I, Patrick Hoffman, Affirm that all the Statements Set down on the following pages of this personal restraint petition to be factual and true to the best of my knowledge and recall.

further I must request the courts indulgences to receive and review this material in this manner through assistance from my wife Agnes Abramsen to deliver these materials for your consideration as the electronic filing and mail room activities now guarantee that such a personal Restraint petition would never reach the courts to be viewed read and acted upon.

I have exhausted all post trial remedies and am too poor to pay attornies fees or the court filing fees, so I must have the assistance of my good wife to convey this information to you.

I thank you for your time and careful consideration on this petition and thank you for any and all positive action given me from hand.

Sincerely

Patrick G. Hoffman #232336, March 10, 2018.

D-W 126 west complex

Washington State Penitentiary

1313 N. 13th ave.

Walla Walla Washington 99362

United States 9th circuit District Federal Court
Eastern District of the State of Washington

Forma Pauperous

Please accept this Statement as a Forma Pauperous
I, Patrick Hoffman an incarcerated individual in the Washington State prison system, do not posess the required funds on my person or in my inmate account to cover the costs of filing paperwork with the court.

My inmate account on this date of 3/10/18 shows an amount of $108.00 were I to have the proper amount of funds I surely would also have an attorney to present this matter to the Court.

Thank for your indulgence in the acceptance of this statement in lieu of the proper funds.

Patrick Hoffman

March 10, 2018

9th circuit Federal Court
Eastern District of the State of Washington

March 10, 2018

Personal Restraint Petition
of Patrick G. Hoffman
Doc# 232336
D-W-126 West Complex
Washington State Penitentiary
1313 N. 13th Ave
Walla Walla, Washington 99362

Petitioner; Patrick G. Hoffman

Respondents: Governor Inslee, of the State of Washington, Past Governors of the State of Washington, the State of Washington, The Department of corrections of the State of Washington, All judges for the State of Washington Supreme Court together with their marital communities, Okanogan County Court system, Okanogan County, the marital community of John J Burchard, the marital community of Federal prosecutor Hicks, Spokane Washington.

Petitioner asserts that All Respondents either knowingly or unknowingly acted in concert to form a conspiracy to circumvent State and federal laws, under color of law to use the legal system to engage in human trafficking for profit enslaving innocent citizens of the united States, condemning them to prison in order to cover unlawful activity of tribal police and Tribal Council members to twist laws to achieve corrupt benefit incarcerating innocent U.S. citizens and members of Colville Confederated Tribes and Members of Heriditary tribal leaders blood linage.

Petitioner requests an unbiased review of Petitioners trial, transcript, police reports, Sealed evidence by Judge Joanne Ahumbaugh, Appeals briefs, and Washington State supreme Court decision and new evidence and/or arguments included in this petition and requests a new determination based on those elements encapsulated for the purposes of obtaining a fair and unbiased response to petitioners requests for remedy.

Jurisdiction

Petitioner affirms that Okanogan County nor the State of Washington nor the federal Government had authority nor jurisdiction to arrest nor to try defendants McGinnis and Hoffman on october 26 1986 for crimes alleged on a reservation.

McGinnis was arrested in tribal council chambers on or around august 25, 1986 on a tribal courts warrant for failure to appear for a hearing, the Hearing date was august 30 or shortly thereafter. arresting on a failure to appear warrant based on an appearance date 5 or 6 days in the future constitutes an unlawful arrest in any jurisdiction and every law Enforcement action or court action towards either McGinnis or Hoffman after that is unlawful and corrupted by the "Fruit of the poisonus tree" doctrine, Stemming from a faulty war

Therefore even if the State court or the Federal court had proper jurisdiction, which they did not, actions towards McGinnis and Hoffman would, from any court or law enforcement group would be an illegal act.

If the McGinnis arrest were a valid arrest he would have been placed in custody at the tribal jail in nespelem. he would not have been carted around from the tribal clinic to grand coulee hospital then transported to Okanogan County to be held under a courtesy hold to hide from the public on the reservation the terrible beating they had done on a tribal elder.

The police came in the middle of the night AGAINST their Superior Mr. H. Smiskin's order TO STAND DOWN.

Any search conducted WITHOUT authorization by a warrant, NOR Jurisdiction, nor authority of their Superior Mr. H. Smiskin, violates the Fourth Amendment to the U.S. Constitution. The remedy for a fourth Amendment is the exclusion of the ILLEGALLY obtained.

There was a hearing to Mr. Mc Ginnis, but... SIX DAYS in the FUTURE, so... there was NO FAILURE at all.

