

Walter Francis Fitzpatrick, III
Commander United States Navy, Retired

Tuesday, 18 July 2017
Day 264 a free man

SUBJECT TO ABUSE!!

"...the Tennessee method of selecting
a grand jury foreman
is susceptible of abuse" (Rose v. Mitchell).

HERE'S WHAT THAT ABUSE LOOKS LIKE (NOT AN EXHAUSTIVE LIST):

- **TREASON: A RIVAL AND COMPETING GOVERNMENT "AT WAR" WITH OUR STATE AND FEDERAL CONSTITUTIONS**
- **U.S. CONSTITUTION 14TH AMENDMENT DUE PROCESS VIOLATIONS**
- **"MADISONVILLE HOAX" CRIMES**
- **OBSTRUCTION OF JUSTICE**
- **ABUSE OF PROCESS**
- **ESPECIALLY AGGRAVATED KIDNAPPING**
- **ESPECIALLY AGGRAVATED ASSAULT**
- **UNLAWFUL IMPRISONMENT**
- **FALSE SWEARING**
- **BEARING FALSE WITNESS**
- **PERPETRATING FRAUD ON A COURT**
- **JURY RIGGING**
- **WITNESS TAMPERING AND INFLUNCING**
- **JUROR TAMPERING AND INFLUNCING**
- **CONSPIRACY IN ALL CRIMIANL ACTS**
- **EVIDENCE TAMPERING**
- **PERJURY**
- **EXTORTION**
- **ABUSE OF POWER**
- **MISPRISON OF SERIOUS OFFENSES**
- **FINANCIAL CRIMES**
- **OFFICIAL OPPRESSION / MISCONDUCT**
- **CIVIL RIGHTS VIOLATIONS**
- **MORE...**



SELECTIVE EXCERPTS (FROM 2016 SCOTUS BRIEF):

June 2014: "Upon his resignation Cunningham speculated that 'it will all start over now' because Fitzpatrick will make the same allegations against the next grand jury foreperson' " (pg. 18). (Note: Cunningham knew my allegations weren't about Cunningham only, or personally).

July 2017: So whatta know, Cunningham was right about at least one thing, here I am, back again, making the same allegations against the next grand jury foreman, Larry D. Wallace, and Cunningham!

Cunningham was notified in writing—on 18 March 2013—ONE YEAR BEFORE Cunningham stood as the principal criminal agent accusing Fitzpatrick of making false statements, that if "...a [grand] juror [is] accused of criminal activity, that juror loses their standing as a juror to hear the case wherein [the juror's] name appears" (pg. 7).

In egregious violation of black letter Tennessee law, but in service to Cunningham's extended practice of grand jury ritual, Cunningham handpicked the three people for the "go...no-go" panel to vote on Fitzpatrick's petition. Then Cunningham brainwashed them, biasing them against Fitzpatrick, inflicting extreme prejudice upon Fitzpatrick (pg. 4).

Knowing full well Cunningham was required by law to stand clear of the grand jury consequent Fitzpatrick's allegations, Cunningham glued himself to the proceedings:

Cunningham's habitual outlawed practice in obstructing me was to:

- (1) Bear false witness against Fitzpatrick outside Fitzpatrick's presence, Cunningham speaking his insinuations to the assembly not allowing for Fitzpatrick's response.
"Cunningham said that in all of Fitzpatrick's petitions [only after Cunningham's sinister monologue dissertation] there was no [grand] juror that found [Fitzpatrick] credible and

that Fitzpatrick had failed to provide any evidence in support of a crime over which the McMinn County grand jury had jurisdiction" (pg. 14). Cunningham talked with former Monroe County Criminal Court Judge Carroll Lee Ross before Cunningham briefed McMinn County grand jurors regarding "issues with the grand jury [foreman] in Monroe County. Cunningham carried out his personal investigation of Fitzpatrick activities, augmenting his presentations with information gleaned from various newspaper reports (pg. 13).

- (2) Announce his personal "NO" vote to the group; "at the end of every time that we've heard [Fitzpatrick's petitions]...my last words...were, look, if...two people want to hear the man, we'll get him in here and hear him..." (pg. 8),
- (3) Ask for volunteers (pg. 7a) to interview Fitzpatrick (pg. 7),
- (4) When no one volunteered, Cunningham illicitly picked a panel of two or twelve additional people to go over Fitzpatrick's petition; then,
- (5) Call for a vote whether to hear from Fitzpatrick personally.

