

**STATE OF OREGON  
FOR THE  
COUNTY OF LANE**

GREG MICHAEL REYNOLDS  
35612 SE MacInnes Road  
PO Box 333  
Corbett, OR 97019  
CORBETTGREG@COMCAST.NET  
(971) 220-3869

23 OCTOBER 2023

Honorable Pierre L. Van Rysselberghe  
Sentencing Judge  
LANE COUNTY CIRCUIT COURT  
125 East 8<sup>th</sup> Avenue  
Eugene, OR 97401

RE: Motion to Vacate Judgment Due to Error of Law

Case: **STATE OF OREGON v. GREG MICHAEL REYNOLDS**  
Case Number: **109310439**

Before the LANE COUNTY CIRCUIT COURT,

I, GREG M. REYNOLDS, the defendant in the above-mentioned case, respectfully submit this Motion to Vacate Judgment Due to Error of Law. I am seeking relief from the judgment entered against me on 14 FEBRUARY 1994 in the LANE COUNTY CIRCUIT COURT under case number 109310439. I present this motion on the following grounds and reasons:

1) Overview of the Case:

- A) On 13 JANUARY 1994, the Honorable LYLE C. VELURE, made an error of law when he issued an ORDER DENYING ATTORNEY.
- B) Everything after this are "FRUITS of the POISONOUS TREE", and the damage

has been extensive.

- C) This is a conviction for a crime the defendant believes he did not commit. There is an abundance of evidence to support this. Dating back to the DEFENDANT'S first application for clemency submitted even prior being released from probation early.

The final judgment as a result of this error of law was a CONVICTION for DELIVERY OF A CONTROLLED SUBSTANCE TO A MINOR [ORS 4759921A] on 14 FEBRUARY 1994.

2) Legal Basis for the Motion:

This Motion is based on the following violations of the DEFENDANT'S constitutional rights, both state and federal, as well as local rules of the court both in place at the time and in place today.

A) The United States Constitution:

- I) 5<sup>th</sup> amendment, it infringed on the DEFENDANT'S right to self-incrimination and unconstitutional confessions.
- II) 6<sup>th</sup> amendment, as it obviously infringed on the DEFENDANT'S right to legal counsel and advice in a criminal proceeding.
- III) 14<sup>th</sup> amendment, for equal protection of the law, as well the violating the DEFENDANTS due process rights.
- IV) It also violated the DEFENDANT'S right to the Exclusionary Rule which would have excluded evidence or included defense evidence at trial had the constitutional rights of the DEFENDANT been applied. Though not a constitutional right in and of itself.

- B) Article I, Section 11 of the Oregon Constitution also provides protections and the right to legal counsel in all criminal cases as well as further supports the rights to jury trial and defense in the county for which the alleged offense was committed in.

- C) Local Rules of the Court also support the right to counsel and by denying that right the DEFENDANT was deprived of the local legal counsel to assist with access and understanding of information. Was ineffective at pretrial conference hearings, and it violated the Courts own rules of evidence by denying a DEFENDANT legal counsel. This also deprived the DEFENDANT the right to appear in person, or at the very least created an undue hardship considering the

distance from the DEFENDANT'S home to the court, and the DEFENDANT'S income. Because of all these legal issues the DEFENDANT also was, and continues to be deprived, of the right to Appellate Review.

- D) Americans with Disabilities act rights. This case has had profound effects on the DEFENDANT'S life. The fight over this case has left the DEFENDANT with <https://csgjusticecenter.org/2021/06/28/how-one-local-judge-is-working-to-improve-responses-to-people-with-mental-health-needs/disabilities>. Disabilities which could have only existed at the time this case took place. OR are they a direct result of this case? Either way, did it deny the DEFENDANT access to services or was is because of that denial of access to services? Regardless of whether or not the disability existed at that time, the court should have “evaluated” the DEFENDANT as part of the procedures, whether or not DEFENDANT was entitled to legal representation or not. If not for mental capability to stand trial, but as part of the verification process to deny defendants legal counsel.