The Constitution says: we have the right to defend ourselves home family from all that threaten us even the Government. That is why we own guns if they would brake in and threaten my family there would be blood shet... even if I did not make it we have the right to protect our homes from ANY enemy of foreigne threat!

Written by an American as answer by a man who was incarcerated 24 years innocent and got free by a honest lawyer.

Petitioner affirms that Public law 280 was never inspected properly on the Colville reservation.

Petitioner has seen the tribal council record pertaining to public law 280 in that a requirement of public vote of enrolled tribal residents that had voted in the most previous election and that 5/8ths of that vote be for instituting public law 280 on reservation lands. That council knew they could not get that vote. instead they determined to use their "elected power" to "substitute" the vote for candidates in the previous election, Stating on the record that being elected gave them the power to do that. never mind that the tribe budget was depleted 3 million and that federal monies in grants to the tribal business Council would be 6 million and would be given as soon as public law 280 was instituted on reservation lands.

Petitioner has requested copies of this record and a copy of the native American Sovriety act of 2016 which further supports petitioners claim of lack of jurisdiction of local, State and federal government on reservation land. only tribal judge Sheilah Cleveland had authority.

Tribal Judge, Sheilah Cleveland, Testified that the tribal Council asked her to press Charges against us. She Said NO to that saying that she had seen the incident from start to finish from her front lawn. She said we, the defendants, did nothing wrong that the first shots came from where the tribal police had positioned themselves.

on october 26 1986 federal prosecutor Hicks moved to dismiss charges in federal court saying he didn't want to argue certain issues in federal Court, the most important issues he didn't want to argue was he had no jurisdiction, due to public law 280 improperly installed on reservation lands and that the evidence at that time showed that the defendants did not kill or wound the tribal officers.

Petitioner asserts that prosecutor Burchard in his 1986 Election did not meet the minimum State requirements for votes cast in his favor in that even though he did not have opposition in his bid for prosecutor he did not receive the required amounts under state election statutes to be installed as prosecutor. therefore he had no authority to file charges against us or to try us in okanogan county Court system. Election results records validate petitioner's assertion.

Petitioner affirms that the 1986 tribal Council made payments to Okanogan County and the appeals courts for ~~Manipulating~~ court functions under color of law to imprison McGinnis and Hoffman, the petitioner. $50,000.00 was paid to Okanogan county September to October 1986. Stated in tribal tribune.

2.6 million was paid from the federal government to tribal council to "upgrade their police department" Tribal tribune. Tribal council used some or all to pay bribes to political and/or law enforcement officials involved in the McGinnis and Hoffman trial. an arrangement brokered by Prosecutor Hicks.

2.5 million was paid to the tribal Council, from the federal government after our convictions and some or all of that was used to bribe State and federal court officials to manipulate the rules and their actions to keep McGinnis and Hoffman imprisoned.

Payment of 2.5 million documented in Tribal Tribune, June 1987.

Petitioner affirms that the Search the FBI Conducted on the McGinnis residence on August 27, 1986 was an illegal search for several reasons.

1, Federal Court had no jurisdiction in the matter

A. See Flett v. State of Washington

B. for reasons already stated concerning public law 280 on reservation lands.

C, the warrant to search was also corrupted by the faulty arrest warrant for McGinnis, on which the Search warrant was partially based.

D. that the alleged crime scene was disturbed and corrupted by other local police officer chasing and shooting at a dog several times until it was killed.

The bullet not having been removed nor compaired with the bullet taken from Millard to exclude that from being the possible murder weapon.

E that FBI Search Located and obtained the alleged murder weapon which later was destroyed by the Prosecutor(s) to enable them to claim to the jury that defendants had done so, to ascribe guilt to defendants by theory and conjecture and not by weight of evidence or fact.

Petitioner affirms that Elmer McGinnis had the fire arm and that he claimed repeatedly at various times that he fired the fire arm 3 times only. Petitioner did not fire the weapon. forensics and process of elimination will prove petitioners affirmation. Still held in evidence in Okanogan County are all 9mm casings held in connection of the McGinnis Hoffman trial Petitioner affirms that petitioner loaded the clip magazine into the weapon and that the first 3 bullets, the only bullets fired from that fire arm were Winchester Super X 115 grain aluminum hollow point ammunition. independent forensic analysis of all 9mm casings taken into Evidence will show that only the Winchester casings have like ejection and firing pin markings while none of the other 9mm casings have such similar marks.

The bullets, projectiles recovered from Millard was 1 full metal jacket which is most similar to the bullet taken out of Elmer McGinnis during mid trial.

