

In The United States Court of Appeals

NORTHERN

DISTRICT OF

GEORGIA

WILLIAM ANTHONY FAGNES
(Plaintiff)

SUMMONS IN A CIVIL ACTION

V.

CASE NUMBER:) 09-13160-F

MARY LEE ABELE et. Al
(Defendants)

District Court # 09-CV-1258-RWS

TO: (Name and Address of Defendant)

Asst. U. S. Attorney Robert P. McGregor
1801 - Fourth Avenue
North Birmingham, Alabama 35203-2195

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon

PLAINTIFF'S ATTORNEY (name and address) William Anthony Fagnes 22619-001
Federal Prison Camp
P. O. Box 150160
Atlanta, Georgia 30315
Unit - H

an answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

CLERK

DATE

January 19, 2010

BY DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

WILLIAM ANTHONY FAGNES

(PLAINTIFF)

V.

FILED IN CLERK'S OFFICE
U.S.D.C. Atlanta

MAY - 8 2009

JAMES N. HATTEN, CLERK
By *George H. Hatten* Deputy Clerk

- 1) Mary Lee Abela, Trustee of the Estate
- 2) Judge O. H. Florence, Jefferson County Probate Judge
- 3) William (Bill) Dawson, Atty. and husband of Trustee
- 4) F.B.I. Agent Jeffery Burgess,
- 5) Asst. U.S. Attorney Billy Lee Barnett,
- 6) Asst. U.S. Attorney Robert P. McGregor,
- 7) Attorney Randy Dempsey, Jr.,
- 8) Congressman Spencer T. Bachus III,
- 9) Magistrate T. Michael Putnam,
- 10) Deputy Clerk Yolanda Berry,
- 11) F.B.I. agent Raymond Smith, Jr.,
- 12) Magistrate Judge R. Hopkins Kidd, Jr.,
- 13) Detective U.D. Rios,
- 14) F.B.I. Agent Jay Bartholomew,
- 15) Christina K. Decker, Federal Court Reporter
- 16) U.S. Attorney Alice H. Martin,
- 17) Ms. Sharon Harris, Deputy Chief Federal Clerk
- 18) Ms. Elaine Terry, Counselor, Federal Camp
- 19) Warden Grayer,
- 20) Mr. Gee, Camp Administrator Atl. Federal Camp
- 21) Gary T. Simmons, Coroner for Jefferson County
- 22) Annie Bushelon, Funeral Director for Bushelon Funeral Home
- 23) Federal Judge C. Lynwood Smith (DEFENDANTS)

1 09-CV-1258

RWS

i.

COMES NOW, WILLIAM ANTHONY FAGNES, hereinafter referred to as the Plaintiff.
Do hereby swear under the penalty of perjury that the following information
herein is the truth to the best of my ability.

ii.

The Plaintiff is a natural born citizen of the United States of America,
and a residence of the state of Georgia at 601 McDonough Blvd., Atlanta, Georgia
30315, where I am presently being held in peonage against my will.

i.

SEP 10 1999

IN THE UNITED STATES ELEVENTH CIRCUIT COURT
COURT OF APPEALSWILLIAM ANTHONY FAGNES,
(Plaintiff)

v.

MARY LEE ABELE, et. Al
(Defendant)) District Court #:1:09-CV-1258-RWS
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RULE 26.1

INTERROGATORY QUESTIONS

NOW COMES, Mr. William Anthony Fagnes, Pro Se, herein referred to as the Plaintiff. The Plaintiff provides this Honorable Court with a list of names that are Defendants in the aforementioned case which will receive Interrogatory Questions that will allow the Plaintiff to receive relevant information as evidence to be used in discovery. The Rules of Criminal Procedure do not permit the Defendants to plead the (Fifth Amendment), as only (11) of the (23) twenty three Defendants are presented with Interrogatory Questions, as they are central players in the Murder and cover up of Ms. Ada Mays Jones, and recipients of the estate in which the Plaintiff is the true heir. Some of the Defendants have aid and abett to create a fraudulent indictment.

Pursuant to Rule 26.1, this rule allows the Defendants the opportunity to tell the truth before this Honorable Court under the penalty of perjury, as evidence and witnesses have already verified and documented events and other pertinent information that qualifies the Defendants are participant's in the Continuing Criminal Enterprise operating "Under the Color of Law".

The Questions that are directed to each individual Defendant is structured and asked to give their account of the situation that they have participated in individually as it relates to the Murder, Cover up, Aid and abetting, suppression and concealment of evidence, or the set up of the Plaintiff through forgery scheme of the Grand Jury Foreman's signature, and the signature of the Plaintiff himself.

