

Dear Rudy and Erin,

I read the recent letter that you sent me on October 19, 2019. It is truly an inspiring letter. In my mind, as I boil the message down to it's essence, you are saying "We know that by standing up and demanding that our public servants obey God's laws when dealing with God's children, we are putting ourselves in harm's way, but we are going to do it anyway because that is what our heavenly Father expects us to do."

I know the Lord is very proud of you for taking this stance. It is not easy. You could end up losing your earthly possessions, your liberty or even your life for taking such a stand. I took such a stand in 1979 against the IRS. It has cost me millions of dollars in money that I could have made during the 15 years (and counting) that I have been imprisoned because of the stand that I took. Mentally, emotionally and physically, the toll on you and your loved ones is unbelievable. People have no idea. Most think you are crazy, right?

"You should just go along to get along" is a saying that more than one person said to me over the years regarding the "foolish" stance that I took. However, the way I looked at it, those are the same type of people that looked the other way in Sodom as the homosexuals ran the city and committed their abominations openly. And, when God decided that enough was enough, they died right along with the queers because they tried to "sit on the fence". Question: Is "sitting on the fence" acceptable in God's eyes? The Bible says no.

Having said all of that, the Bible also says that we are to be "As wise as a serpent and as harmless as a dove". In other words, there are ways to protect yourselves from the slings and arrows that are already being hurled at you and the heavy artillery that is sure to come later if you don't cease and desist. I am going to give you some armor that, if I would have had it before I had gotten to the litigation stage, I would not have gone to prison.

Unfortunately, a lot of the knowledge (and documents/evidence) that would have kept you OUT of prison you only acquire while you are fighting the beast from the inside while you are trying to regain your freedom.

After my first trial in Florida, the marshals sent me to the La Tuna FCI prison in Anthony, Texas. After about 6 months there, all of a sudden I was told to "pack up"; that I was going to be transferred. Kookie went online and saw that I was going to Washington, D.C. for a new trial on different charges. So, I talked to an attorney that was also imprisoned in La Tuna about this new development. He told me to do the following:

1. The FIRST time you go before a judge, you say "I am not a party to this action as the defendant and I are not the same entity.". He said that you don't answer any other questions. He said that if I did that and DID NOT sign a fingerprint card, they would eventually have to let me go. However, he refused to elaborate (I don't know why) as to WHY that approach would be successful, which, in turn, caused me to wonder whether that would actually be a successful strategy.

However, when I was taken by the marshals to D.C., I did refuse to sign a fingerprint card (The marshals did, in fact, admit that I could not be forced to sign ANY document.).

When I went before the judge for the first time (Arraignment), the judge talked with every defendant and their attorney...except me. He never even looked at me. Unbeknownst to me, the judge had also hired an attorney to represent me without my knowledge or consent as he ASSUMED I was the defendant. I told the attorney that I did not want or need him and to go away. He would not do it. The the judge suddenly turned my way and told the attorney to plead for me.

Immediately, I jumped up and told the judge that man was not my attorney. The judge demanded that I sit down and be quiet. I kept insisting that man was not my attorney. The judge then ordered the marshals to take me to a holding cell. I found out later, by reading the transcript, that the judge later forced the attorney to plead for me even though the attorney stated on the Record that he had not been authorized by me to plead.

At the next hearing, which was held without the other defendants present, the judge addressed me as the defendant. I objected to him making that assumption. I stated that the defendant and I were not the same entity. I also told him that I had not seen any evidence in the Court Record that proved that the defendant and I were the same entity. I then asked the judge if he had seen any such evidence? Guess what: HE REFUSED TO ANSWER THE QUESTION!! He also said that he would refuse to answer any other questions like that!

I then asked him to make a Judicial Determination that the defendant and I were the same entity. He said "all right" but never did it. He just illegally ASSUMED personal jurisdiction and continued on. At that point, I just did not know how to force the issue to a conclusion.

