IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

JANE DOE,
Plaintiff-Appellant,

v.

CITY OF BATON ROUGE, et al.
Defendants-Appellees

No. 22-35572

D.C. No. 6:21-cv-00314-AA

U.S. District Court for Oregon

EMERGENCY MOTION UNDER CIR. R. 27-2 FOR SUMMARY REVERSAL; IN THE ALTERNATIVE, MOTION FOR SUMMARY REVERSAL AND TO EXPEDITE

This emergency motion under Cir. R. 27-2 for summary reversal or, in the alternative, motion for summary reversal and to expedite decision on the motion is brought pursuant to 28 U.S.C. § 2106, Fed. R. App. P. 27, Fed. R. App. P. 2, 9th Cir. R. 3-6, 27-2, and 27-12. See also *James A. Merritt and Sons v. Marsh*, 791 F.2d 328, 331 (4th Cir. 1986) (citing Fed. R. App. P. 2 as a basis for the authority to decide motions for summary disposition as it provides "for the suspension of procedural rules in the interest of expediting a decision or for other good cause.").

I. The Appellant's position is correct as matter of law.

Summary reversal is proper when "the position of one of the parties is clearly right as a matter of law so that there can be no substantial question as to the outcome of the case." *Groendyke Transport, Inc. v. Davis*, 406 F.2d 1158, 1162 (5th Cir. 1969).

At the district court's level, Appellant had demonstrated that she filed her action in proper venue as substantial part of the events has happened in Oregon. Appellant showed that significant acts in furtherance of the conspiracy to injure Appellant and deprive her of constitutional rights have taken place in district of Oregon. For instance, when Appellant filed her complaint on February 28, 2021, the defendants stole the Appellant's envelope with payment of the filing fee to prevent her action from being properly commenced by criminally obstructing justice and interfering with the work of the US postal service. See, e.g., CM/ECF 389, par. 58 – 76 and exhibits 389-6 through 389-13.

The venue and jurisdiction do "not depend on whether [defendants] performed an act or transaction in that district," *Hilgeman v. National Insurance Co. of America*, 547 F.2d 298 (5 Cir., 1977). The venue is proper when "there occurred in that district '*any* act or transaction' by *any* defendant in furtherance of a manipulative scheme in which [defendant] knowingly participated." *Id.*

"Under the co-conspirator venue theory, where an action is brought against multiple defendants alleging a common scheme of acts or transactions in violation of [the law], so long as venue is established for any of the defendants in the forum district, venue is proper as to all defendants. This is true even in the absence of any contact by some of the defendants in the forum district. Wright, Miller Cooper, Federal Practice and Procedure: Jurisdiction § 3824 (1976)." *Sec. Inv'r Prot.Corp. v. Vigman*, 764 F.2d 1309, 1317 (9th Cir. 1985).

While the case was pending in the district court, Appellant meticulously briefed all applicable laws, legal doctrines, law cases, and other legal underpinnings that explain the co-conspirator venue and jurisdiction theories. See, e.g., CM/ECF 388, pages 31-37, 49-53. Notably, the district court entirely ignored all of the Appellant's briefing as it was not aligning with the simulation of the proceedings scheme with the goal of unlawfully throwing Appellant out of court. See CM/ECF 422.

Once it became apparent that the Louisiana criminals, sued in the Appellant's action, have enlisted the Oregon-based co-conspirators to assist them in the unlawful dealings and racketeering activity, Appellant's action was quickly terminated. See CM/ECF 443, par. 4-6. Appellant then filed a Rule 60(b) and 59(e) motion for relief from judgement and leave to amend complaint as Rule 60(b) allows relief from judgement on a basis of newly discovered evidence. Appellant

also relied on *Foman v. Davis*, 371 U.S. 178, 83 S. Ct. 227 (1962), which authorized a post-judgement leave to amend complaint to state an alternative theory for recovery. Because the existence of a multidistrict joint Louisiana-Oregon racketeering enterprise has been discovered, Appellant could and should sue all co-conspirators under the Racketeer Influenced and Corrupt Organizations Act, and proper venue is provided by 18 USC § 1965. See CM/ECF 429, 442.

Importantly, nearly all co-conspirators and major operators of the unlawful formation have **waived** their venue defenses. A large group of co-conspirators have appeared unauthorizedly *and* failed to assert any "improper venue" defenses in their motions at all, therefore explicitly waived them. See CM/ECF 191, 108, 181, 257. Another large group of the defendants also failed to comply with section 1406(b) and Rule 12(a)(1)(A)(i), and have waived their defenses, see CM/ECF 197, 195, 244, 277, 282, 284, 363 – pages 6-7, 366 – pages 9-10. Some defendants had no right to assert any venue defenses pursuant to the *Neirbo* doctrine, see, e.g., CM/ECF 398, pages 2-6.