The Petitioner contends, evidence and witnesses support the foundation of the questions asked each Defendant, and if the Defendants do not respond to the questions, it will be deemed that they admit to the actions accused. The Plaintiff respectfully asks this Court for (30) thirty days to allow the Defendants to respond with their answers from the questions presented. The Defendant respectfully requires that the answers be submitted directly to the Honorable United States Court of Appeals, as well as the Plaintiff, as the information will be forwarded to the Honorable Office of the United States Attorney General just as this entire case has been presented thus far.

The Plaintiff declares, the questions are directed to each individual that has participated in the conspiracy to embezzle the estate of Ms. ADA MAYS JONES, and the Plaintiff's truly is the truthful heir of that estate. Evidence provides, from the coroner to the Probate Court that foul play is evident. Each Defendant plays a role that is covered in their legal capacity as Lawyers, F.B.I. agents, U.S. Attorney's, Coroner's and judicial capacities. Each role that is identified is linked to another player in this scheme, which qualifies this Continuing Criminal Enterprise as a Racketeering Criminal Organization as identified under Title 18 U.S.C. §1961 (1 through 5).

IDENTITY OF THE DEFENDANTS

- 1) Attorney Mary Lee Abele - Trustee for the estate of Ms. Ada Mays Jones.
- 2) Probate Judge Orris H. Florence - Alabama, Jefferson County
- 3) Attorney William (Bill) Dawson - Partner of Mary Lee Abele.
- 4) Asst. U. S. Attorney Billy Lee Barnett
- 5) Asst. U.S. Attorney Robert P. McGregor -
- 6) Attorney Randy Dempsey - Former lawyer for the Plaintiff
- 7) Jefferson County Medical Examiner, Gary T. Simmons
- 8) Bushelon Funeral Home, Ms. Annie Bushelon Holt
- 9) Federal Court Reporter, Ms. Christina L. Decker
- 10) Ms. Yolanda N. Berry
- 11) F.B.I. Agent, Jeffery Burgess

Asst. U. S. Attorney Robert P. McGregor

1801 -Fourth Avenue

North Birmingham, Alabama 35203-2195

&

5795 - Chestnut Trace

Hoover, Alabama 35234

Question (1)

Your office manufactured a fraudulent indictment on September 29, 2001 in LaGrange, Georgia to remove me from exposing the embezzlement of the estate of Ms. Ada Mays Jones. On October 2, 2001, a Rule 40 hearing was held at the Richard B. Russell Building at 75 Spring Street, Atlanta, Georgia 30303, where the Plaintiff was charged with attempting to purchase (29) kilos of cocaine [Drugs that I have never seen or even knew existed are what I was indicted on] less than \$7,000.00. At 10:31 a.m., your office sent over an indictment with no signature's attached from the foreman or U.S. Attorney. The indictment had no case number or docket number to attest that it was a true bill. The indictment only had your signature on it, Asst. U.S. Attorney Robert P. McGregor. Can you produce a seated Grand Jury ballot and vote to indict William Anthony Fagnes between 10:31 A.m. and 3:30 P.M. ?

Question (2)

On the second indictment that came through the fax, there was a different signature of your name (Robert McGregor) and deputy clerk Yolanda Berry. The foreman of the Grand Jury on the date my indictment was issued signed a sworn affidavit that his signature was forged on the indictment. Under request of the Freedom of Information Privacy Act Unit Room 7300, 600 E. Street, Washington D.C. under case #03-3921. Can you explain why Ms. Marie A. O'Rourke who manages the Official Records for all U. S. Attorney's "has no records of my case"?

Question (3)

Can you confirm under the penalty of perjury that you received a signed indictment from the Grand Jury by Mr. Terrell Brett Clement on September 26, 2001 and October 31, 2001?

Question (4)

On March 18, 2002, you stated that you could produce pictures that would show the Plaintiff standing behind a car with a box of drugs in his hands on September 7, 2001. Can you explain to this court where the pictures are, and why they never seemed to surface up until this point in life?

Question (5)

In August of 1990, why was your presence required to meet at the home of Ms. Ada Mays Jones at "9:00 p.m." with Congressman Bachus III, Randy Dempsey and Jeffery Burgess?

Question (6)

Were you a willing participant, or were you forced to participate in the cover up of the murder of Ms. Ada Mays Jones and Ms. Iris Elanie Hardy?

Question (7)

Have you received any money from the estate of Ms. Ada Mays Jones, directly or in-directly from any of the co-conspirators mentioned in this law suit, or any other insurance, banking or under ground entities?

Question (8)

What arrangement did you have with Ms. Yolanda N. Berry in having the Plaintiff arrested on September 29, 2001 in LaGrange Georgia?