That was in 2008. I did not find out until 2017 about the key document that I should have demanded that the prosecution produce that could have ended the charade. One of the inmates here at Rivers had asked his attorney to send him a copy of the case file the attorney had regarding him. In the folder of documents that he received was a document entitled "Rule 5(c)(3) Affidavit". When I read it, I instantly understood why the attorney in La Tuna told me to say "I am not a party to this action as the defendant and I are not the same entity."

I understood that this is the "probable cause affidavit" that is used by government agents to allege that the upper and lower case named natural person is the same as the ALL UPPER CASE NAMED ENTITY.

This was the "evidence" that all agents use to get a Magistrate to authorize the issuance of an arrest warrant. As you can see, the arresting agent is stating, under penalty of perjury, that he asked Morris, the man, if he is MORRIS, the defendant. And, he said that Morris, the man, said he was! But, after reading the affidavit, Morris said he was totally unaware of what the agent was really doing and that he would have absolutely denied any connection with MORRIS, the defendant, had he been informed as to what the agent was alleging. Morris' problem: Since the agent was swearing to these "facts" under penalty of perjury, they stand as truth unless rebutted by a counter affidavit. Question: How do you counter something that you don't know exists?

This is the "probable cause" affidavit that is required to be attached to the Arrest Warrant pursuant to the 4th Amendment Warrant Clause which states "and NO Warrant shall issue, but upon probable cause, supported by Oath or Affirmation, and PARTICULARLY DESCRIBING the place to be searched, and the PERSONS or things to be seized.". (emphasis added)

So, how did the agent confirm that Morris, the man, and the defendant MORRIS were the same entity? The agent stated that Morris, the man, confessed that they were. Also, Morris signed the fingerprint card. Guess what name is on the fingerprint card? Yep, it is the ALL CAP NAME, which is why the attorney said not to sign that card as it joins the two entities with the same set of fingerprints. That SIGNED fingerprint card can be used in court to identify you as the ALL CAPS NAME ENTITY (an unsigned fingerprint card could not be used).

I am sure this modus operandi is standard operating procedure for all agents asking a judge to authorize the issuance of a warrant for an arrest as the affidavit makes a prima facie case. "Indeed, no more than (affidavits) is necessary to make the prima facie case." U.S. v. Kis, 658 F.2d 1526 (7th Cir. 1981)

I showed a copy of this affidavit to a number of jailhouse lawyers here. No one had ever seen an affidavit like this. We all sent off letters to the U.S. Attorneys Office, the Clerk of the Court where the trial was held and to the attorneys who had defended the inmates. To date, NO ONE has been able to get that affidavit even though it is not exempt from disclosure! Are you starting to smell a boatload of rotten fish?

I have since sent this affidavit to people on the outside who are legal research types. NONE of them have ever even seen this affidavit, much less have a copy of one. However, without it, an arrest warrant could not be issued. Think of all the MILLIONS of arrest warrants that have been fraudulently issued because the agent falsely stated that the man that was arrested confessed that he was also the ALL CAPS NAME DEFENDANT...and the man did not rebut the affidavit with a counter affidavit!

SO HOW WOULD I USE THIS DOCUMENT TODAY? Any time that I was confronted by any agent from ANY agency, local, state or federal, about anything, civil or criminal, I would demand to see a legal document that has the NAME of the person they are looking for on it. Reason: If it is a legal document, it will ALWAYS be written in ALL CAPS. I would then state "I am not a party to this action as that entity and I are not the same entity.". If they try to insist that you are that entity, ask them for the evidence that they have that proves you are the same entity (Note: What they try to do is ask you to tell them your S.S.# and your birth date, but neither is legal evidence. Even the FBI states the only way they can positively identify someone is with their fingerprints.). They have none. Remember, you are not saying that you are not the defendant. You are saying that YOU AND THE DEFENDANT ARE NOT THE SAME ENTITY. It is an entirely different challenge.

With this 5(c)(3) affidavit as my ace in the hole, I would demand that they produce a similar document. There is no way they will ever do it, because that would expose the fraud that they have been perpetrating on the American people for God

only knows how many years. I do not believe there is any way they would continue to pursue you as they would not want this affidavit to potentially get into the hands of the general public.