3) Nature of the Error:

The State of Oregon was required to verify the information on the application for legal counsel tendered at the time, and which was subsequently denied on 13 JANUARY 1994. Had the State completed that investigation in earnest, they would have discovered:

- A) The DEFENDANT had been previously removed from an abusive home by the State of Oregon, this is part of the DEFENDANT'S current Social Security file.
- B) The income information for the DEFENDANT was well below the poverty level. Proof is attached.
- C) That DEFENDANT was living with one of the ALLEGED VICTIMS, so has the entire family as witnesses, to this day as well as the White City, Oregon address from the Remote Case Register attached and made a part hereof. Which does not match any of his family members, but it does the ALLEGED VICTIMS family. The same can be said for the State Street address, Medford, OR.
- D) If the DEFENDANT was disabled at the time this occurred, did the disability magically manifest itself at 37, or is this the missing psychotic break needed to support the disability in the first place? Or is this the legal error that created the disability? Were mental health evaluations completed? The simple answer is,

NO.

4) Prejudice or Harm:

Aside from the obvious harm created from the tremendous loss of employment opportunities, it has a detrimental effect on the DEFENDANT'S mental health as well as his family. The DEFENDANT has kept boxes of letters indicating this unconstitutional conviction is the only basis for being denied employment.

It has forced the DEFENDANT to act as Attorney Pro-Se in the matter since 1993, and in all matters since, in fact. The State's recognition as having all of the knowledge, skills and abilities commiserate with an attorney has been a powerful tool. The DEFENDANT has even self represented to the US 9<sup>th</sup> Circuit court of Appeals in Greg M. Reynolds v. Portland State University. Originating case, 3:14-CV-01733-MO.

The DEFENDANT has been denied housing, access to public services, and suffered horrible discrimination from it at Portland Adventist Health [PAMC]. PAMC diagnosed the DEFENDANT in 2012 with the disability that the DEFENDANT must have had in 1994. PAMC and Dr. Perry-Rose were able to hold the DEFENDANT, to spite the law, based on who referred the DEFENDANT. The District Attorney of Lane County made the complaint against the DEFENDANT for disputing the constitutionality of this case while attending Portland State University. Fruit of the Poisonous Tree all over here. As a result the DEFENDANT was diagnosed, and the DEFENDANT'S civil rights further violated, for fighting this very case. The DEFENDANT was held against his will, denied access to legal counsel for 12 days, and discredited with, "paranoid delusional schizophrenia". Disability Rights Oregon had to intervene.

This has left the DEFENDANT, "permanent and irreversibly" disabled. With a disability that would have had to existed in 1993 and 1994. Or what what happened in 1993/1994 the necessary "psychotic" break to make this all plausible? (I understand this is repeated, but it's really important) Dr. Perry-Rose, unidentified PAMC Emergency Room doctor, Dr. Balzer, and the Oregon Health Authority all signed off. Subsequent investigations by the FBI can confirm this.

The DEFENDANT has been investigated by the FBI and their Joint Terrorism Task force, forced at gun point to sign a confession written by the government, without legal counsel present, or provided when asked for. All the DEFENDANT had to do was sign. The DEFENDANT has suffered 2 heart attacks, had 4 stents placed, and undergone 6 heart surgeries related to my fight for justice and the right to work. Not not mention

clearing of a name for something did not happen. The DEFENDANT has had suicide attempts dating back to 2004 related to loss of jobs suffered from this unconstitutional injustice. The "fruits of the poisonous tree" have caused so much harm, not only to the defendant, but so many others and the State of Oregon itself. It has also provided some well deserved institutional embarrassments as well.

The most incredibly damaging part must be knowing the DEFENDANT was right all along and is prepared to appeal as long as it takes. So help me God.

5) Supporting Evidence:

- A) The first document attached hereto and made a part hereof is the REMOTE CASE REGISTER for Case 109310439, consisting of 3 pages. Please note, PAGE 2, ITEM 7, dated 1/18/94, and filed 1/13/94 Order Denying Attorney, and the Error of Law which brings us here today.
- B) The following 3 pages are official transcripts and earnings for the DEFENDANT, as provided by the Internal Revenue Service.
- C) The third document is the DEFENDANT'S Social Security earnings report showing the DEFENDANT'S income during the years of this case. Dated May 23, 2002.
- D) The next document are the Federal Poverty Guidelines as provided by the United States Department of Health and Human Services for the time period in question. It is a total of 4 pages. The income thresholds are on page 2/4 for the years related to this case. The DEFENDANT clearly was entitled to legal representation and the State of Oregon as well as Lane County knew it then, as they do now.
- E) The final document is the original charging instrument dated "Dec 20 1993" [SIC]. Did the DEFENDANT have at the time, the knowledge, skills and abilities to act in their own defense? This Order Denying an Attorney is proof that the State believed the DEFENDANT did, to spite evidence they knew he did not, nor have the financial resources. It is that legal basis that to this day the DEFENDANT acts as his own legal counsel. Even disabled.