Question (9)

As you are aware, CPA, Gerald Vines was informed about the true value of the Ada Mays Jones estate. Did you co-conspire along with your partner, Asst. U.S. Attorney Billy Lee Barnett to send the F.B.I. agents to the office of Gerald Vines with guns drawn to threaten him to keep his mouth shut about the Ada Mays Jones estate, as a \$50,000.00 contract would be taken out on him?

Question (10)

Can you explain to this Honorable Court, why the estate of Ms. Ada Mays Jones was frozen, and who ordered that action with the Probate Court?

Question (11)

Can you provide a complete copy of your assets before 1988 of stocks, bonds, bank accounts, real estate, and any other assets of value?

Question (12)

Can you provide a complete list of your assets after 1990 of stocks, bonds, real estate, bank accounts, and tax statements from before and after 1988?

Question (13)

Can you include the personal and joint assets that you have with Molly McGregor, and or any other relatives since 1988?

Question (14)

Do you know Herbert Clark , the son of William Herbert Stockham, who has a office in Mt. Brook, Alabama?

Question (15)

What is the complete public and private relationship financially and or otherwise between you and anyone in your family, and the Stockham business or family?

Question (16)

On October 2, 2001, you were instructed, (your office), to produce an indictment that was legally created by the foreman of the Grand Jury by the District Court in Atlanta. The Foreman, Terrell Clement signed under the penalty of perjury that he did not sign the indictment. A Forensic scientist confirmed that the signature was re-produced. Can you explain who instructed the deputy clerk, Ms. Yolanda Berry to forge the signatures on the indictment and fax it to the courts at the Richard B. Russell building?

Question (17)

McGregor, it has been established that the signature of Terrell Clement was forged on the indictment on October 2, 2001 in case number CR-01-414-01, U.S.A. v. Anthony Fagnes. Can you explain how the exact same signature was transferred from someone else's indictment onto my indictment?

Question (18)

It has been established why you and your co-defendants has conspired to frame the Petitioner to spend many years in prison; to enjoy the proceeds from the estate of Ms. Ada Mays Jones in peace. Evidence provides, the indictment that was presented in case CR-01-414-01 has the signature of Terrell Clement. Are you aware that there is an identical indictment reflecting the exact same time, and signature with initials on the indictment of another citizen executed at the exact same time and day?

Question (19)

In 2004, you purchase a home at 5795 Chestnut Trace, in Hoover, Alabama for the amount of \$421,000.00. The following year, you invested approximately 217,000 dollars in your home towards the mortgage which left you with a balance of \$183,000.00. The investment in your home was paid to the mortgage company. Can you tell this honorable Court what Bank the money came from and what bank the money went to regarding the investment in your home?

Question (20)

Can you explain to this Honorable Court who you inherited several million dollars from at any given time recently; between you and or Molly?

Question (21)

If there was an inheritance, there would be documents, Wills and Testaments, and information regarding the Taxes. Can you provide this court with the information mentioned herein?

Question (22)

McGregor, you brought the Petitioner to the United States Attorney's office (Birmingham) on February, of 2002. You, F.B.I. agent Jay Bartholomew and I were together and I asked F.B.I. agent, "do you have any lies to tell today"? And you answered, "the police present on September 7, 2001 will agree with agent Bartholomew's version of the events, and the witnesses will say whatever we want them to say, and we will bring snitches from prison and lie on you for a time cut, and you will be convicted. And once you are in prison, whatever you file with the courts in the District or Appeals, it will be denied. Now that all the evidence has been collected that points to you and your office that a conspiracy to embezzle the estate of Ms. Ada Mays Jones was your motive to set me up, are you willing to take a polygraph test to answer questions regarding these statements and facts?

Question (23)

On March 18, 2002, you stated at the plea hearing that you have pictures of the Plaintiff standing at the back of a car holding a box that contained drugs. Can you produce a picture of this event?

Question (24)

Asst. U.S. Attorney McGregor, a lot of power and control comes with your job and office. As you are aware, the pay is not equal to the amounts of money that your life style reflects. Can you explain what second job that you have, or where the money came from to live such a luxurious life style?

Question (25)

McGregor, have you ever been interviewed regarding the Stocks and Securities that belonged to Ms. Ada Mays Jones issued by Stockham Valve, Pipe & Fitting?

Question (26)

McGregor, can you describe your relationship with the former State of Alabama Attorney General William (Bill) Pryor?