Cunningham said that at the time [January 2014] Cunningham refused to allow Fitzpatrick to bypass Cunningham to present his petition to the grand jury, [Cunningham] was aware that Fitzpatrick was accusing [Cunningham] of what Fitzpatrick thought was an indictable offense (page 13).

Cunningham stated that Fitzpatrick "...kept coming to the courthouse to file petition after petition alleging the same types of unfounded government corruption (pg. 16). Cunningham asserted Cunningham never blocked Fitzpatrick's appearance.

"Cunningham said [in January 2014] [Cunningham]...was aware that Fitzpatrick was accusing [Cunningham] of what Fitzpatrick thought was an indictable offense" (pg. 31).

"Although Fitzpatrick was accusing [Cunningham] of illegally serving as the grand jury foreperson and calling it a crime, Cunningham knew that [Cunningham] had committed no crime and that Fitzpatrick's allegations were not an indictable crime" (pg. 18).

...Cunningham said in all of all of Fitzpatrick's previous petitions had failed to provide any evidence in support of a crime over which the McMinn County grand jury had jurisdiction (pg. 14).

Having heard Cunningham bear false witness against Fitzpatrick, "there was no [grand] juror that found Fitzpatrick credible" (pg. 14).

"[Cunningham's] last words to the [group] were, if...two people want to hear him, we'll get him in here and hear him, although none of grand jurors ever wanted to hear from [Fitzpatrick] (pg. 18).

Cunningham told the January 2014 gathering Fitzpatrick was threatening Cunningham (pg. 11).

Cunningham told the January 2014 group Cunningham was in fear of Fitzpatrick ("apprehensive") (pg. 11).

Cunningham betrayed his motive and purpose putting his affected state of mind on display planting into the psyche of the January 2014 congregation that Fitzpatrick was a threat of unknown degree, capable of who knew what sort of violence. Cunningham ordered Sheriff's deputies to clear the hallway outside the grand jury room and clear a path of safe departure, in the presence of the assembled people "...so that the grand jurors could feel safe to leave..." (pg. 15).

Cunningham communicated to the January 2014 assembly Fitzpatrick was as much a threat to each of them as Fitzpatrick was a threat to Cunningham. "Cunningham told all of the grand jurors to avoid Fitzpatrick; to stay away from [Fitzpatrick]" (pgs. 23-24).

One woman asked, in January 2014, why Cunningham told them to "stay away from [Fitzpatrick]" and further asked on behalf of the entire group...'should we be afraid of this man?' " (pg. 12). Cunningham obliquely suggested the possibility Fitzpatrick might be violent: "[Cunningham] said, I don't [have any idea]...I don't believe [Fitzpatrick is] violent" but [Cunningham] couldn't say with certainty (pgs. 12-13).

"Cunningham acknowledged that there was no limit to the number of times that a person could petition a grand jury" (pg. 18).

Cunningham testified "...he never blocked Fitzpatrick from appearing before the grand jury" (pg. 14).

"Cunningham asserted that [Cunningham] had never blocked Fitzpatrick from appearing before the grand jury..."(pg. 17).

On 18 February 2014: "...[Cunningham] said he told Fitzpatrick [that Fitzpatrick] was not coming back to the grand jury and at some point told Fitzpatrick that false statements submitted to the grand jury was a crime" (pg. 17).

18 February 2014: "Cunningham...told Fitzpatrick that [Fitzpatrick] would not be presenting any more petitions to the grand jury because Fitzpatrick had not followed the rules, had submitted false statements in his petitions, and was retaliating against [Cunningham], which was against the law" (page 17).

Cunningham affirms "he had an armed officer with him when [Cunningham]...informed Fitzpatrick [on 18 February 2014 meeting of the grand jury] that Fitzpatrick would not be allowed to petition the grand jury..." (pg. 14).

Fitzpatrick was arrested the following month—March 2014—sitting on a bench in the courthouse, petition and evidence in hand, waiting to present his case to the McMinn County grand jury.

Fitzpatrick's rigged trial was held in June 2014. Sentencing was on 19 August 2014. Fitzpatrick served 2 years, 2 months 17 days due to Jeffery Lane Cunningham and so many others.

HERE ENDTH THE LESSON,

Walter James Fitzpatrick, III, LCDR, USN, RETIRED