Although the Federal Rules, the Supreme Court's law, and other laws and principles of jurisprudence provide clear and unequivocal guidance to the district court, it unlawfully "ignored" all applicable law and disregarded its duty to abide by the Federal Rules and other non-discretionary law.

The corrupt simulation of the proceedings took place, and the district court "ignored" nearly all motions, filed by Appellant, and refused to "rule" on them, see, e.g., CM/ECF 424 (motion for costs for failure to waive service); CM/ECF 191 (motion to strike unauthorized and violative of local rule 83 submissions); CM/ECF 197 (motion to strike the filed late submissions); CM/ECF 317, 325 (motions for alternative service or to deem served); CM/ECF 360, 400, 419, etc. (motions for Rule 11 sanctions); CM/ECF 195, 244, 277, 282, 284 (motions for entry of default).

The district court had no discretion to violate the law, disregard the Federal Rules, disregard the Supreme Court's and Ninth Circuit's law, simulate the proceedings, and abuse Appellant by unlawfully depriving her of her constitutional rights and assisting the sued herein criminals in their atrocities.

Because the Appellant's position is so clearly correct in accordance with the existing law, the motion for summary reversal and the relief sought should be granted, per 9th Cir. R. 3-6 and other relevant law.

II. Time is of the essence, therefore summary reversal is appropriate.

"Summary disposition is appropriate in an emergency, when time is of the essence." *United States v. Fortner*, 455 F.3d 752, 754 (7th Cir. 2006). "A party seeking summary disposition bears the heavy burden of establishing that the merits

of her case are so clear that expedited action is justified." *Taxpayers Watchdog, Inc. v. Stanley*, 819 F.2d 294, 297 (D.C. Cir. 1987). Summary disposition is also warranted in the situations "where rights delayed are rights denied." *Groendyke Transport, Inc. v. Davis*, 406 F.2d 1158, 1162 (5th Cir. 1969).

When Appellant discovered that the filthy Louisiana defendants have been working in tandem with the Oregon-based co-conspirators in order to barricade Appellant access to medical care, her case had been unlawfully terminated in just 3 days. See CM/ECF 443, 447. Appellant then requested relief from judgement so that she can amend her complaint – per Rule 60(b), 59(e), and *Foman v. Davis*, 371 U.S. 178, 83 S. Ct. 227 (1962) – and also file a motion for preliminary injunction to enjoin the defendants from barricading her access to medical care. Although an expedited consideration was requested, see CM/ECF 429, 430, the district court maliciously and demonstratively waited for **71 days** prior to manufacturing a falsification that was meant to simulate the proceedings and deny Appellant her constitutional rights and even access to courts in the situation of emergency.

At the time of the filing of this motion, **Appellant still has no access to medical care as the defendants-criminals continue to unlawfully obstructing that access**.

Because the instant action had been unlawfully terminated in *clear* violation and disregard for the law and because time if of the essence and legal proceedings

must be meaningful and not the way to abuse Appellant and assist the sued herein criminals in their illegal dealings, this motion is appropriate and should be granted. The district court should be summarily reversed and Appellant be allowed to file her amended complaint and a **motion for preliminary injunction to restrain defendants from racketeering activity against Appellant, including barricading access to medical care, tampering with collected samples, laboratory results, imaging, or in any way to continue criminally interfering with the Appellant's medical care**. See declaration, filed in support of this motion.

III. The controlling Supreme Court's and Ninth Circuit's law, Federal Rules, and U.S. Code have been disregarded by the district court.

The clear error requirement of the Circuit Rule 3-6 applies here as the district has court entirely disregarded and violated the Supreme Court's and federal circuits' law, the Federal Rules, and the U.S. Code.

The district court "granted" motions to dismiss to the defendants that either explicitly waived their venue defenses or waived them through non-compliance with section 1406(b) and Rule 12(a)(1)(A)(i). See., e.g., CM/ECF 108, 181, 257, 197, 195, 244, 277, 282, 284, 363 – pages 6-7, 366 – pages 9-10. The Federal

Rules[1] are very clear and should be obeyed by the district court. The district court has no "discretion" whatsoever to disregard the Federal Rules and corruptly pervert the law. See *Yamamoto v. Omiya*, 564 F.2d 1319, 1327 (9th Cir. 1977).