Petitioner affirms that during trial John Dick, the other alleged victim, stated that Millard was somewhere behind him, that dick claimed to have received the first shot fired in the incident in the back, he claims to have turned and returned fire.

Petitioner affirms that Millard shot Dick and Dick shot Millard. Why else would Dick refuse to surrender his revolver for examination until mid trial?

Prosecutorial misconduct.

Petitioner affirms that prosecutor Burchard and Special Prosecutor Hicks conspired to manipulate and/or destroy exculpatory evidence in the McGinnis and Hoffman trial for monitary and personal gain From the then Colville confederated Tribal Council.

Petitioner further affirms that petitioner stated to his Attorney mr. Price where the weapon had been placed by him and showed him in the photo enlargement of the McGinnis property and the area surrounding it. petitioner's attorney went to the spot and found nothing and also went to all other similar spots in case petitioner was mistaken, no 9mm was found.

Petitioner affirms that on or around August 15, 1996, Petitioner Hoffman's previous wife, Penny Hoffman of omak Washington, came to visit him and relayed to him that a female who had worked in the prosecutor's office at the time of our trial said to her, my previous wife, that she the office worker had overheard mr Burchard one day, during the time of our trial proceedings, on the telephone saying to who was on the other end that " no. that weapon will never be found. we made sure of that." the lady said to Penny that our case - McGinnis - Hoffman, was the only case at that time which had a missing weapon. when asked to file an afidavit concerning this she said she could not in fear of her life, that at least two other people in the area had mysteriously died who had been investigating things surrounding the McGinnis - Hoffman case.

Petitioner affirms that, based on most, if not all previous points in this petition that prosecutor Burchard and Special prosecutor Hicks, from federal Court in Spokane entered into a Conspiracy with

The then colville tribal connecil members to fabricate, for pay, a legal action against against petitioner and his father to defraud the public to cover up the murder of officer Millard and place the blame on petitioner and his father.

Petitioner affirms that at the time the State rested in its case it was evident that there was insufficient evidence presented to convict Mr Ginnis or Hoffman and defendants attorneys petitioned the court to dismiss but the judge refused.

Petitioner affirms that judge Joanne Alumbaugh, the judge presiding in petitioners trial was terminally ill 2004. and passed away, but before she did, in fear of loosing her immortal soul, She requested her husband mr. Richard V. Alumbaugh, to do all he could to have me set free since she was sure she had imprisoned an innocent man. Mr Alumbaugh came to my previous wife and said that to her and asked for all the trial paperwork this was in late 2006 and he came to me in early 2007 with his assistant, Judith Christe who later became his wife, and told me the very same thing, in the presence of Judith, their visit record is on my visit file with the D.O.C. (See Richard V. ALLumbaugh afidavit included with this Petition.)

II Jury instruction.

The Prosecution, over defence attorney objections was allowed to instruct the jury at the beginning of the trial, that they were to view all the evidence and testimony in the case in the light most favorable to the prosecution. This was, is harmful discriminatory error, the same as instructing the jury that only the prosecutor is telling the truth and what ever the defense attornies or the defendants state or present to you is untrue so you are required to find them guilty. that is your only choise. Such Irrepairable damage can only be cured by petitioners request for remedies.

The question needs to be asked, what would you do when the ones who are supposed to provide public Safety for everyone clandestinely sneek on your father's property in the dark of night and commense to shooting everywhere with no Regard or Care for human life other than their own?

When Government Calls citizens into the military, those inducted give an oath to protect the Constitution and the united States from all enemies both foreign and domestic...

I know at least 3 of these tribal officers were in the military yet my father and I were the ones warding off an unwarranted attack by police officers,

defense attorney Bud Gardner.
mid-trial during the case for defendants Elmer McGinnis had the bullet removed that had been received from one of the police officer shots, Mr. Bud Gardner, Elmer's trial attorney, took 35mm photos of the removal procedure and the bullet itself, the photos were to be entered as evidence and comparison made between the bullet taken out of Elmer and the Bullet removed from millard's body, that did not happen.

What did happen was that Bud Gardner gave a county deputy the bullet which was to be entered in Court the following monday. When the bullet was entered Elmer examined it and said it was not the bullet taken from him as he had examined it quite thoroughly before Gardner gave it to the officer. the photos were not produced by Gardner to anyone until 2002 a year after my father's death in prison.

The film was given by Gardner to my previous wife Penny Hoffman who took it to the photo mat in omak Shopping center to have the film developed and copies made in 2 sets one of which Penny sent to me at that time. Copies may still be obtained from the Photo Mat.

