Wednesday, 12 February ~ LINCOLN'S BIRTHADY 2014

From: Walter Francis Fitzpatrick, III, United States Navy Retired

To:

- **A lawfully convened and constructed McMinn County Grand Jury for the 18 February 2014 Term.**
- **Athens, Tennessee Police Detective Sergeant Heith Willis**
- **Various additional state and federal law enforcement agencies**
- **The Tennessee State Bar Association**

SUBJECT: FORMALLY SWORN CRIMINAL COMPLAINT ~ SUBMISSION TO THE TENNESSEE BAR DEMANDING JEFF CUNNINGHAM'S LAW LICENSE AND PERMANENT DISBARMENT (this renews and extends all my previous criminal complaints consistent with and allied to the nature of this complaint)

DISTRIBUTION wide: Email transmission and Internet postings

SOME EXHIBITS AND EVIDENCES PREVIOUSLY DELIVERED AND ON FILE WITH THE McMINN COUNTY GRAND JURY ON TUESDAY, 17 DECEMBER 2013. AVAILABLE ON REQUEST FOR INSEPCTION:

(A). The Monroe County Advocate & Democrat article dated 4 February 2010, pg. A-12 – "The Third Truth!"
(B). Post & Email article dated 26 November 2013 – "Grand Jury Foreman Are Not Jurors!"
(C). Post & Email article dated 2 December 2013 – "Selecting the Grand Jury and the Foreman in Tennessee State: By the Numbers!"
(D). Post & Email article dated 22 November 2012 – "Tennessee Grand Jury Says it Has No Jurisdiction to Review Charges of Voter Fraud and Public Corruption!"

NAMES OF THE ACCUSED (THIS LIST IS NOT EXHAUSTIVE):

- Mr. Jeff Cunningham
- McMinn County Clerk Rhonda Cooley
- Criminal Court Judge Carroll Lee Ross

- Criminal Court Judge Amy F. Armstrong Reedy
- 10th Judicial District Attorney General Robert Steven Bebb
- Assistant District Attorneys James H. Stutts, Steve Morgan and Paul D. Rush (all in the 10th District)
- McMinn County Sheriff Joe Guy
- McMinn County Deputy Sheriff Tim Davis

VARIOUS CRIMINAL ACTS ALLEGED (THIS LIST IS NOT EXHAUSTIVE!):

- Official misconduct (Tennessee Code Annotated 39-16-402 – Class E felony)
- Official oppression (TCA 39-16-403 – Class E felony)
- Tampering with or fabricating evidence (TCA 39-16-503 – Class C felony)
- Coercion of a witness (TCA 39-16-507 – Class D felony)
- Coercion of a juror (TCA 39-16-508 – Class E felony)
- Improper influence of a juror (TCA 39-16-509 – Class A misdemeanor)
- Perjury (TCA 39-16-702 – Class A misdemeanor)
- Perverting the course of justice in violation of multiple state and federal statutes
- Multiple Civil Rights violations

CRIMINAL COMPLAINT NARRATIVE

It is the *duty* of McMinn County grand jurors *to investigate* any public offenses *which they know or have reason to believe* have been committed and which are triable or indictable in McMinn County.

FOR THE McMINN COUNTY GRAND JURY: PICK YOUR OWN FOREMAN! THEN PROCEED ON YOU OWN AUTHORITY

FOR THE McMinn County grand jury: I, Walter Francis Fitzpatrick, III, United States Navy retired, have personal knowledge and proof that individuals named above and others have committed offenses in McMinn County. I make application to testify before the McMinn County grand jury regarding my knowledge and proofs (TCA 40-12-105). I am prepared

to credibly report upon the scope and operation of the very kind of government I was trained to fight against and destroy.

I am able to report on the state and federal "FUSION" criminal enterprise and campaign targeting military veterans as "SOVEREIGN CITIZENS" and "DOMESTIC TERRORIST." This state and federal criminal enterprise is the spawn of the federal government's February 2009 OPERATION VIGILENT EAGLE and sycophant Missouri Information Analysis (MIAC) report. Piling on, 7 April 2009, the federal Department of Homeland Security issued an Assessment entitled "Rightwing Extremism: Current Economic and Political Climate Fueling Resurgence in Radicalization and Recruitment that carried on in branding of veterans as potential domestic terrorists.

This in turn emboldened the TN DHS fusion center to create the sovereign citizen training DVD that Sheriff Guy is so using to train his deputies that I, Walter Francis Fitzpatrick, III, United States Navy Retired is a "SOVEREIGN CITIZEN" ~ "DOMESTIC TERRORIST." Sheriff Joe Guy uses these phrases and terms in the pejorative to describe military veterans such as myself.