The Supreme Court explains that when the defenses have been waived, the district court has no discretion to corruptly "ignore" it and deprive the litigant of her chosen and proper forum as doing so disregards and contradicts *Neirbo Co. v. Bethlehem Corp.*, 308 U.S. 165, 167-68 (1939)[2] and *Ins. Corp. of Ireland, Ltd. v. Compagnie des Bauxites de Guinee*,456 U.S. 694, 703, 102 S.Ct. 2099, 72 L.Ed.2d 492 (1982) which clearly state that venue and personal jurisdiction are "personal liberties" and "may be waived," either explicitly or implicitly. The district court has no "discretion" to disregard the Supreme Court's law. "Our decisions remain binding precedent until we see fit to reconsider them." *Hohn v. United States*, 524

[1] 28 U.S. Code § 1406(b): Nothing in this chapter shall impair the jurisdiction of a district court of any matter involving a party who does not interpose timely and sufficient objection to the venue.
Historical and Revision Notes to section 1406 clarify: "Subsection (b) is declaratory of existing law. See *Panama R.R. Co. v. Johnson*, 1924, 44 S.Ct. 391, 264 U.S. 375, 68 L.Ed. 748. It makes clear the intent of Congress that venue provisions are not jurisdictional but may be waived."
Rule 12(a)(1)(A)(i): A defendant must serve an answer within 21 days after being served with the summons and complaint.

[2] "The privilege [to assert venue defense] may be lost by failure to assert it seasonably, by formal submission in a cause, or by submission through conduct…Such surrender of the privilege may be regarded negatively as a waiver or positively as a consent to be sued." *Neirbo Co. v. Bethlehem Corp.*, 308 U.S. 165, 167-68 (1939).

U. S. 236, 252–253 (1998). Appellant carefully and repeatedly briefed all applicable law. See, e.g., CM/ECF 302, pages 62-63; 152.

Similarly, the district court ignored the essence of the Appellant's motion for relief from judgment and leave to amend complaint. The manufactured falsification, CM/ECF 444, has absolutely nothing to do with the Appellant's motions, see CM/ECF 429, 430, 442, 443. It *does not even mention or acknowledge* that Appellant specifically stated that, as the existence of the multidistrict racketeering enterprise has been discovered, Appellant now has the absolute legal right to sue all Louisiana and Oregon co-conspirators in Oregon (many of such co-conspirators had already permanently waived their venue defenses anyway, on which the district court also improperly turned the blind eye).

The district court purported to be contradicting Appellant by citing Lindauer v. Rogers, 91 F.3d 1355, 1357 (9th Cir. 1996), "(holding "a motion to amend the complaint can only be entertained if the judgment is first reopened under a motion brought under Rule 59 or 60.")," CM/ECF 444. Appellant, however, cited such findings *in support* of her position:

> "It is well established that "[a] party seeking to file an amended complaint post-judgment must first have the judgment vacated or set aside pursuant to Fed. R. Civ. P. 59(e) or 60(b)." *Ruotolo v. City of New York*, 514 F.3d 184, 191 (2d Cir. 2008)" *Metzler Inv. v. Chipotle Mexican Grill, Inc.*, 970 F.3d 133, 142 (2d Cir. 2020)." See CM/ECF 442, page 13.

And then it contradicted itself, see CM/ECF 444, by saying that Appellant "failed" to provide a copy of her amended complaint for it to purportedly "determine" whether amendment would be proper, and even "citing" its inapplicable "local rule" that pertains to a motion submitted under Rule 15 specifically. But it just said that the judgement first must be vacated prior to filing any motion under Rule 15. Appellant specifically stated that she "did not file a motion under Rule 15 but a motion for relief from judgement under Rules 60(b) and 59(e) exactly as the legal authorities instruct." CM/ECF 442, page 12. Unquestionably, LR 15 does not apply. What a perpetual fraud and malicious, criminal denial of access to courts; no matter on what basis – if none exists, it will be fabricated or "invented," see CM/ECF 444.

Appellant herself cited the controlling law, so the district court did not have to "contradict" Appellant:

> "The Court of Appeals also erred in affirming the District Court's denial of petitioner's motion to vacate the judgment of dismissal in order to allow amendment of the complaint, since it appears from the record that the amendment would have done no more than state an alternative theory of recovery." *Foman v. Davis*, 371 U.S. 178, (1962)." See CM/ECF 442, page 9.