In comparing the photo of the bullet taken from Elmer to the one taken from millard the lands and grooves markings on each is so similar as to be fired from the same weapon which supports that mr John Dick shot both millard and McGinnis.

To understand why mr Gardner did not enter

the film as evidence you need to know that at or before the time of trial for McGinnis and Hoffman, Mr Gardner was also facing a possible marijuanna charge which would have taken away his carreer as an attorney. A deal was made between prosecutor Burchard and mr Gardner that if he did what he was told to do by prosecutor Burchard, pertaining to the handling of the defense of mr McGinnis, that the marijuanna charge would go away.

So here we have prosecutorial misconduct and ineffective assistance of Council all rolled up in one package so to Speak.

Viewed in its proper light the Scene becomes Clear that prosecutors were not carrying out their duties but were managing personal interests.

Indictement under the Wrong Statute

Petitioner affirms that the Jury in his trial had been Society conditioned into adding weight to prosecutor Statements rather than weight of evidence even before the Jury direction "to view all evidence in the light most favorable to the prosecution".

That, being the Society of citizens belief that "they must be guilty or the prosecutor would not bring charges against them." and the still present addage that remains within the white community, but few if any admit it remains, is "The only good Indian is a dead one". So their consciences are lightened by the prosecutor only seeking life Sentence without possibility of parole. Calculated conditioning to have citizens condemn their fellow citizens without guilt.

We were tried for two charges, first degree premeditated murder of a police officer and first degree premeditated assult of a police officer.

Judge Akumbaugh had told the prosecutors outside the court room that the charges and information was dificient. She later stated the same to the court without the jury present. The prosecution tried desparately to obtain the judge's consent to revise the charges and the information which the judge refused to allow.

Had the charges and supporting evidence been factual and true and sufficient the second charge would not have been first degree premidated agrivated attempted murder of a police officer, seeing that

in a true charging, with proper evidence, one charge would follow the other and support each other within chronologic events, evidence and testimony.

An evidential finding of first degree premeditated aggrivated murder as one count would therefore, within the boundries of this incident, support a second count of first degree attempted murder, premeditated aggrivated. not first degree assault.

That being Said, The prosecutor(s), more concerned about the possibility of losing their case (because the accusations were untrue to their knowledge) even with the direction to the jury to view all the evidence in the case in the most favorable light of the prosecution, installs a jury direction that they must first find defendants guilty of first degree assult. this tatic was calculated and used to desensitize jurors with the use of this lesser charge so that it would be easier for jurors to ascribe guilt to defendants being already found guilty of another lesser charge.

the result being guilty verdicts found based on prosecutor calculation and direction rather than weight of evidence.

Request for appointment of council

Therefore I am requesting appointment of a highly qualified attorney to properly present my issues to the court and to assist in properly addressing these issues in a comprehensive and understandable manner to the court so the court may truly understand the impossibly heavy burden which petitioner has been placed under these 31+ years of incarceration.

Department of Corrections
Staff misconduct

Petitioner affirms that Department of Corrections accountants have, over 31 years, deducted funds from outside additions to petitioner's account that are improper, based on (1.) that petitioner is an innocent man and falsely incarcerated and (2.) that the deductions were promulgated into laws contrary to the state constitution and prisoner rights and used to discriminate against incarcerated prisoners and to oppress them financially seeing they have no representation in legislature workings, and (3.) that the legal promulgation wrongfully removed from the court at sentencing the choise to apply financial obligations of this nature to defendants at sentencing, and (4.) that such law change was as not in effect at the time of Petitioner's incarceration April 15 1987 and therefore acts as an additional penalty not required by the Sentencing Court.

Therefore I am requesting that the $7,005 dollars taken from me over the course of 31 years be returned to me with interest.

Requested Remedies.

Petitioner Requests immediate release from Washington State Prison because Petitioner is innocent.

Petitioner Requests all criminal record held by all law enforcement in the United States be expunged.

Petitioner Requests all rights of Citizenship be reinstated to petitioner

Petitioner Requests that Drivers License Hoff-mp-G513DE be reinstated to petitioner with no expiration date

Petitioner Requests that concealed weapons permit in the name of Patrick J. Hoffman be reinstated to petitioner with no expiration date.

Petitioner Requests a valid Passport in the name of Patrick Gene Hoffman be issued to Petitioner with no Expiration date

Petitioner Requests Doc be required to reimburse petitioner $7,000^{00}$ plus interest at 1% per month, Per year 12% for 31 years of use of petitioner's funds by the D.O.C.

Petitioner Thanks the Court for their time and consideration and favorable response,

Further the Petitioner Sayeth Naught.

Patrick J. Hoffman #232536