

6205 Cane Creek Drive  
Anniston, AL 36206

June 15, 2009

75 King Street, Suite 310  
St. Augustine, FL 32084

Reference: Requirement for Mental Evaluation, Case No. 08001111CF  
Enclosed: Psychiatric Evaluation, Calhoun-Cleburne Mental Health Board, 03-26-09

Enclosed is a copy of the required mental evaluation for your records; and as a requirement for St. Johns County Case No. 08001111CF, statute 784.048.

This evaluation is the third in a series that began in June 2003. The result is basically the same (as the prior evaluations) in the description of a father who misses his children as the consequence of a divorce and the subsequent, continuous alienation. Realizing the intent of the courts<sup>1</sup> in ordering such evaluations, I am never the less forwarding a copy to your offices as a matter of record and closure for the referenced case number.

The basic truth, regarding both my mental health and intent, is that there is nothing that prevents me from being a parent to my children except the Injunction (February, 2006) – the finale of a series of restraining orders that began prior to divorce (February, 2000). These orders have essentially nullified the terms and conditions of the Divorce Decree (October, 2000) on the pretense or speculation of abuse – though there has been no formal declarations or determination of such conduct over a 22 year period (marriage and post-divorce). The Injunction implies that the Divorce Decree included the prospect of supervised visitation pending medical evaluation/intervention; but the Decree does not include or infer such terms and conditions. I mention the discrepancy to emphasize that the Injunction – which is at the root of the alienation from my children – has obviously been enforced...though on the described basis of a falsehood rather than basic truth.

Through the course of two incarcerations (and numerous attempts at contacting my children), I have learned that the mal-treatment of medical evidence and the Injunction (and restraining orders) has nothing to do with the basic truth. In my last experience, the charge of a (VOP) or Violation of Probation (November, 2007) on Violation of the Injunction (June, 2006) included:

- A warrant with “no information” (confirmed by the Sheriff’s Department)<sup>2</sup>
- An initial Hearing for which the submitted evidence was inapplicable because it was sited to have occurred in 2006 while the probation began in 2007<sup>3</sup>
- A continuance Hearing – thus offering the Prosecution another opportunity to manufacture evidence in bolstering the presupposition of guilt...and in keeping with the use of Expediency over *due process*<sup>4</sup>
- A final Hearing with yet more erroneous evidence (again, the evidence was dated months prior to the referenced charged) lending to the possibility that the Prosecution can employ prognostication in the crafting and submission of evidence<sup>5</sup>

The experience resulted in a *plea bargain*; an admission of the felony, Aggravated Stalking – though without guilt on the prerequisite violation on injunction (or VOP).<sup>6</sup> At present is not concern with the recent prosecution for potential abuses, but rather, with the reality of endured ones. Having witnessed the justice system as parent and defendant, I am convinced that *his children are crushed in court without a defender*.<sup>7</sup>

@BCL@740FD9AF

Notes:

<sup>1</sup> The “intent” of the court is predicated on the presupposition of guilt (the courts are predisposed to prosecute); thus, any evidence contrary to this intent is either ignored or discounted... As the Public Defender hastily described, the medical evaluation is for the courts to cover themselves, their backs...lower backs...

<sup>2</sup> Attempts to identify the *probable cause* for the warrant proved ineffective – as both the probation office and Sheriff’s Department had “no information” on the charge

<sup>3</sup> Following the “no information”, the Prosecution did not (or could not) produce the *burden of proof* (as the submitted evidence was inapplicable because it’s date of occurrence preceded the initialization of the probation period); yet, the judge allowed a 2nd, then a 3rd Hearing – in keeping with Expediency – rather than drop the charge and dismiss the case because of insufficient evidence as the *burden of proof*

<sup>4</sup> Expediency is basically that the *End justifies the Means*; thus, the courts:

- Issue warrants with “no information” or *probable cause*
- Enable the Prosecution time (and time again) to derive (or manufacture) evidence by the continuance...and the prolonged delay...of court appearances
- Enable the “Victim” to abuse a system (designed to aid the abused) by violating an injunction in principle...and using the *bait and switch* to implicate the “Perpetrator”.
- Leverage authority in a *plea bargain* – on which a father accepts...to avert further exploitation of his children to testify against him...though having not exchanged a word with them in approximately 7 years...realizing they have been programmed
- Obtain and submit “Victim” evidence as de facto – though without any indication or qualification of its veracity (e.g. Injunction, affidavits, testimony, etc.) – while dismissing or disregarding other verified evidence (e.g. medical reports, etc.)
- Deem defendants as *innocent until proven guilty* while, in practice, predicated temporary release on financial means or resources (if given a bond)...and otherwise, hold them as inmates...shackled in the court and, in other ways, treated as guilty
- Pervert both the intention and content of parental correspondence and gifts by describing as “malicious”...with the intent to hurt and abuse; though the acts be normal, beneficial, and legal parental care...conducted throughout a free society

<sup>5</sup> Though the VOP charge was dropped as part of the *plea bargain*, the intended evidence, VOP on the Aggravated Stalking, was dated to have occurred in 2007...while the Stalking charge was dated 2008. The court is merciful...but to whom...and why?

<sup>6</sup> Okay, I admitted to having violated Aggravated Stalking – not because of being in Florida but because of an outstanding Injunction. Now, how can I have violated a statute that is predicated on an Injunction...yet, not have violated the Injunction?

<sup>7</sup> Admission to guilt of the felony, Aggravated Stalking – while rendered not-guilty of the prerequisite, misdemeanor, VOP on Injunction – is a perfect example of Expediency; whereby the courts can achieve the dual benefit of both a prosecution and a sentencing at the highest possible level (felony versus misdemeanor) without the expense of *due process*. The *Powers That Be* benefit through the sited abuses of sentencing while the children – whose best interest have never been considered or addressed – are *crushed in court without a defender* (Job 5:4)...and are among the millions without a father.

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