

Scott Fan

NAME

Reg. No. 04564-059

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⇔04564-059⇔

Rudy Davis
PO BOX 2088
Forney, TX 75126
United States

75126-469439



Scott William Faul
Reg. No. 04564-059
F.C.I. Milan
P.O. Box 1000
Milan, MI 48160

December 19, 2024

Rudy Davis
P.O. Box 2088
Forney, TX 75126

Re: Commutation Petition

Dear Rudy,

Enclosed is the 8-page Petition For Commutation Of Sentence that I submitted to the Office of the Pardon Attorney on November 8, 2024 for President Biden's consideration. When President Trump's term of office begins, I assume that same petition will likewise be available to him without a new petition being filed.

Regarding both President Biden and President Trump, it would be appropriate for anyone to send a short message stating what they have learned about the case and why a commutation of sentence should be given. For example, one might state that they read the Lawmen's Report, or watched Death and Taxes, or whatever they know, and that Scott Faul's conviction and sentence were a product of the DOJ's wrongdoing against all who were affected including the local law enforcement people. The fact that it was a product of political abuse and weaponization of the DOJ and of the judiciary can fairly be made a part of their comments. Documentation abounds to show that to be so in this case.

It would be appropriate to state that during the DOJ's 1983 crime spree, they murdered Gordon Kahl down in Arkansas, murdered Sheriff Gene Matthews in Arkansas, and then went on to murder members of the Randy Weaver family, and those at Waco, and on and on.

The 8 pages enclosed begin with "Page 4 of 11" which makes it appear that something is missing, but there are actually just 8 pages. The first 3 were just some instruction pages and were not meant to be included with the application.

I pray this finds you all well and eager to continue on in the faithful manner that you have exhibited for a good while now. May our Father continue to bless you all.

Sincerely,



Scott William Faul

enc: 8 pages (4 f & b)

PETITION FOR COMMUTATION OF SENTENCE

Relief sought:

- Reduction of prison sentence
- Reduction of prison sentence and remission of fine/restitution
- Reduction of supervised release, probation, or parole

To the President of the United States:

The undersigned petitioner, a person subject to federal imprisonment or other restriction, asks for commutation of sentence and in support thereof states as follows:

1. Identifying information:

Name: Scott William Faul
(first) (middle) (last)

Name at Conviction: _____
(if different) (first) (middle) (last)

Date of Birth: July 28, 1953 Place of Birth: Harvey, ND, U.S.
(city) (state) (country)

Social Security No.: _____ BOP Register No.: 04564-059

Gender: _____ Are you Hispanic or Latino? Yes No

Race: (select all that apply)

- Alaska Native or Native American
- Asian
- Black or African American
- Native Hawaiian or Other Pacific Islander
- White
- Other

U.S. citizen? Yes No, _____
(country of citizenship)

Is an attorney helping you with this petition form? Yes No

Attorney name: _____ Attorney email: _____

2. Contact information, if on home confinement or supervised release:

Address: _____
(number) (street) (apartment unit no.)

(city) (state) (zip code)

Cell phone: _____ Home phone: _____ Email: _____

3. Case information:

How did you plead? Guilty Not guilty Nolo contendere

Offense Date: 2-13-1983 Conviction Date: 5-28-1983 Sentence Date: 6-24-1983

Case No.: C3-83-16 Court: U.S. District Court for the S.E. Division District of ND
(Eastern/Northern, etc.) (state)

Superior Court of the District of Columbia

Offense or crime: 18 U.S.C. §§ 2, 111, 371, 1071, 1111, and 1114
(specific offense(s); provide statute(s) violated, if known)

Sentence: Imprisonment:	Probation or supervised release:	Financial penalties:
Term: <u>Life</u> (years, months)	Term: <u>None</u> (years, months)	Fine: <u>None</u>
		Restitution: <u>None</u>
		Assessment: <u>None</u>
		Date paid: _____
		Amount unpaid: _____

When did you begin serving your sentence? June 24, 1983

What is your projected release date? 2013, then 2023, then ??

Are you eligible for parole? Yes Provide parole eligibility date: Immediately

Date of last hearing: 1-25-2023 Date of next scheduled hearing, if any: January 2025

Have you applied for federal clemency before? Yes No

Date applied: November 28, 2016

Date of decision: Unknown Granted Denied No Action

4. Offense details

Please tell us about the offense for which you are seeking commutation. Be specific and complete. Do not omit facts or minimize your role. We want to hear from you, in your own words. Please include:

- What was your role in the offense?
- How, when, and why did you get involved?
- What actions did you take in connection with the offense? (Include all actions, even if you pleaded guilty to only specific conduct, counts, or portions of the full criminal activity.)
- Do you accept responsibility for your criminal conduct?

