain the Swamp
Make America Great Again

CERTIFICATE OF SERVICE

Defendant hereby certifies that on September 17, 2019, service was made by mailing the original of the foregoing:

“DEFENDANT’S MOTION FOR STAY OF JUDGMENT PENDING APPEAL AND ITS SUPPORTING MEMORANDUM OF LAW –EMERGENCY MOTION”

by deposit in the United States Post Office, in an Priority Mail envelope, Postage prepaid, on September 17, 2019 addressed to the Clerk of the Court in the U.S. District Court, for the Middle District of North Carolina, 324 West Market Street, Suite 1, Greensboro, NC 27401.

It is under Certified Mail tracking number 7017-2680-0000-5750-9139

Then pursuant to 28 U.S.C. §1915(d), Defendant requests that the Clerk of the Court move to electronically file the foregoing using the CMIECF system which will send notification of such filing to the following parties to be served in this action:

Anand Prakash Ramaswamy U.S. Attorney Office Civil Case # 1:17 -cv-1036 101 South Edgeworth Street, 4th Floor, Greensboro, NC 27401 Anand.Ramaswamy@usdoj.gov	Angela Hewlett Miller U.S. Attorney Office Civil Case # 1: 17 -cv-1036 101 South Edgeworth Street, 4th Floor, Greensboro, NC 27401 angela.miller@usdoj.gov
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This is pursuant to Defendant's "In forma Pauperis" ("IFP") status, 28 U.S.C. §1915(d) that "The officers of the court shall issue and serve all process, and perform all duties in such cases ... "the Clerk shall serve process via CM/ECF to serve process with all parties.

Date of signing: <i>September, 17, 2019</i>	Respectfully submitted, <i>Brian D. Hill</i> Signed Brian D. Hill (Pro Se) 310 Forest Street, Apartment 1
--	---

	<p>Martinsville, Virginia 24112 Phone #: (276) 790-3505</p> <p>U.S.W.G.O.</p> <p>I stand with QANON/Donald-Trump – Drain the Swamp Make America Great Again</p>
--	--

Qanon
Alliance / D.O.D
help me
S.O.S.

Joint Appendix 9

USWGO
QANON // DRAIN THE SWAMP
MAKE AMERICA GREAT AGAIN



UNITED STATES DISTRICT COURT CASE NO. 1:13-CR-435-1
MIDDLE DISTRICT OF NORTH CAROLINA

Join Appendix in attachment to "PETITION FOR A WRIT OF MANDAMUS TO THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA AND MOTION FOR STAY OF DISTRICT COURT JUDGMENT PENDING MANDAMUS OR UNTIL FINAL APPEAL MANDATE"

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA)
)
 v.) 1:13CR435-1
)
 BRIAN DAVID HILL)

JUDGMENT AND COMMITMENT
Supervised Release Violation Hearing

On August 9, 2019, a hearing was held on a charge that the Defendant had violated the terms and conditions of supervised release as set forth in the Court's Order filed July 24, 2015 and the Judgment filed November 12, 2014 in the above-entitled case, copies of which are attached hereto and incorporated by reference into this Judgment and Commitment.

The Defendant was represented by Renorda E. Pryor, Attorney.

The Defendant was found to have violated the terms and conditions of his supervised release. The violation(s) as follow were willful and without lawful excuse.

Violation 1. On September 21, 2018, the Defendant was arrested for the commission of a crime.

IT IS ORDERED that the Defendant's supervised release be revoked. The Court has considered the U.S. Sentencing Guidelines and the policy statements, which are advisory, and the Court has considered the applicable factors of 18 U.S.C. §§ 3553(a) and 3583(e).

IT IS ORDERED that the Defendant be committed to the custody

of the Bureau of Prisons for imprisonment for a period of ten (10) months.

IT IS FURTHER ORDERED that no additional term of supervision be imposed as to this Defendant.

IT IS RECOMMENDED that the Defendant be permitted to participate in any available drug treatment program and be designated to a facility as close as possible to his home in North Carolina.

The Defendant is remanded to the custody of the United States Marshal.

United States District Judge

_____, 2019.