

## **CRIMINAL CHARGES FOR VIOLATION OF THE GEORGIA RICO ACT**

I, William M. Windsor, the undersigned, hereby declare under penalty of perjury:

1. Judges and judicial personnel in the United States District Court for the Northern District of Georgia and the United States Court of Appeals for the Eleventh Circuit, law enforcement personnel, and others have conspired to obstruct justice and deny my due process rights under the Constitution of Georgia and the United States by intentionally and knowingly committing many crimes. Their efforts are a violation of the RICO statute of the State of Georgia, O.C.G.A. 16-14-1 et seq.

2. I charge Orinda D. Evans, William S. Duffey, Thomas Woodrow Thrash, Amy Totenberg, Julie E. Carnes, Steve C. Jones, Timothy C. Batten, Clarence Cooper, J. Owen Forrester, Willis B. Hunt, Harold L. Murphy, William C. O'Kelley, Charles A. Pannell, Marvin H. Shoob, Richard W. Story, G. Ernest Tidwell, Robert L. Vining, Horace T. Ward, Janet F. King, Susan S. Cole, Alan J. Baverman, Gerrilyn G. Brill, C. Christopher Hagy, Linda T. Walker, Walter E. Johnson, E. Clayton Scofield, Russell G. Vineyard, Joel F. Dubina, Ed Carnes, Rosemary Barkett, Frank M. Hull, James Larry Edmondson, Stanley Marcus, William H. Pryor, Gerald Bard Tjoflat, Susan H. Black, Charles R. Wilson, James C. Hill, Beverly B. Martin, Peter T. Fay, Phyllis A. Kravitch, R. Lanier Anderson,

Emmett Ripley Cox, James N. Hatten, Anniva Sanders, Joyce White, Beverly Gutting, Margaret Callier, B. Grutby, Douglas J. Mincher, Jessica Birnbaum, Vicki Hanna, John Ley, Christopher Huber, Sally Quillian Yates, Neeli Ben-David, John A. Horn, Paul Howard, Jr., Naomi Fudge, Deputy Sheriff Betts, Deputy Sheriff English, and Unknown Does (“Defendants”).

3. A legal dictionary defines corrupt as “having an unlawful or evil motive; *especially* characterized by improper and usually unlawful conduct intended to secure a benefit for oneself or another.” This description properly defines Defendants.

4. The actions of people who are federal judges in Fulton County Georgia and who are employees of the courts and offices of the Clerk of the Court of both the Northern District of Georgia (“N.D.Ga.”) and the Eleventh Circuit (“11<sup>th</sup> Circuit”) bring shame on the legal system. Defendants have conspired to violate the law and my rights and the rights of others.

5. Defendants have used their offices to commit crimes and to attempt to shield themselves and their fellow racketeers from indictment and impeachment.

6. Defendants commit a wide variety of crimes and wrongdoing that are not acts that they are authorized to do in their jobs. They commit acts that are specifically and undeniably prohibited in their roles.

7. Defendants purporting to be judges commit the crimes of obstruction of justice; ignore the facts; invent their own facts; ignore the Federal Rules of Civil Procedure (“FRCP”), the Local Rules (“L.R.”), and the Federal Rules of Evidence (“FRE”); ignore the law; ignore applicable case law; cite erroneous case law; commit perjury by making statements that they know to be false in their orders; violate parties’ rights in any way they can; deny access to the courts; and trample the Constitutional rights of litigants without a thought. They manipulate the judicial system to deprive parties such as me of our legal and Constitutional rights. They commit criminal acts without a thought.

8. The judicial system supports this dishonesty and illegality. The “system” denies any form of valid recourse for an aggrieved citizen. The Judicial Council and the Chief Judges of N.D.Ga. and the 11th Circuit ignore valid complaints and claims there is no proof when there is plenty. Aggrieved citizens have no recourse. Since the Supreme Court isn’t really in the business of correcting errors by the lower courts, the N.D.Ga. and the 11th Circuit combine to have tyrannical power over citizens of Georgia.

9. I am a Defendant in Civil Action No. 1:06-CV-0714-ODE in the N.D.Ga (“MIST-1”). Every statement of “fact” in the 50-paragraph verified complaint is false as to me. Judge Orinda D. Evans ignored the undeniable proof and ruled against me while personally committing many acts of racketeering.