I want to explain that I am actually innocent and have been wrongly imprisoned for over 41 years. I was not involved in any wrongdoing. I was not an object of any warrant. I was merely getting a ride home with friends after a Sunday afternoon community gathering.

On February 13, 1983, I was unlawfully attacked by rogue agents. I reacted in self-defense. That cannot be disputed, and it is not disputed, because, although there may have been a warrant for another individual in another vehicle, there was no warrant for me, and I had done nothing wrong in their presence when they attacked me.

My actions consisted of returning fire AFTER I was fired upon. That is clear from the trial record and is beyond dispute. Consistent with the record's established fact that I did not initiate the assault against me, I do accept full responsibility for reacting in self-defense after being fired upon.

5. Other criminal record:

Please list all other arrests and criminal convictions. You may reference your presentence report (PSR) or other official documents, but if there is additional information to report, please provide it below.

The only other criminal record event is a North Dakota State misdemeanor willful failure to file a tax form. I had no legal obligation to file said form; and, in fact, when I subsequently did file it, the state owed me money and did in fact pay money to me. The sentence was sixty (60) days suspended.

6. Reasons for seeking clemency

In your own words, tell us why you are seeking commutation of your sentence. If you need more space, you may complete your answer on a separate sheet of paper and attach it to this petition.

While my prison record is described by staff to be that of a model prisoner, there are a number of much more compelling reasons why a commutation of sentence is warranted in my case. The judicial record in my case amply demonstrates that there are at least a dozen reasons why my conviction, judgment, and sentence are void.

The easiest one of those for you to verify, and the one that yet keeps me unlawfully imprisoned under the concurrent life terms for the aiding and abetting second degree murder charge, is that I was never found guilty of that offense. It is simple, and simply ignored by my imprisoners. To be guilty of aiding and abetting second degree murder, the jury must find that I would have to have had knowledge of the actual killer's intent to kill another person. The jury did not make that finding, because no jury instruction asked them to do so.

To prove for yourself, I suggest that you simply make one phone call to any United States Attorney. Verify from that attorney that in order to be guilty of aiding and abetting second degree murder, one would have to have had knowledge of the actual killer's intent to kill another person. The attorney will have to agree. Then, ask that United States Attorney (or specifically the United States Attorney for the District of North Dakota who has a full trial transcript) to furnish you with a citation to the trial transcript where the jury was so instructed in C3-83-16, United States v. Scott Faul.

The United States Attorney will not be able to furnish it, and you will then know with absolute certainty that I am still unlawfully imprisoned after 41 years. Additionally, I should have been released on mandatory parole in 2013 at the latest, even if I had been guilty and lawfully convicted.

Multiple horizontal lines for writing.

7: Rehabilitation

Tell us about programs, classes, substance abuse treatment, institutional employment, or other activities that you have completed while in prison that have been meaningful for you.

Note: We will review Bureau of Prisons records as part of your application. You do not need to list every program or activity. However, please DO include information that might not be in those records, such as:

- Mentoring activities
- Leading group meetings or studies
- Staff recommendations from supervisors, chaplains, or program directors

I was not, and never had been, involved in any criminal activity when I was assaulted in 1983. Thus, no programming is relevant in this case. Nevertheless, I did complete a fair number of the usual programs, and beyond the normal productive activities of work and self-improvement programs, I spent multiple thousands of hours studying law in the Education Departments' law libraries, and studied numerous other subjects as well.

Staff universally recommend that my behavior is that of a model prisoner, and often comment that I should not be in prison, and I have never heard a single one who actually knows me suggest otherwise.

The Parole Commission in their 2002 Initial Hearing decided that I had no recidivism issue. They said that I had to serve five or so more years for "accountability" reasons. Fifteen years later (three times what they had said), they changed their tune. The "accountability" reason having evaporated, and having no bad prisoner behavior to cite, they switched back to a recidivism spiel. Their recidivism claim has no basis in fact and is being challenged in court at the present time.

8. Release plans

Tell us about any plans you may have made for your release, such as where you will live or seek employment. You may also include letters of support from friends, family, and others.

My release plans are that I will return to my farm which is being held for me by a friend, and I have been assured of another farm elsewhere (by another friend) if I should want one.

Certification and Personal Oath

I hereby certify that all answers to the above questions and all statements contained herein are true and correct to the best of my knowledge, information, and belief. I understand that any intentional misstatements of material facts contained in this application form may cause adverse action on my petition for executive clemency and may subject me to criminal prosecution.

Scott William Faul
(signature of petitioner)

Respectfully submitted this 8th day of November, 2024
(month) (year)