IMPORTANT: I would keep this document in a very safe, secure place. I would also pass it around to others that you think would understand the true significance of the affidavit. WHY? Because many people have tried to get a copy of theirs (including me) without success. I truly believe that the only way we got this one is by God's grace. If we COULD get more, that would be fantastic. Please put the word out that we are looking for copies of Federal Rules of Criminal Procedure Rule 5(c)(3) Identity Affidavits belonging to people that are currently in, or have been in the past, federal custody because they have been criminally Indicted and arrested, as this affidavit is the "probable cause" that is required by the Warrant Clause of the 4th Amendment of the USA Constitution. But, if we can't get another one, we can all use this one as "evidence" of agent wrongdoing. We can demand that it be produced, as we are filing a counter affidavit rebutting the agent's lies and failure to provide full disclosure, and, unless the agent can come up with REAL evidence that the ALL CAPS NAME entity and I are the same entity, the case must be declared void ab initio and expunged from the Court Record...and we must be well compensated for our injuries. Remember the Maxim of law "If it is not in the Court Record, it does not exist" (parphrased).

In my opinion, every patriot that is currently imprisoned should do a FOIA/PA request to the prosecuting U.S. Attorney's office requesting a copy of this affidavit along with a copy of the arrest warrant itself and a copy of the criminal complaint. I would also ask for the same documents from the Clerk of the Court where the Trial was held and, if the person was represented by an attorney, from the attorney as well. They all should have copies of those 3 documents. If none of them can produce the affidavit, that is proof that the arrest warrant is Constitutionally invalid, right?

So, to me, this is where the fun begins. I have seen 2 inmates here at Rivers file a lawsuit against the judge and prosecutors alleging false imprisonment instead of filing a habeas corpus...and I have seen both of them win! The latest one in July of 2019 was offered a VERY hefty sum of money plus expungement of the Record and immediate release if he would sign a non disclosure agreement. However, he is still here because, as he told me, he has been falsely incarcerated for almost 20 years and he wants more money than the government is offering. Candi Liles is doing a similar lawsuit for me right now. I will keep you posted as we proceed.

A question that I have been asked more than once regarding the ALL CAP name. PEOPLE HAVE CHALLENGED THE ALL CAP NAME IN COURT: WHY DID THEY LOSE? In my opinion, they lost because there was the Probable Cause affidavit in the Court Record saying that you and the ALL CAP NAME are one and the same and you did not rebut it with a counter affidavit or sworn testimony. Plus, they did not have a copy of a Rule 5(c)(3) Affidavit to submit a evidence of the fraud.

I hope this helps you. You guys have been so helpful to Kookie and I and we so appreciate your love and support and, most all, your great attitude. I know God is happy with you.

May God bless you greatly,

Eddie Ray Kahn

P.S. I was told a lady who appeared in the Los Angeles Superior Court got her case dismissed when she said the following:

1. I am not a Party to this Action as the defendant and I are not the same entity.
2. I do not consent to be involved in these proceedings.
3. I do not consent to being used as surety for this case or this defendant and these proceedings.
4. I demand that the BOND be immediately brought forward so I can see who will indemnify me if I am damaged.

I was told the judge dismissed her case immediately. I can believe that for 2 reasons:

1. She is challenging the ALL CAP NAME properly.
2. She is asking for a copy of the BOND that will compensate her for any injuries she might incur as a result of this Action.

What I have seen personally is that when you ask for the copy of Bond for the judge, prosecutor, marshal and Clerk of the Court, the clerk will not respond to your request. Myself and others have tried to get them. 28 USC says that anyone can get a certified copy of them. Specifically, it states:

28 USC sec. 1737 Copy of Officer's Bond

Any person to whose custody the bond of any officer of the United States has been committed shall, on proper request and payment of the fee allowed by any act of congress, furnish certified copies thereof, which shall be prima facie evidence in any court of the execution, filing and contents of the bond.