And although Appellant repeatedly stated, in bold font, that according to *Foman*, she is entitled to relief as "**The multidistrict conspiracy and the joint racketeering enterprise of the Oregon and Louisiana defendants affect the venue** because **18 U.S.C. § 1965** provides proper venue," see CM/ECF 443, page

11, the district court did not even mention the substance of the Appellant's request but continued shamefully deceiving the public through its bogus "findings" and simulation of the proceedings.

The lying district court, while echoing the defendants-criminals, falsely claims that "Plaintiff's motion and declarations describe the "newly discovered evidence" in the vaguest terms, without showing that it could not have been discovered earlier or that the evidence of a material or controlling nature." CM/ECF 444. Appellant indeed showed that she could not have discovered it earlier as she was being cunningly lied to and defrauded by the foul scumbags of which the multidistrict criminal racketeering enterprise is comprised. Appellant also showed that she discovered that in order to cover up the criminal attacks with chemical weapons on her and her Family, the Louisiana-Oregon criminals had been blocking their access to medical care, falsifying and stealing "medical" records, stealing removed tissues and organs which were scheduled to be studied histologically – to prevent the unequivocal laboratory evidence from confirming that the filthy criminals HAD BEEN TARGETING AND ATTACKING Appellant and her Family with CHEMICAL WEAPONS TO INDUCE GRAVE INJURIES. See CM/ECF 429, 430, 442, 443. This is not "the vaguest terms," and *the discovered existence of the full-blown Louisiana-Oregon racketeering enterprise is the basis for the requested relief.*

The district court purported to "weigh" evidence in its CM/ECF 444 while entirely ignoring the asserted facts and applicable law. However, evidence and the merits of the case were not even touched in this case – per corrupt, pre-determined plan. It is improper for the district court to purport to "decide" evidence or facts in its 2-page "opinion," CM/ECF 444. As Appellant explained, see CM/ECF 442, *the basis of her request is the existence of the multidistrict racketeering enterprise and the law that authorized Appellant to bring her RICO action against the wrongdoers in district of Oregon*.

"[W]eighing the evidence . . . is not appropriate at this juncture." *Torch v. Windsor Surry Co.*, No. 3:17-CV-00918-AA, 2017 WL 4833438 at *3 (D. Or. Oct. 24, 2017). See CM/ECF 302, page 116. At the stage where the Appellant's action is, "We accept as true all factual allegations […] and we construe them in the light most favorable to Plaintiff. *Mollett v. Netflix, Inc.*, 795 F.3d 1062, 1065 (9th Cir. 2015)." *Eichenberger v. ESPN, Inc.*, 876 F.3d 979, (9th Cir. 2017). Moreover, the Supreme Court has aptly explained:

> "The existence or nonexistence of a conspiracy is essentially a factual issue that the jury, not the trial judge, should decide. In this case petitioner may have had to prove her case by impeaching the…witnesses and appealing to the jury to disbelieve all that they said was true in the affidavits. The right to confront, cross-examine and impeach adverse witnesses is one of the most fundamental rights sought to be preserved by the Seventh Amendment provision for jury trials in civil cases. The advantages of trial before a live jury with live witnesses, and all the possibilities of considering the human factors, should not be eliminated by substituting trial by affidavit…"It is

> only when the witnesses are present and subject to cross-examination that their credibility and the weight to be given their testimony can be appraised. Trial by affidavit is no substitute for trial by jury which so long has been the hallmark of 'even handed justice.'" *Poller* v. *Columbia Broadcasting*, 368 U.S. 464, 473 (1962)." *Adickes v. Kress Co.*, 398 U.S. 144, 176 (1970). See CM/ECF 388, page 107.

In the instant case, defendants provided no even such affidavits whatsoever, but explicitly waived their defenses. Notwithstanding all that, the district court has proceeded with its corruptly predetermined "ruling" that clearly violates the law and intentionally deprives Appellant of her rights.

The Ninth Circuit has unequivocally stated:

> "The continued existence of a conspiracy may be inferred from the acts of persons, which are done in pursuance of the original criminal purpose. It is hornbook law that participation in an illegal combination need not be proven by direct evidence. A person may be held as a conspirator although he joins the criminal concert at a point in time far beyond the initial act of the conspirators. If he joins later, knowing of the criminal design, and acts in concert with the original conspirators, he may be held responsible, not only for everything which may be done thereafter, but also for everything which has been done prior to his adherence to the criminal design. One need not participate in the formation of the conspiracy or even in the overt act which makes the crime complete. After a conspiracy has been formed, the adherence to the criminal design by a new confederate does not constitute a different conspiracy. The original members who conceived and formulated the original design and who performed the original overt act which made it punishable are not relieved from responsibility." *LILE v. UNITED STATES*, 264 F.2d 278, 281 (9th Cir. 1958).

