* FILE UNDER : PAPYRUS COLLECTIVE GROUP

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CALIFORNIA'S DIRTY LITTLE SECRET

Dear [redacted]

Please bare with me as I try to explain what is a very complicated set of circumstances that has resulted in the state of California placing 400 African-Americans into involuntary servitude, through its use of "Star Chamber."

This all began back in the early 80's when California was finding its way back to executions. Attorney general, George Deukmajian, (later Governor) and state supreme court judge, Rose Bird, were at odds. Eventually Dan Lungren became state attorney general and Deukmejian was elected Governor. Their first order of business as leaders of the executive branch was to threaten the Bird court. Affirm capital cases or be removed. Bird and her colleagues refused. In fact, in the ten years since capital was reinstated, the Bird court had reversed 92.8% of all capital judgements based upon serious judicial and prosecutorial misconduct. The retention election of 1987 resulted in the ouster of four judges. During the proceeding twelve months, Deukmejian was able to replace all seven judges with pro-death penalty judges. Since that time the California Supreme Court has maintained an affirmance rate of 100%. The 5% of habeas corpus petitions that are granted, are for penalty phase relief only.

However, before the court was able to achieve this extraordinary affirmance rate, they had to overcome various legal hurdles. First, attorneys representing capital defendants were all pro bono lawyers, their loyalty was to their clients. Secondly, those lawyers were expediting habeas corpus petitions into federal court much too quickly after the state court affirmed the judgements. In fact, 73% of all those affirmed cases were being reversed within three years. Third, the re-introduction of capital punishment did not provide funding to train California's judicial officers. Hence, the same serious misconduct that was occurring during the Bird tenor was still occurring. Something had to be done to eliminate these constitutional/statutory/dispositive claims from the appellate record before these cases could be affirmed by the state court, and allowed to move into federal court. The new court took over appointments of counsel, and funding. As a condition of appointment counsel is obligated to commit records fraud to falsely imprison his or her client.

On June 6, 1989, the court promulgated "Policy 3." "Policies Regarding Cases Arising from Judgements of Death." These policies eliminated collateral challenges/habeas corpus. Took control of all appointments of counsel, and funding for counsel. To achieve the

delays in processing the cases into federal court, the CSC ordered that counsel appointed for direct appeal shall have the responsibility to prepare and certify the trial court record. And present the direct appeal. Counsel for executive clemency/habeas corpus, will be appointed later, if warranted. When habeas corpus counsel is appointed, counsel is limited in the scope of his investigation and presentation to only those issues on a list provided by direct appeal counsel. I have enclosed a copy of policy 3. As a lawyer you will immediately recognize the inherit conflicts.

The promulgation of these policies violated separation of powers. Thus, they are void. However, with a wink and a nod from the executive branch, these policies were instituted.

Statutory law demand that the trial court judge transmit the "preserve," complete and accurate trial court record to the appellate court. However, once that record is received by the CSC, it is not certified. Instead, it is given to appointed counsel for direct appeal. This attorney reads the record and notes all of the constitutional infirmities. Then, takes the record BACK to the trial court where the attorney and trial judge enter into "stipulated agreements" to settle all factual defects that might reasonably damage the judgement. All dispositive constitutional claims are defaulted. Any collateral attack upon the judgement has been lost. This is involuntary servitude. Further, the intentional destruction of the trial court record, and fabrication of a new record, outside the trial court process and procedures, is a criminal offense. 28 U.S.C. § 1503 & 1512. To alter, destroy, conceal, or tamper with official court documents. To influence the outcome of a criminal proceeding. When habeas corpus counsel is appointed (17.3 years) counsel must rely on the list of potential meritorious claims provided by the same attorney who fabricated the record. See policy 3. Serious and egregious constitutional errors that mandate reversal of the judgement are deliberately and intentional excluded from any appellate review. This means that once convicted there is no possibility that the judgement will be reversed. There is no collateral challenge. See Policy 3. "The duty to investigate does impose on counsel an obligation, nor does it authorize the expenditure of public funds, for an unfocused investigation having as its object uncovering all factual bases for a collateral attack on the judgement." This is "Star Chamber." The direct appeal attorney creates a fabricated record to support the judgement. The second attorney appointed is prohibited from collateral challenge, and regulated to arguing for mercy.

Six years ago seven of us began attacking this process. Title 42 U.S.C. § 1983. We have filed multiple pleadings in all California and federal courts. Title 18 U.S.C. § 2241 habeas corpus. The CSC blocks any and all access to the court, including complaints of conflict of interest, and discovery. We recently concluded another round of appeals in the California Supreme Court. Motions to Vacate, all access to the court denied.

The federal court have thus far shielded the state's appellate process from federal review. Calling our claims meritless or frivolous. Claiming we must exhaust in state court. Or, that our claims are frivolous.

The current California appellate process now allows them to maintain jurisdiction over capital cases for more than 35 years. Through federal subsidies California has defrauded the federal government out of more than 3.4 Billion dollars over the past 25 years.

Attorneys appointed to these cases never win. They file perfunctory pleadings every five to ten years, that always result in the same meaningless rituals. The CSC monitors all attorneys and claims through their policies. See Policy 3, "Confidential request to incur expenses."

This means that once a person is convicted, the appellate attorney erases meritorious habeas corpus claims from the record, and allows all others to grow stall and enter into default. The court has predetermined the claims that will be presented to the court, just as they have predetermined the outcome. Even after the case has been concluded in state court, the federal courts must defer to the correctness of the state court record, virtually eliminating any hopes of challenging the judgement. This is slavery for financial gain.

Thus far all of our efforts have failed to secure the justice we are entitled to. However, our efforts have not been in vain. We have acquired rejections, denials, and non-action from all parties. These, along with policy 3, provide undisputable factual evidence of this criminal enterprise.

What we need now is an attorney well versed in anti-slavery laws, and civil rights protections. We want to launch a class action law suit against the state of California for violations of prohibitions against slavery, and violations of its treaty with the United States Constitution. Because the California Supreme Court is the highest court in this state, this law suit would have to be filed in the District of Columbia, and with congress. Please keep in mind that records fabrication is a standard practice in all capital cases. Therefore, we can establish that there is no valid, certified trial court record of a judgement against us. Thus, we have not been duly convicted of any crimes. Further, their intentional destruction of records, and the complete elimination of collateral challenge to the judgement, further validates our standing to prevail in this litigation.

We would seek damages in the tens of millions for each of the defendants we can persuade to join the law suit. We believe we can acquire 100 individuals. We believe also that if we are represented by competent counsel, we can break up this criminal enterprise and restore California's statehood, even if receivership is necessary.

We have considered several people to reach out to, and you were

at the top of our list due to your legal training and knowledge of this subject matter. If for any reason you are unable to represent us in this matter, would you please be so kind as to refer us to someone you believe has the ability to do so?

Thank you for your patience. I look forward to your reply.

Sincerely,

KENNETH EARL GAY

Attachment:

Copy of: "Policies Regarding Cases
Arising from Judgements of Death."
(2016)