We have been unable to get the clerks at several district courts to tell us WHO is the Custodian of the bonds. Why do you think they are obviously hiding this information from us? I believe it because that, when people try to sue these officers, they all claim what...Immunity, right? But, if they were immune from suit, there would be no need for a bond, right? However, if you had a copy of the officer's bond that you are suing, it is proof that he/she is NOT immune from suit.

The 2 guys here that I told you about ~~here~~ that sued the judge and prosecutors in their cases won, so it is obvious that they can be sued.

Maybe you can find someone on the outside that can get a copy of a judge's or prosecutor's bond using 28 USC 1737. If so, I would be happy to pay the certification fee to get a copy of it.

Encl:

1. Copy of Rule 5(c)(3) Affidavit
2. The document that is in 99% of all defendants file. See the box that is checked waiving an Identity Hearing. Of course, by doing it, isn't he "confessing" to being the ALL CAP NAME ENTITY? I believe he is. A maxim of law is "If you don't object, you agree". (paraphrased)
3. A copy of the court transcript where I am telling judge Kennedy (the first judge) to stop referring to me as the defendant. I am also asking him if he has seen any evidence in the Record that proves that the defendant and I are the same entity. Finally, I ask him to make a Judicial Determination that the defendant and I are the same entity.

SEALED

FILED
JUL 15 2009
S.D. OF N.Y.

89-11-293-01

Approved:

Ryan P. Poscablo
RYAN P. POSCABLO
Assistant United States Attorney

CERTIFIED AS A TRUE COPY ON

THIS DATE 7/16/09

BY [Signature]
() Clerk
(X) Deputy

Before:

HONORABLE HENRY B. PITMAN
United States Magistrate Judge
Southern District of New York

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

09 MAG 1636

UNITED STATES OF AMERICA

-v.-

09 Mag.

MORRIS B. FAHNBULLEH,

Defendant.

RULE 5(c)(3)
AFFIDAVIT

SOUTHERN DISTRICT OF NEW YORK, ss:

DOC # 1

ALCIDES EVORA, being duly sworn, deposes and says that he is a Special Agent with the United States Agency for International Development Office of the Inspector General, and charges as follows:

On or about May 18, 2009, the United States District Court for the District of Columbia issued a warrant for the arrest of "Morris B. Fahnbulleh" in connection with a Complaint issued on or about May 18, 2009 charging him under Title 18, United States Code, Sections 1341 (mail fraud), 1343 (wire fraud), 1349 (conspiracy to commit mail fraud and conspiracy to commit wire fraud), 666 (theft concerning programs receiving federal funds), 1031 (major fraud), 2314 (interstate transportation of stolen property), 287 (false, fictitious and fraudulent claims), 371 (conspiracy), 1001 (false statements), 1512 (tampering with a witness, victim or informant) and 2 (aiding and abetting). A copy of the arrest warrant and complaint are attached hereto and are incorporated by reference herein.

I believe that MORRIS B. FAHNBULLEH, the defendant, who was arrested on or about July 15, 2009, in the Southern District of New York, is the same individual as the "Morris B. Fahnbulleh" who is wanted in the District of Columbia.


The bases for my knowledge and for the foregoing

charges are, in part, as follows:

1. I am a Special Agent with the Office of Inspector General, United States Agency for International Development Office. I have been personally involved in the investigation of the various charges detailed above out of the District of Columbia ("Investigation") and have been working with the U.S. Attorney's Office for the District of Columbia concerning the Investigation. Because this Affidavit is being submitted for the limited purpose of establishing the identity of the defendant, I have not included in this Affidavit each and every fact that I have learned relating to MORRIS B. FAHNBULLEH, the defendant. Where I report statements made by others, those statements are described in substance and in part, unless otherwise noted.
2. In connection with the Investigation, I obtained a photograph of "Morris B. Fahnbulleh" ("Photograph") that came from a United States Visa application. The Visa application contained the same personal identification information that had been connected to "Morris B. Fahnbulleh."
3. I obtained information that MORRIS B. FAHNBULLEH, the defendant, was employed at Radisson Hotel located at 49 West 32nd Street, New York, New York ("Radisson").
4. On or about July 15, 2009, I, along with Deputies of the United States Marshals Service ("USMS"), visited the Radisson.
5. I interviewed a manager at the Radisson ("Individual-1") and showed her the Photograph of "Morris B. Fahnbulleh." Individual-1 confirmed that an individual by that name was employed by the Radisson and contacted him to come to her office.
6. After MORRIS B. FAHNBULLEH, the defendant appeared in Individual-1's office, I immediately recognized him as "Morris B. Fahnbulleh" who is the subject of the Investigation.
7. Furthermore, I asked MORRIS B. FAHNBULLEH, the defendant, whether he was "Morris B. Fahnbulleh." He responded that he was.
8. After his arrest, I asked MORRIS B. FAHNBULLEH, the defendant, his date of birth ("DOB") and Social Security number ("SS"). The DOB and SS number he gave me matched the date of birth and Social Security number of "Morris B. Fahnbulleh," who is the subject of the Investigation.

9, Based on the above, I have determined that MORRIS B. FAHNBULLEH, the defendant, is the same individual as "Morris B. Fahnbulleh" for whom the warrant had been issued.

WHEREFORE, deponent prays that MORRIS B. FAHNBULLEH, the defendant, be imprisoned, or bailed as the case may be.


ALCIDES EVORA
Special Agent
Office of Inspector General, USAID

Sworn to before me this
15th day of July, 2009.


HONORABLE JAMES C. FRANCIS, IV
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION

FILED IN OPEN COURT
OCALA, FLORIDA

SEP 10 2008

UNITED STATES OF AMERICA

-vs-

CLERK, U. S. DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
Case No. 5:08-mj-1047-GRJ

ALLAN J. TANGUAY

WAIVER OF RULE 5 & 5.1 HEARINGS
(Complaint/Indictment)

I understand that charges are pending in the District of Columbia alleging conspiracy to defraud the United States and conspiracy to commit mail fraud in violation of 18 U.S.C. §§ 371, 1341, and 2 and that I have been arrested in this district and taken before a judge, who has informed me of the charge(s) and my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) a preliminary hearing (unless an indictment has been returned or information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held in this district or the district of prosecution; and
- (4) request transfer of the proceedings to this district under Rule 20, Fed. R. Crim. P., in order to plead guilty

I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

- identity hearing
- preliminary hearing
- identity hearing but request a preliminary hearing be held in the prosecuting district and, therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me

Dean Joseph Tanguay
ALLAN J. TANGUAY

Charles E. Jeff
Defense Counsel

September 10, 2008

CERTIFIED A TRUE COPY
SHERYL L. LOESCH, CLERK
U. S. DISTRICT COURT

By: [Signature]
Deputy Clerk

Ex. A

1 UNITED STATES DISTRICT COURT
2 FOR THE DISTRICT OF COLUMBIA

3 -----X

4 THE UNITED STATES OF AMERICA Criminal Case No.
5 v. 08-271

6 EDDIE RAY KAHN,

7 Defendant,

8 -----X Washington, D.C.
9 Monday, Dec. 1, 2008
3:26 P.M.

10 TRANSCRIPT OF STATUS CONFERENCE
11 BEFORE THE HONORABLE HENRY H. KENNEDY, JR.
12 UNITED STATES DISTRICT JUDGE

13 APPEARANCES:

14 For the Government: JEFFREY A. McLELLAN, ESQUIRE
15 KENNETH C. VERT, ESQUIRE
16 TINO M. LISELLA, ESQUIRE
Office of the U.S. Attorney
17 555 4TH Street, N.W.
Washington, D.C. 20001

18 For the Defendant: EDDIE RAY KAHN, PRO SE

19 Also Present: PLEASANT BRODNAX, ESQUIRE
20 1700 Pennsylvania Ave., NW
Suite 400
21 Washington, D. C. 20006

22 Court Reporter: ANNIE R. SHAW, RPR
23 U.S. District Courthouse
Room 6722
24 Washington, D.C. 20001
(202) 354-3242

25 Proceedings recorded by mechanical stenography, transcript
produced by computer.

1 P-R-O-C-E-E-D-I-N-G-S

2 (3:36 P.M.)