10. So-called judges of the 11th Circuit issued many orders ruling against me in appeals related to MIST-1 and other civil actions while personally committing a wide variety of acts of racketeering and corruption.

11. I am allegedly a Defendant in a so-called Civil Action No. 1:09-CV-01543-WSD in the N.D.Ga (“BOGUS ACTION”). The Federal Rules of Civil Procedure (Rules 3 and 4) require a petition and issuance and service of a summons to create a civil action, but there are neither in the BOGUS ACTION. A true and correct copy of the Court Docket is Exhibit 1 to the Verified Complaint in Fulton County Superior Court Civil Action No. 2011CV202263.<sup>1</sup> I have been “hijacked” and forced to be a part of a proceeding that is invalid, yet the federal courts will not do anything about it.

12. There are many irregularities with the BOGUS ACTION. Acts of racketeering and wrongdoing have been committed personally by Defendants Evans, Duffey, Yates, Huber, Hatten, the Office of the Clerk of the Court of both the N.D.Ga and the 11th Circuit as well as many of the so-called judges with the

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<sup>1</sup> All referenced dockets and docket items are referenced and incorporated herein as if attached hereto. This has been done to reduce the size of this Verified Complaint and reduce the cost of printing and distributing it. These documents are all in the public record and are available from Windsor in electronic formats.

11th Circuit.

13. The BOGUS ACTION has been a kangaroo court filled with the widest variety of racketeering. The BOGUS ACTION has been orchestrated to conceal obstruction of justice and criminal violations by Judge Evans and others.

14. I have had approximately \$1,500,000.00 “stolen” from me in the guise of lawsuits (MIST-1 and the BOGUS ACTION).

15. I am a Plaintiff in Civil Action 1:09-CV-02027-WSD (“MIST-2”), and action in which Judge Duffey has taken the term Kangaroo Court to a whole new level.

16. Obstruction of justice, perjury, subornation of perjury, and other acts of racketeering are already proven with the contents of the dockets in MIST-1, the BOGUS ACTION, MIST-2, and all related appeals, referenced and incorporated herein as if attached hereto.

17. Defendants violate the Local Civil Rules for the N.D.Ga and 11<sup>th</sup> Circuit, the Federal Rules of Civil Procedure (“FRCP”), the Federal Rules of Appellate Procedure (“FRAP”), the Code of Judicial Conduct (“CJC”), and civil and criminal statutes routinely.

18. Upon information and belief, the Clerks of the Courts of the N.D.Ga and 11<sup>th</sup> Circuit and their staffs function according to many of the rules with most clients represented by attorneys. But the Clerks of the Courts of the N.D.Ga and

11<sup>th</sup> Circuit and their staffs also operate a criminal enterprise personally from their legitimate federal offices in any matter pertaining to me and other pro se parties.

19. The judges of the 11<sup>th</sup> Circuit have been personally shielding Judge Evans for years and ruling against me when the facts and the law meant that I should have prevailed at the appellate court.

20. The personal criminal acts and improper acts of various Defendants are mind boggling. The proof is all in the record.

21. On June 16, 2010, Defendant Hatten, or someone working with him, illegally issued a Writ of Execution in the BOGUS ACTION. Defendants Hatten, Ley, and their staffs operate personally in regard to me and other designated pro se parties in an illegal, unethical, unbelievable manner for the purpose of damaging me and others for the benefit of the racketeering enterprise.

22. Defendants have directed judicial employees to personally violate the law and the rules for the purpose of damaging me and others. Documents presented for filing have disappeared. Notices of Appeals have never been filed. I have proof of all types of illegal activities regarding the court dockets, civil actions presented for filing, documents presented for filing, changes to the dockets, backdating of docket entries, and more. I have as proof of personal collusion between the office of the clerk and N.D.Ga Defendant judges.

23. Judges Duffey and Evans are pathological liars who personally have committed massive perjury.

24. Defendants Hatten and Ley simply ignore letters from me about their wrongdoing and the wrongdoing of their staffs.

25. Chief Judges Julie Carnes and Joel Dubina ignore criminal acts of the federal judges in Atlanta as has every federal judge who has considered undeniable judicial misconduct charges filed by me against Judge Evans.