> "It is also well established that the person who acts in concert with the original conspirators, with knowledge of the criminal design and with a

> purpose to effect the objects of the conspiracy, can be held liable if he joins the conspiracy while it is still in effect and its purposes and objects have not yet been attained. ***His knowledge as to the scope of the conspiracy, the details of the plan and the operations thereof may be limited. He need not know all of the members or the part played by them or any of them."*** *LILE v. UNITED STATES*, 264 F.2d 278, 281 (9th Cir. 1958) (emphasis added).

Appellant has repeatedly cited this law and many other courts' findings that show that she has meritorious claims and has the constitutional right to prosecute them. See, e.g., CM/ECF 379, pages 5 and 8; CM/ECF 302, pages 58-59. Notably, the district court's 2-page falsification, CM/ECF 422, corruptly ignores *absolutely everything* in the Appellant's legal action and fails to address any single point in the Appellant's briefing, and after several inapplicable recitations, corruptly "arrives" to its entirely predetermined unlawful termination of the Appellant's case.

Summary disposition is appropriate when the record is sufficient to allow meaningful consideration of the appeal whereas the facts need not be simplistic. *Cascade Broad. Group, Ltd. v. FCC*, 822 F.2d 1172, 1174 (D.C. Cir. 1987). This action was thrown out under false pretenses and all asserted facts and applicable law have been disregarded: the venue is proper because substantial acts in furtherance of the conspiracy happened in Oregon, the newly discovered evidence allows Appellant to sue the entire Louisiana-Oregon racketeering enterprise in Oregon, and, moreover – the defendants waived their venue defenses.

The district court intentionally failed its duty to make the requested determinations about such waivers or rule on practically *any* Appellant's motion. The district court has no "discretion" for such a conduct. For instance, it failed to rule on the Appellant's motions for Rule 11 sanctions. "The district court is not at liberty to exempt [anyone] automatically from the rule's [11] requirements." *Warren v. Guelker*, 29 F.3d 1386, 1390 (9th Cir. 1994). It "cannot decline to impose any sanction, where a violation has arguably occurred" *Id.* In *Warren*, the Ninth Circuit specifically "reverse[d] and remand[ed] for a determination of whether [a party] violated Rule 11."

Unquestionably, this case should be summarily reversed as the Appellant's position is so clearly supported by the existing law and facts.

CONCLUSION

"We must reverse the district court if 'it based its ruling on an erroneous view of the law or on a clearly erroneous assessment of the evidence.'" *U.S. ex Rel. Robinson Rancheria v. Borneo*, 971 F.2d 244, 254 (9th Cir. 1992) (citing *Cooter Gell v. Hartmarx Corp.*, 496 U.S. 384, 110 S. Ct. 2447 (1990)). Here, the district court unquestionably perverted and disregarded the Federal Rules, the Supreme Court's precedents, the Ninth Circuit's law, and deliberately ignored all evidence, filed into the record, and must be reversed.

The district court's opinions, orders, and judgements, CM/ECF 422, 423, 444, should be summarily reversed in their entirely as they are wrong as a matter of law.

The district court's denial of relief under Rules 60(b) and 59(e) should be summarily reversed, allowing Appellant to amend her complaint and file her **motion for injunctive relief** due to the demonstrated exigency and **emergency situation as Appellant is being criminally and maliciously denied access to medical care and the filthy defendants continue criminally interfere with that access.** See Appellant's declaration, submitted in support of this motion.

The remaining issues such as CM/ECF 424 (motion for costs for failure to waive service); CM/ECF 191 (motion to strike unauthorized and violative of local rule 83 submissions); CM/ECF 197 (motion to strike the filed late submissions), CM/ECF 317, 325 (motions for alternative service or to deem served); CM/ECF 360, 400, 419, 445, 446 (motions for Rule 11 sanctions); CM/ECF 195, 244, 277, 282, 284 (motions for entry of default) that were ignored by the district court and never ruled on or addressed in any way, should be remanded to district court with instructions to rule on the motions. That is in accordance with 9th Cir. R. 3-6, which lists "remand for additional proceedings" as one of the appropriate reasons for granting the motion for summary disposition. The district court entirely intentionally failed to provide any meaningful, intelligent analysis of the

Appellant's briefing and make requested determinations regarding waivers of various defenses. It should be instructed to do so, and the appellate court should retain jurisdiction for further review once the district court properly rules on the Appellant's filings.