This is my sixth attempt to report Joe Guy's targeting me as a "SOVEREIGN CITIZEN," "DOMESTIC TERRORIST," and right wing militia extremist to the McMinn County Grand Jury since November 2012. Jeff Cunningham effectively obstructed my complaint and it's been quashed five times.

On Thursday morning, 30 January 2014, just nine days after my last attempt to report on OPERATION VILIGILANT EAGLE to the McMinn County Tennessee Grand Jury, U.S. Attorney Luke A. McLaurin, working in support of OPERATION VIGILANT EAGLE, named me again as a right wing militia extremist claiming, in McLaurin's perjury, I was an active planner partner in an invented state/federal domestic terrorist assault into Madisonville, Tennessee with bombs and guns that was supposed to take place on Tuesday, 20 April 2010. The manufactured state/federal domestic terrorist charade is dubbed "The MADISONVILLE HOAX."

McLaurin further mendaciously stated that the assault planning effort included a text message between myself one and one other person. Emphatically: There were no such planning meetings, no consults, no text messages between anyone and myself – most particularly not with Mr. Darren Wesley Huff - of any type or kind on any such subject!!

State and federal authorities declare me a only because "SOVEREIGN CITIZEN" because I am able and willing to effectively and credibly report on epic government corruption.

My report on the titanic government criminal corruption includes a narrative on the take over, take away and take down of the jury and grand juries in Tennessee State.

Joe Guy and Jeff Cunningham are criminally complicit in blocking my aggressive efforts to register my reports. In this both men stand a grave danger to my liberty and to my life.

JEFF CUNNINGHAN IS NOT A JUROR! CUNNINGHAM IS INCOMPETNET TO BE A JUROR! PICK YOUR OWN LAWFUL FOREMAN BEFORE PROCEEDING!

Mr. Jeff Cunningham continues to obstruct and prevent the McMinn County grand jury from performing its officially delegated and constitutionally fundamental duties. Cunningham knowingly inflicts grave, evil and deadly harm upon what should be the operation of a lawful county grand jury. Cunningham does so by virtue of his very presence in the grand jury room as my accusations naming Cunningham in his criminal conduct are read out loud and considered. Cunningham is not lawfully competent as a juror. Cunningham is as malignant and dangerous as ever in his perversion and willful obstructions in the course of justice. As well are those criminal court judge(s), Ross or Reedy. Ross or Reedy who illegally installed and "anointed" Mr. Cunningham, as a volunteer, into Cunningham's not legally recognized, non-juror, impostor juror, pretend juror status as grand jury "foreman." I'm prepared to tell you how the grand jury is supposed to be regularly and legally organized and operate. I can tell you how the dictatorship of Tennessee's judiciary has sinisterly and secretly taken over, taken down and taken away the grand jury from all Tennessee citizens. Criminal court judges Ross and Reedy are responsible for causing uncounted defective indictments and presentments. I can tell you how Ross and Reedy are illegally and irregularly organizing what otherwise are supposed to be county grand juries.

Mr. Cunningham is not a JUROR! Mr. Cunningham, trained as an attorney, knows he is violently breaking the law. Mr. Cunningham's continued presence in the grand jury room as these charges against him are read and considered is intolerable. Cunningham's pretense as an anointed "non-juror" grand jury "foreman" is as outrageous as it is outlawed and gravely dangerous.

"The members of the grand and petit juries shall be made up as provided by law from the jury pool (TCA 22-2-310)." In a filed court record submitted on 20 September 2013 Tennessee State Assistant Attorney General Kyle Hixson declared that Mr. Cunningham is not a juror. **I SAY AGAIN~THE TENNESSEE STATE ATTORNEY GENERAL DECLARES**

THAT MR. CUNNINGHAM IS NOT A JUROR! Mr. Cunningham was not summoned into a jury pool, Cunningham was not selected out of a jury pool, and Cunningham is not impaneled as a juror in Tennessee State.***!***

During my last attempt to testify before the McMinn County grand jury (21 JAN 2014), exercising unnecessary and unlawful police power and authority not vested in or enjoyed by Mr. Cunningham (who is nothing more than a paid volunteer county employee holding not legally recognized "foremanship" position) Mr. Cunningham ordered McMinn County Deputy Sheriff Tim Davis, who was armed, to escort me out of the McMinn County Courthouse under threat of arrest had I resisted. Deputy Sheriff Davis obeyed Mr. Cunningham's illegal order to restrict my freedom of movement threatening my arrest while under arms had I resisted. I expect the same thing to happen today, because...