26. I have presented criminal charges against federal judges in Fulton County to the Fulton County District Attorney, Mr. Howard, and he did nothing and has aided the racketeering enterprise. I presented similar information to Defendants Yates and Huber, and they ignored the overwhelming proof and have aided the racketeering enterprise.

27. On May 12, 2011, I was notified by a known radio talk show host that a federal prisoner was approached by the U.S. government with a deal to infiltrate organizations of people battling government corruption, and the assassination of Windsor was mentioned. Upon information and belief, Defendants would be involved in this, if the report is correct.

28. Defendant Judge Thrash is a criminal who commits racketeering crimes that he is not allowed to commit as a federal judge. He illegally uses the

office of a federal judge to personally participate in the operation of the corrupt criminal enterprise operated by the federal courts in Fulton County, Georgia.

29. Every federal judge who I have had dealings with in Fulton County Georgia has proven to be corrupt. Every time a new so-called judge appears, he or she commit similar criminal acts. Upon information and belief, every federal judge in Fulton County Georgia is a participant in the racketeering enterprise, so I have named them all.

30. Since 2006, federal court employees in Fulton County, Georgia have conspired to damage me, and a number of criminal violations have been committed.

31. Defendants have committed numerous violations of predicate acts as part of the pattern of racketeering activity. Defendants have denied my Constitutional rights so as to obstruct justice. Defendants have ignored the facts, ignored the law, cited erroneous case law, cited case law that does not support the subject of the citation. Orders have been issued that contained false statements and perjury. Defendants acting as judges have sanctioned and suborned perjury by the Plaintiffs in MIST-1 and their attorneys. This has been done to obstruct justice. Defendants have denied my access to the courts to obstruct justice. Defendants Dubina and Julie Carnes ignored the wrongdoing of Defendant Judges Evans and Duffey to sanction obstruction of justice. The BOGUS ACTION was



manufactured to obstruct justice and damage me. Documents and evidence presented to Defendants Hatten and Ley's offices have intentionally disappeared – tampering with evidence. Upon information and belief, documents and evidence have been tampered with. Upon information and belief, docket entries have been entered and changed to obstruct justice. A judgment and writ of execution were entered to obstruct justice and damage me. I have been repeatedly denied subpoenas to obstruct justice. I have been denied the ability to obtain testimony from others so as to obstruct justice. Defendants Hatten and Ley have ignored communications from me so as to obstruct justice. I have been denied copies of my court records so as to obstruct justice. A variety of actions have been taken by defendants to obstruct justice and shield Defendants Evans and Duffey from potential indictment and impeachment. Judges have committed perjury. Documents have been concealed to obstruct justice. Laws and rules have been violated to obstruct justice. Orders have been issued to obstruct justice. Valid motions have been denied to obstruct justice. The right to file motions has been denied to obstruct justice. I have been denied the ability to serve as an agent for my wife pursuant to a power of attorney to obstruct justice. I have been libeled to obstruct justice. Judges have refused to recuse themselves to obstruct justice. Defendant Duffey falsely claimed documents were not provided to him so he could obstruct justice and damage me. Judges have claimed my appeals have been

frivolous to obstruct justice. Judges have not properly handled various filings to obstruct justice. Judges ignore emergency motions to obstruct justice. The appeals of my wife and myself have not been processed promptly or at all to obstruct justice. Defendant Duffey issued an order to compel to obstruct justice and damage me. Defendants have failed to file civil actions presented by me for filing in order to obstruct justice. Defendant Hatten's staff has given false information to me to obstruct justice. Judges have issued various orders to obstruct justice. Defendant Judges Evans, Duffey, Thrash, and Totenberg have refused to honor case law that established binding precedents on what happens when an appeal is filed; this has been done to obstruct justice. Defendant Hatten and/or his staff have taken money from my wife and me for services and have failed to provide the services. Defendant Duffey is accusing me of violating court orders, committing forgery, and committing the unauthorized practice of law for the purpose of damaging me and to obstruct justice. It is possible that one or more of the Defendants may be attempting to have me killed to obstruct justice. Someone has directed Defendant Hatten and his staff and Defendant Ley and his staff to commit various acts that violate my rights and obstruct justice. Defendants Yates, Huber, Ben-David, and Horn have committed a variety of acts.

32. The "pattern of racketeering activity" consisted of many incidents of racketeering activity that have the same or similar intents, results, accomplices,

victims, and methods of commission and are interrelated by distinguishing characteristics.