6) Request for Relief:

The DEFENDANT respectfully requests that this case be OVERTURNED based on the errors of law and the damages it has caused the DEFENDANT, the State of Oregon and countless others. The DEFENDANT further requests that anywhere this case was used

as Fruit of the Poisonous Tree, that those references also be sealed and any adverse actions taken also be OVERTURNED, SEALED, and deemed to not have occurred. This includes cases 3:14-CV-01733-MO Reynolds v. Portland State University, 3:14-CR-00317-MO, US v. Greg M. Reynolds, both before the US District Court, District of Oregon. Actions taken by Portland State University in their capacity as a State agency, the Multnomah County Sheriffs office, the Portland State University Campus Public Safety department, the Oregon Department of Justice, Portland Adventist Health, the Federal Bureau of Investigation, the FBI Joint Terrorism Task Force, KOIN Local 6 News, and the Oregon State Police. Depending on what remains the DEFENDANT reserves all rights to further correct the injustice.

7) Conclusion:

This case exemplifies the public defender crisis this State has and indeed has a dark history of. I would use examples, but a simple Google search will provide plenty of evidence. Judge Michael Mosman is intimately involved with this case has overseen the public defender crisis plaguing this state as well as two cases over the DEFENDANT. In fact, Judge Lyle C. Velure is in the employ, or was, of the Mosman court. It demonstrates to everyone who had the misfortune to be impacted by this case, even one of your heroes, Judge Nan Waller. Her court has been impacted by this case, and indeed has participated in denying this DEFENDANT his constitutional rights as well. Yet she is a “champion” of the rights of the mentally ill,

<https://csgjusticecenter.org/2021/06/28/how-one-local-judge-is-working-to-improve-responses-to-people-with-mental-health-needs/>, printed article can be provided. Had it not been for Judge Nan Waller dismissing the DEFENDANT'S case it would have never made it to the federal court system. The DEFENDANT owes her a lot for that.

The point is not to blame or slander a judge, but to use this as an example of those who have been impacted by mental health issues, yet perpetuate and take part in the discrimination that all too often prevents those in need from seeking and/or receiving the aid they desperately need and are entitled to. Legally, morally and ethically. If you are going to use the mental health system to discredit people, shouldn't the people abusing the system get the credit they deserve? Downtown Portland and Oregon don't look the way they do today because of these highly successful policies used against the DEFENDANT and others. If the DEFENDANT is expected to own it, so should the other guilty parties in this, “mess”.

This case was flawed from its inception, the evening that gave rise to its mere existence was a complete disaster, which nobody wants to repeat or ever discuss again. The State insists there is truth in Trooper Peterson's report, but that is preposterous and certainly leaves a lot out. Who contributed to the DEFENDANT as a minor? Did the DEFENDANT walk into a store for alcohol or was it provided elsewhere that evening, and why did we never get to ask? Where did the alleged marijuana come from? And why none seized that night?

The DEFENDANT is more than willing to provide any further information or documentation as required that is required to assist the court in its decision to provide relief.

I hereby certify that a true and correct copy of this Motion to Vacate Judgment Due to Error of Law has been served on THE DISTRICT ATTORNEY OF LANE COUNTY, or their legal representative via USPS item number 7022 3330 0000 2433 9070, mailed on or about 23 OCTOBER 2023, and to this court via USPS item number 7022 3330 0000 2433 8950, also mailed on or about 23 OCTOBER 2023. With additional copies served upon the Oregon Attorney General and Governor Tina Kotek, by standard first class USPS. There will also be a public copy posted at [www.reynoldsministries.org/links](http://www.reynoldsministries.org/links). Thank you for your kind attention to this matter.

Sincerely,

A handwritten signature in cursive script, followed by the date "18 OCT 2023" written in a similar cursive style.

Greg M. Reynolds, Attorney Pro-Se since 1993.

DEFENDANT