Because this matter is urgent as Appellant's access to medical care is blocked by the defendants-co-conspirators, see Appellant's declaration, Appellant requests that her emergency motion under Cir. R. 27-3 for summary reversal or, in the alternative, for expedited consideration of her motion for summary reversal be granted and the district court be summarily reversed, and Appellant be allowed to proceed with the filing of her **motion for injunctive relief to restrain defendants from criminally interfering with Appellant's medical care and access to medical services**.

Respectfully submitted,

Jane Doe
s/ Jane Doe
[redacted]
[redacted]0
1dissident@pm.me
[redacted]

CERTIFICATE OF CONFERENCE

I contacted the defendants on July 28, 2022, stating that I will file a motion for summary reversal and will seek expedited consideration of that motion. At the time of the filing of this motion no defendant provided any comment regarding its position on the motion.

s/Jane Doe

CERTIFICATE OF COMPLIANCE

This motion complies with the type-volume requirements of the Fed. R. App. P. 27 because it contains 4471 words and the text is double-spaced. The submission also complies with the typeface requirements of Rule 32(a)(5) and the type-style requirements of Rule 32(a)(6).

s/Jane Doe

CIRCUIT RULE 27-3 CERTIFICATE

I contacted the defendants on July 28, 2022, stating that I will file a motion for summary reversal and will seek expedited consideration of that motion. At the time of the filing of this motion, August 1, 2022, no defendant provided any comment regarding its position on this motion. Upon closer look at the circuit

rules, it became apparent that Cir. R. 27-12 applies to briefing and the motions for which expedited consideration is sought, should be filed under Cir. R. 27-3.

I then contacted via email, on August 1, 2022, the listed below, stating that I intend to file an emergency motion under Cir. R. 27-3 for summary reversal. I informed the listed below that should any responses be provided, I will indicate them in my motion. No responses have been furnished.

Kurt Charles Peterson
Direct: 503-242-0000
Email: kurt.peterson@harrang.com
1050 SW Sixth Avenue
Suite 1600
Portland, OR 97204

William A. Davis
Direct: 503-222-4422
Email: wdavis@davisrothwell.com
200 SW Market Street
Suite 1800
Portland, OR 97201

David Alexander Jacobs
Direct: 541-484-9292
Email: djacobs@luvaascobb.com

Suite 300 777 High Street
Eugene, OR 97440

Patrick J. Conti
Direct: 503-727-1000
Email: patrick.conti@usdoj.gov
1000 S.W. Third Avenue
Suite 600
Portland, OR 97204

Michael John Estok
Direct: 503-226-7677
Email: mestok@lindsayhart.com
Suite 3400
1300 SW Fifth Avenue
Portland, OR 97201

Eric Allen Kekel
Direct: 503-306-5306
Email: ekekel@dunncarney.com
Suite 1500
851 SW Sixth Avenue
Portland, OR 97204-1357

Leta Elizabeth Gorman
Direct: 503-939-3334
Email: leta.gorman@bullivant.com

One SW Columbia Street
Suite 800
Portland, OR 97204

Jacqueline Wilson
Direct: 225-326-6362
Email: wilsonj@ag.louisiana.gov
1885 N Third Street
Baton Rouge, LA 70802

Brenden T. Craig
[Pro Se]
704 S. Foster Dr.
Baton Rouge, LA 70806

Ebony Cavalier
Direct: 225-757-5483
[Pro Se]
5255 Florida Boulevard
Baton Rouge, LA 70806

Kenji Kozuma
Direct: 503-206-8122
3723 N. Williams Avenue
Portland, OR 97227

Mark Burton
[Pro Se]
36454 Plantation Blvd.
Prairieville, LA 70769

Clark R. Horner
Direct: 503-222-4499
Email: crh@hartwagner.com
1000 SW Broadway
Portland, OR 97205

Jonathan Dirk Holt
Direct: 206-262-1200
Email: dholt@hwslawgroup.com
701 Pike Street
Suite 2200
Seattle, WA 98101

Vicki M. Smith
Direct: 503-243-1022
Email: smith@bodyfeltmount.com
319 SW Washington Street
Suite 1200
Portland, OR 97204

The additional responses, required by Cir. R. 27-3 are provided in the attached Form 16.

s/Jane Doe

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

Form 16. Circuit Rule 27-3 Certificate for Emergency Motion

Instructions for this form: http://www.ca9.uscourts.gov/forms/form16instructions.pdf

9th Cir. Case Number(s) 22-35572

Case Name Jane Doe v. City of Baton Rouge et al

I certify the following:

The relief I request in the emergency motion that accompanies this certificate is:

I am requesting a summary reversal and my request is in accordance with Cir. R. 27-3 as I continue experiencing irreparable harm, which is being caused by defendants.