33. The acts of racketeering activity committed by Defendants have the same or similar victims, including William M. Windsor, Barbara G. Windsor, Alcatraz Media, LLC, and Alcatraz Media, Inc. Upon information and belief, the acts of racketeering activity have affected others who have been parties to civil actions in the N.D.Ga. and the Eleventh Circuit, including, upon information and belief, James Stegeman, Janet McDonald, Jeff Goolsby, David Yang, Brenda Peppers, Sonya Braxton, Pat Yearwood, C. Smith, and others.

34. The acts of racketeering activity committed by Defendants are otherwise related by distinguishing characteristics including, but not limited to, the involvement of obstruction of justice.

35. The racketeering acts are related. The racketeering acts have the same or similar purposes, results, participants, victims, and/or methods of commission and are otherwise interrelated by distinguishing characteristics and are not isolated events.

36. Defendants' acts of racketeering activity involve a distinct threat of long-term racketeering activity. This activity has continued for years, is ongoing at the present time, and will continue into the future with a threat of repetition unless halted by judicial intervention.

37. Defendants were aware of the general existence and nature of the enterprise, that it extended beyond each person's individual role, and with that awareness participated in, aided, or furthered the enterprise's activities or had an ownership interest in the enterprise.

38. Defendants have participated in the operation and/or management of the affairs of an enterprise.

39. The actions of Defendants in engaging in the conspiracy are not part of functions legally performed by a judge or judicial employees, and thus are non-judicial. Judges do not have immunity for criminal acts or non-judicial acts.

40. The association of Defendants constitutes an enterprise. The enterprise is composed of groups of individuals and entities associated in fact although not a legal entity.

41. The enterprise was established and maintained for the purpose of committing illegal acts.

42. Defendants' violations of the Georgia RICO Act proximately have caused me to suffer injuries.

43. O.C.G.A. 16-14-3 provides:

(6) "Enterprise" means any person, sole proprietorship, partnership, corporation, business trust, union chartered under the laws of this state, or other legal entity; or any unchartered union, association, or group of individuals associated in fact although not a legal entity; and it includes illicit as well as licit enterprises and governmental as well as other entities.

44. As explained above, there is an “Enterprise.”

(See *Chancey v. State. Jordan v. State. Cagle*, 349 S.E.2d 717, 256 Ga. 415 (1/13/86).) (See also *United States v. Elliott*, 571 F.2d 880 (5th Cir. 1978).)

45. O.C.G.A. 16-14-3 also provides:

(8) "Pattern of racketeering activity" means engaging in at least two acts of racketeering activity in furtherance of one or more incidents, schemes, or transactions that have the same or similar intents, results, accomplices, victims, or methods of commission or otherwise are interrelated by distinguishing characteristics and are not isolated incidents, provided at least one of such acts occurred after July 1, 1980, and that the last of such acts occurred within four years, excluding any periods of imprisonment, after the commission of a prior act of racketeering activity.

46. As explained above, there has been a “pattern of racketeering activity” as required under the RICO statute. (*Emrich v. Winsor*, 401 S.E.2d 76, 76 (Ga. Ct. App. 1991).)

47. The “activity engaged in by Defendants consists of two or more predicate acts of racketeering activity....” This is highlighted above and is detailed in separate charges that have been presented to you.

48. Defendants knowingly devised or participated in a scheme to defraud me.

49. The activity engaged in by Defendants had the same or similar purposes, results, participants, victims, or methods of commission, or is otherwise interrelated by distinguishing characteristics and are not isolated events.

50. The acts of racketeering activity committed by Defendants have the same or similar methods of commission in that they involve the various aspects of committing fraud in legal matters, including obstruction of justice, perjury, false statements in orders, improper claims of law and case law, and more.

51. The acts of racketeering activity committed by Defendants have the same or similar objective: commit fraud upon the courts and upon my wife and me.