3 THE DEPUTY CLERK: Criminal Action 08-271 United
4 States versus Eddie Ray Kahn.

5 MR. McLELLAN: Jeffrey McLellan and Tina Lisella for
6 the United States, Your Honor.

7 THE COURT: All right. The record will reflect that
8 Mr. Pleasant Brodnax is here as well.

9 This case is called today for ascertainment of
10 counsel. The last time the case was called Mr. Kahn indicated
11 a desire to retain his own attorney. I believe it is the case
12 that the record reflects that Mr. Pleasant Brodnax had been
13 approached and had been asked to represent Mr. Kahn, but
14 Mr. Kahn declined to accept that representation, indicating
15 that he wished to hire his own lawyer. And so this case was
16 continued until today for ascertainment of counsel.

17 Mr. Kahn, why don't you come forward to the lectern.

18 THE DEFENDANT: You are talking to me, I'm assuming.

19 THE COURT: Excuse me, Mr. Kahn, you indicated that
20 you assumed that I was talking to you.

21 THE DEFENDANT: Yes.

22 THE COURT: Could you explain why there would be any
23 doubt that I was talking to you?

24 THE DEFENDANT: I'll be glad to. You continue to
25 refer to me as the defendant in this case. And I continue to

1 deny that I am a defendant in this case. As a matter of fact,
2 I wrote down some notes so I can accurately describe what I'm
3 saying.

4 I don't believe that I'm a defendant in this case, as
5 I have had no document presented to me that's been signed under
6 penalty of perjury and supported by other affirmation that
7 positively identifies me as a defendant in this case. I don't
8 believe such document exist.

9 Have you ever seen such a document, Your Honor?

10 THE COURT: I decline to answer your question.

11 THE DEFENDANT: Why is that?

12 THE COURT: And I will decline to answer other
13 questions like this. Do you wish to go on -- do you have any
14 more --

15 THE DEFENDANT: Yes, sir, I do.

16 As a matter of fact, you said that, that Mr. Brodnax
17 there was offered to me as counsel. But in real fact, what he
18 was is he pushed himself upon me, and then tried to, in fact
19 did, evidently plead for me, which I vehemently objected to,
20 and was thrown out of the courtroom for it. And as far as I'm
21 concerned Mr. Brodnax has never been my counsel, I have never
22 asked for him. You and I never talked prior to me coming into
23 this courtroom and hearing the charges read and then asked,
24 being asked to plead. So I have never pled, okay, and nobody
25 that's authorized by me has ever pled.

1 So until I get counsel, which I have not at present
2 time -- I sent out a total of 40 employment letters.

3 THE COURT: You have answered -- is there any further
4 answer to the question that I posed, which was, there being
5 some reason for thinking that I was not referring to you when I
6 said, Mr. Kahn, would you please come to the lectern? Is there
7 anything further to say with respect to that?

8 THE DEFENDANT: The only other thing that I would ask
9 and, of course, evidently you are not going to answer any
10 questions, but the only thing I would ask is this Court made a
11 judicial determination that the defendant and I are the same
12 entity.

13 THE COURT: All right.

14 Now with respect to the question of your efforts to
15 find a lawyer, have you been successful?

16 THE DEFENDANT: As I said, I sent out a total of 40
17 employment letters to different law firms in the Washington, D.
18 C. area that all said that they do white-collar crimes as their
19 speciality. To date I have gotten a total of four responses
20 back. As a matter of fact, get them here. I have gotten one
21 from Wheat (phonetic) Woo, Miller Chevalier, Covington and
22 Burling, and a guy named John Katz. Okay. The first three
23 declined to assist me. The other one, Mr. Katz, said he would
24 be happy to answer my questions in the letter, because I did
25 have some questions regarding their competency, their