Relief is needed no later than *(date)*: 8/13/2022

The following will happen if relief is not granted within the requested time:

I will continue being unable to access medical services and medical care due to malicious and criminal dealings of the Louisiana-Oregon racketeering enterprise, which continues to unlawfully block that access.

I could not have filed this motion earlier because:

This case has been opened a few days ago, on July 25, 2022.

I requested this relief in the district court or other lower court: ◉ Yes ○ No

If not, why not:

When the case was pending in the district court, I requested expedited consideration and similar relief that would allow me to file my motion for a preliminary injunction to stop the defendants' criminal activity against me.

I notified 9th Circuit court staff via voicemail or email about the filing of this motion: ◉ Yes ○ No

If not, why not:

I have notified all counsel and any unrepresented party of the filing of this motion:

On *(date)*: 8/1/2022

By *(method)*: email

Position of other parties: no responses provided

Name and best contact information for each counsel/party notified:

See my motion for the full list of each defendant who has been contacted.

Note that I also contacted defendants on July 28, 2022 regarding filing a motion for summary reversal and expedited consideration. No responses have been provided to that email as well.

I declare under penalty of perjury that the foregoing is true.

Signature s/Jane Doe **Date** 8/1/2022

*(use "*s/[typed name]*" to sign electronically-filed documents)*

IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

JANE DOE ,
Plaintiff-Appellant,

v.

CITY OF BATON ROUGE, et al
Defendants-Appellees.

No. 22-35572

D.C. No. 6:21-cv-00314-AA

U.S. District Court for Oregon

DECLARATION OF JANE DOE IN SUPPORT OF EMERGENCY MOTION UNDER CIR. R. 27-2 FOR SUMMARY REVERSAL

I am Appellant in this legal action and I am making this declaration based on my personal knowledge:

1. I and my Family have been poisoned and attacked with chemical weapons by the criminals that I sue in my legal action – Baton Rouge police department, Louisiana department of "justice," and various other filthy public and private co-conspirators that have been injuring me for my protest to their criminal dealings, corruption, falsification and fabrication of police "reports" and "court" documents, obstruction of

justice, etc. The filthy scumbags, sued in my complaint, started persecuting me right after I stated that I will try to expose their crimes and corruption.

2. When I tried to stop their criminal attacks with chemical weapons on me and my Family, the filthy scumbags, disguised as the "law," "judges," "law enforcement," etc. criminally ignored my reports and blocked my access to courts. When I filed a petition for injunctive relief, accompanied by a sworn affidavit, a report of the indoor air testing showing that it was DANGEROUSLY polluted, and a sworn affidavit of the third party, the filthy criminals had an obligation, in accordance with the relevant law, to mandatorily hold a hearing on my petition in 2 days but no later than in 10 days.
3. With intent to gravely injure, the filthy criminals had been unlawfully and maliciously blocking my access to courts for **SEVERAL MONTHS** while POISONING me and my Family. I was coming to the filthy courtroom of the deranged negro in the black robe with FIVE SUBPOENAED WITNESSES but that foul scumbag was simply "rescheduling" the hearing for MONTHS in direct and ghastly violation of the existing law and as the criminal and malicious abuse and persecution. The hearing never took place and the filthy negro which

acted in conspiracy with other foul scumbags, named defendants in my complaint, has not been held responsible in any way for its horrible crimes.

4. For the whole year, I and my precious Family had been criminally targeted, attacked, and poisoned by chemical weapons, toxic substances, carcinogens, neurotoxins, and bioweapons.
5. After I and my Family moved to Oregon, the filthy criminals "followed" us to Oregon and continued obstructing courts in Oregon, stealing my property, falsifying documents, and destroying evidence of the crimes, committed against me and my Family.
6. Because the filthy criminals had been attacking us with chemical weapons, the foul scumbags' attacks induced severe injuries, health deterioration, severe damage to liver and spleen, severe damage to the immune systems, and systemic complex deteriorative diseases in ALL THREE – PREVIOUSLY ABSOLUTELY HEALTHY – VICTIMS.
7. As grave injuries and diseases of THE SAME ETIOLOGY TO ALL THREE PREVIOUSLY ABSOLUTELY HEALTHY VICTIMS is surely the unequivocal and unquestionable evidence that the foul, disgusting scumbags, sued in my legal action, had been targeting me and my Family and intentionally inflicted those grave injuries on us, the criminals started

barricading our access to medical care, stealing my property and evidence of their crimes such as removed tissues and organs that were scheduled to be examined histologically due to damage caused by those criminals, lie to me about the diagnosis of the three victims, and falsify "medical" records.