I continue in my efforts to combat corruption in government. For over four years I have been engaged in fighting government corruption related to the operation of grand juries discovered particularly in Tennessee State's McMinn and Monroe Counties and frankly now throughout the entire State of Tennessee. **Exhibits (A), (B), (C) and (D) are available for review.**

At the core of my previous and numerous criminal complaints is that Tennessee criminal court judges, assisted by other court functionaries to include elected county court clerks, and other elected county officials are illegally, individually and judicially selecting installing people into the grand juries describing these individuals as not just "jurors" but additionally as the leader of the grand jury, that is the "foremen," or "foreperson." **Exhibits (A), (B) and (C) pertain.**

On 20 September 2013 Tennessee's Attorney General Robert Cooper admitted in a by way of a court filing submitted by Cooper's Assistant Attorney General Kyle Hixson that Mr. Jeff Cunningham is not a juror. Tennessee State law commands that Mr. Cunningham must be a juror. In Hixson's brief, the Attorney General's office declares that Mr. Cunningham was not summoned into a jury pool for jury duty, was never in the jury pool, and that he was not impaneled as a juror. Hixson also wrote that Tennessee State statues regarding jurors do not apply to Cunningham. The attorney general's brief was first disclosed to me, on Thursday, 21 November 2013. **Exhibits (B) and (C) pertain.**

Mr. Jeff Cunningham blocked me from appearing before the McMinn County grand jury on 20 November 2012, 19 February 2013, 19 March, 17 December 2013 and 21 January 2014. In my first encounter with Cunningham, 20 November 2012, Cunningham told me it was

Cunningham's personal opinion that the McMinn County grand jury "did not have jurisdiction" over matters presented in my written complaint that included precisely the fact that Cunningham was standing illegally as the "foreman" before that very assembly. **Exhibit (D) pertains.**

The installment of an illegal "foreman" serves to prevent citizen reports of government corruption from ever coming before the grand jury. This is just one of the many criminal activities that a "non-juror," judicially handpicked, judge advocate is expected to commit in service to the government, and obedient to the government as a condition of their employment as a paid government employee.

I call for the grand jury to begin an investigation into these matters and to cause the arrests of those individuals named above by federal agents of the FBI, or by Tennessee Bureau of Investigation special agents, or by McMinn County sheriffs or Athens police or any of the combination of law enforcement agencies. I'm advancing this criminal complaint to the McMinn County grand jury on Tuesday, 18 February 2014, calling for a grand jury presentment from what I expect to find is a properly convened and operating McMinn County grand jury headed by a foreman who is recognized by Tennessee State statues as a juror. A copy of the Attorney General's "Hixson Brief," is available by contacting Chief Deputy Clerk to the Tennessee Court of Criminal Appeals Joanne M. Newsome - 505 Main Street - Suite 200 Knoxville, Tennessee 37902 Phone: 865.594.6700.

A grand jury presentment is the written statement of an offense by a grand jury, of their own knowledge or observation when no indictment has been laid before them.

This McMinn County Tennessee community stands *in extremis* because of the judicial take down, judicial take away, and judicial take over of the grand jury. A lawfully constructed assembled and convened grand jury has a duty to act. And it must act.

ADDITIONALLY, I call for the permanent law license revocation and permanent disbarment of Mr. Jeff Cunningham from the Tennessee State Bar Under Rule 8.4 of the Tennessee Bar's Rules for Professional Conduct for various and continuing acts of criminal misconduct under subparagraphs (a), (b), (c), (d), (e) and (f).

RULE 8.4: MISCONDUCT

It is professional misconduct for a lawyer to:

(a) violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another;

(b) commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects;

(c) engage in conduct involving dishonesty, fraud, deceit, or misrepresentation;

(d) engage in conduct that is prejudicial to the administration of justice;

(e) state or imply an ability to influence a tribunal or a governmental agency or official on grounds unrelated to the merits of, or the procedures governing, the matter under consideration;

(f) knowingly assist a judge or judicial officer in conduct that is a violation of applicable rules of judicial conduct or other law; or

Here endth the lesson Beware the Fury of Patient Men!

Born fighting,

Walter Francis Fitzpatrick, III USN RETIRED

Walter Francis Fitzpatrick, III
United States Navy Retired

Sworn and issued before me,

Courtney Burke

This Wednesday, PRESIDENT LINCOLIN'S BIRTHDAY, the 12th day of February 2014

at 14:01 hours local (2:01 p.m. EST)

My commission expires: June 19, 2017