52. The last of such acts occurred within the last four years. In fact, such acts are still occurring.

53. O.C.G.A. 16-14-3 also provides:

(9)(A) "Racketeering activity" means to commit, to attempt to commit, or to solicit, coerce, or intimidate another person to commit any crime which is chargeable by indictment under the following laws of this state:

(xiv) Code Section 16-10-93, relating to influencing witnesses;

(xv) Article 4 of Chapter 10 of this title and Code Sections 16-10-20, 16-10-23, 16-10-91, and 16-10-95, relating to perjury and other falsifications;

(xvi) Code Section 16-10-94, relating to tampering with evidence;

(xxix) Any conduct defined as "racketeering activity" under 18 U.S.C. Section 1961 (1)(A), (B), (C), and (D);

(xxxiii) Code Section 16-10-32, relating to tampering with witnesses, victims, or informants;

(xxxiv) Code Section 16-10-97, relating to intimidation of grand or petit juror or court officer; or

(B) "Racketeering activity" shall also mean any act or threat involving murder, kidnapping, gambling, arson, robbery, theft, receipt of stolen property, bribery, extortion, obstruction of justice, dealing in narcotic or dangerous drugs, or dealing in securities which is chargeable under the laws of the United States or any of the several states and which is punishable by imprisonment for more than one year.

54. I have identified many acts of obstruction of justice, subornation of perjury, perjury, tampering with evidence, and more.

55. O.C.G.A. 16-14-4 provides:

(a) It is unlawful for any person, through a pattern of racketeering activity or proceeds derived therefrom, to acquire or maintain, directly or indirectly, any interest in or control of any enterprise, real property, or personal property of any nature, including money. (b) It is unlawful for any person employed by or associated with any enterprise to conduct or participate in, directly or indirectly, such enterprise through a pattern of racketeering activity. (c) It is unlawful for any person to conspire or endeavor to violate any of the provisions of subsection (a) or (b) of this Code section.

56. I have identified the violations of O.C.G.A. 16-14-4. (See *Markowitz v. Wieland*, 243 Ga. App. 151, 154 (2) (532 SE2d 705) (2000).)

57. O.C.G.A. 16-14-8 provides:

Notwithstanding any other provision of law, a criminal or civil action or proceeding under this chapter may be commenced up until five years after the conduct in violation of a provision of this chapter terminates or the cause of action accrues.

58. There is no issue with limitations as Georgia RICO is five years. In fact, crimes are still occurring.

59. My injuries flowed from the predicate acts. (See, e.g., *Infocure*, 2005 U.S. Dist. LEXIS 46745, at \*67.)

60. I have been injured as the result of more than two predicate acts.

(See *State Georgia et al. v. Shearson Lehman, Court of Appeals of Georgia*, 372 S.E.2d 276, 188 Ga. App. 120 (07/11/88).)

“The requisite predicate acts for a showing of a "pattern of racketeering activity" under OCGA § 16-14-3 (2) and § 16-14-3 (3) are also set forth in detail in the complaint. The complaint further alleges that these offenses were not committed as an occasional practice, but were a part of a systematic and ongoing pattern over a number of years concealed by a scheme of subterfuge and intimidation. The complaint also charges the defendants with criminally operating Aneewakee for pecuniary gain by fraud and misrepresentation, conversion of funds provided by the patients and the acquisition of real estate with the proceeds. ... This complaint alleges precisely the conduct prohibited by the Georgia statute and the trial court acted in accordance with legislative intent by denying appellant's motion for judgment on the pleadings or for summary judgment.” (*Larson v. Smith et al.*, 391 S.E.2d 686, 194 Ga. App. 698b (03/05/90).)

61. The predicate acts are related and involve a distinct threat of long-term racketeering activity. (See *Pelletier v. Zweifel*, 921 F.2d 1465, 1513 (11th Circuit 1991).)

62. After documents and witnesses are subpoenaed, I will have much more evidence. I have contacted former employees of the federal courts in Atlanta who will testify about the corruption. I have been contacted by many victims of these same people in Fulton County who would like to testify.

63. Detailed proof of this wrongdoing is available in copies of the documents presented for filing, cover letters listing the documents, proof of receipt by the Office of the Clerk of the Court, docket print-outs showing the documents were not docketed, affidavits from the couriers who delivered the documents and obtained signed delivery receipt, and my affidavit. A separate Affidavit is available with more detail, and relevant documents are on CD-ROM.



**FURTHER SAITH AFFIANT NOT.**

In accordance with 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct based upon my personal knowledge.

Executed this 12th day of August 2011.

A handwritten signature in black ink, appearing to read "William M. Windsor". The signature is written in a cursive style with a horizontal line underneath it.

William M. Windsor