8. To perpetuate their criminal activity, the filthy Louisiana criminals have enlisted the corrupt "medical doctors" and "medical establishments" in Oregon.

9. For example, although previously absolutely healthy and not having any chronic diseases or pre-existing conditions, after I was attacked with chemical weapons and poisoned by the sued herein criminals, I – just like the other two victims of the defendants' crimes – developed spleen and liver pain and started experiencing other symptoms, caused by the chemical attacks.

10. I then went to see Chaplin, MD at the "Peacehealth" primary care clinic. The filthy criminals had been closely unlawfully monitoring and eavesdropping on the entire process of my communication with Chaplin.

11. Chaplin contacted Willamette Valley cancer center and informed me that they instructed her to order a specialized procedure for me, explaining to her that it is the only testing that would allow an early diagnostic and

intervention as well as would show an extent of cellular damage, inflicted by the attacks with chemical weapons.

12. Chaplin confirmed that she ordered the procedure for me. Immediately thereafter, the foul scumbags, sued in my complaint, criminally interfered and ordered Chaplin to cancel the procedure. It took me many months to find out what happened as filthy Chaplin and "Peacehealth" – the bootlicker of the corrupt "government" criminals – were outrageously lying to me, stalling, pretending to "be out of the office" for weeks at the time.

13. I contacted Chaplin's supervisors but they, being just as filthy and corrupt as the defendants who instructed them to commit those crimes, did not even respond. I reminded Chaplin that she was actually the one who strongly recommended the procedure and who was instructed by Willamette Valley cancer center to order it for me. I then realized that filthy Chaplin and its handlers maliciously wiped out the portions of my records and the messages in the patient portal where Chaplin was telling me about the procedure and confirming that she ordered it for me and where I was reporting her the new symptoms which the filthy bootlicker of the dirty "government" never documented. The scumbags even deleted some laboratory results and imaging results that would go against their

crimes and cover-ups.

14. I then tried to contact Willamette Valley cancer center and showed it that its "specialist" was instructing Chaplin to order specific tests for me. Unquestionably, the filthy criminals got to that "cancer center" and ordered the filthy flunkies to deny me access to medical care as that "cancer center" told me that it "does not diagnose cancer" but that I should "try to find another cancer center."

15. I got "established" with Jameson, ND from Oregon "integrative health" and, as a "new patient," waited for another several months without being able to access any care. Finally, Jameson ordered the same diagnostic test for me that Williamson Valley cancer center told Chaplin to order and which Chaplin ordered but which was then maliciously and secretly canceled when the dirty criminals, sued in my legal action, had interfered and ordered the flunky not to provide any care to me because otherwise it would expose the extent of their criminal attacks with chemical weapons and the extent of damage those foul scumbags have caused.

16. After Jameson ordered the test for me, it was also secretly and maliciously canceled as the filthy criminals have interfered. Filthy Jameson, while cooperating with the criminals, started lying to me and stalling.

17. **I am unable to access medical care and my health is deteriorating as a result of the criminal attacks with the chemical weapons by the criminals, sued herein.**

18. The malicious and corrupt "district court," while fully criminally assisting those disgusting criminals that continue injuring me and my Family, waited for **71 days** prior to manufacturing its fraudulent simulation-of-the proceedings 2-page denial of my constitutional rights after I demonstrated that I was being prevented by the criminals from accessing medical care and requested an expedited consideration.

19. I am being subjected to the racketeering activity of the joint racketeering enterprise of the Louisiana and Oregon criminals, and I have the right to seek relief in the federal court in Oregon.

20. Because the law is clear and my position is correct as a matter of law, the district court should be summarily reversed and I should be able to amend my complaint and file my motion for the preliminary injunction to enjoin the criminals from barricading my access to medical services and care.

21. Per the Ninth Circuit's mission statement, the law should be applied uniformly and coherently as to all litigants. So far, the law, procedure, and facts have been perverted in order to maliciously abuse me, cover up

ghastly crimes, and assist the "favored" group – the defendants-scumbags – with getting away with their continuing racketeering activity against me and my Family, which is being committed under the guise of "authority of the law."

In accordance with 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

s/Jane Doe

Executed on July 31, 2022