Question (27)

McGregor, it has been revealed with evidence, witnesses and testimony that your past has been that of malicious and calculated schemes against African American's. In the position of a Republican, racist former Asst. U.S. Attorney, who has used innocent staff members who have conducted the criminal acts under your authority. Do you believe, now that you have been exposed, the evidence in hand, that they will lie for you regarding all the evil and corrupt actions that you have committed over the years?

Question (28)

McGregor, the last Will of Ms. Ada Mays Jones has surfaced. The records reveals your boss as Supervisor along with co-conspirators. Asst. U.S. Attorney Barnett froze the estate to allow you co-conspirators time to execute what you "thought" was the perfect crime. Are you and your co-conspirator's prepared to spend the rest of your lives in prison for the murder, cover-up and embezzlement of the estate of Ms. Ada Mays Jones?

Question (29)

There is no statute of limitations of Capital crimes. You assumed a leadership role in the conspiracy to cover up the murders of Ms. Ada Mays Jones, and Iris E. Hardy . Using Jim Crow tactics and law, your criminal enterprise has managed to avoid detection until this date. How many other people have you either killed, had killed or set up to spend their lives in prison of African American descent to inherit their land, stocks, money or other assets until this day?

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MCGREGOR, ROBERT POLK, JR.



Robert Polk McGregor, Jr.,
61, was born April 16, 1948
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MCGREGOR, ROBERT POLK , JR.

Birmingham News (AL) - Sunday, April 4, 2010

Readability: 11-12 grade level (Lexile: 1300L)

MCGREGOR, ROBERT POLK , JR.

Robert **Polk** McGregor, Jr., 61, was born April 16, 1948 and passed peacefully from complications resulting from liver cancer on March 31, 2010. Mr. McGregor was preceded in death by his parents, Marie Cunningham McGregor and Robert **Polk** McGregor. He is survived by his wife of 32 years, Molly McGregor of Hoover; sons, John M. McGregor of Charlotte, NC and Patrick C. McGregor, freshman at the University of Kentucky; sister, Catherine McGregor Kouri (Edward) of Charlotte, NC; aunt, Elizabeth McGregor Snyder, Atlanta, GA; nieces Laura K. Consolazio (Robert), Atlanta, GA; Christina K. Brunnemer (Keith), Charlotte, NC; and nephew Brian Edward Kouri, Winston - Salem, NC. Also surviving are numerous nieces and nephews on Molly's side. Of particular mention is Mary Laundry of Chicago, IL who Bob loved like she was his own daughter and who lived with the McGregors while John and Patrick were growing up.

Mr. McGregor was born in Jacksonville, FL, and moved to Birmingham with his family when he was 6 years old. He attended Our Lady of Sorrows Catholic School and John Carroll Catholic High school, before moving to Charlotte, NC, and graduating from Myers Park High School, in 1966. Mr. McGregor attended the University of North Carolina and graduated in 1970. He began a teaching career at Independence High School in Charlotte, NC, and after 3 years left to pursue a career as an assistant swimming coach under Coach Don Gambriel at the University of Alabama. He also served as head coach of the University Aquatic Club. It was during this time that Bob met Professor Harry Cohen of the University Of Alabama School Of Law who urged Bob to pursue his lifelong dream of attending law school. He graduated from there in 1981.

Bob met Molly McAvoy in Tuscaloosa and they married in 1977. They lived in Alabaster, AL while Molly worked for the YMCA and Bob attended law school in Tuscaloosa. Upon graduation, Bob became an assistant district attorney for Shelby, Coosa and Clay counties, AL; in 1983 Molly and Bob moved to Mobile, AL so Bob could hone his skills as a prosecutor. In 1985 he joined the District Attorney's staff as a Division Chief for Jefferson County, Alabama. In 1990 he became an Assistant US Attorney in the Northern District of Alabama in Birmingham where he completed his career.

Bob was involved as a volunteer in numerous activities including the boards of the Developing Alabama Youth Foundation, and the Prescott House in Jefferson County. Needless to say, he helped to raise funds for YMCA annual support campaigns (didn't have much choice).

Bob had suffered for a number of years from hereditary hemochromatosis, which causes the body to absorb too much iron, in the liver, heart and pancreas. The stored iron damages these organs, leading to life-threatening conditions such as cancer, heart problems and liver disease. Because of this he was forced to take full disability retirement in 2003 from the US Attorney's office where he had a sign on his door that read, "If Bob McGregor is in the office today, someone is going to jail".



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Special thanks and appreciation from the McGregor family for Mr. McGregor's care in his last months go to his nurse, Bethany Smeraglia, of New Beacon Hospice and the numerous neighbors and friends who visited him, took him to lunch and listened to the many stories he had to tell.

Bob loved dearly and was especially proud of his sons, John and Patrick. John graduated from the University of the South, Seawanee, TN and served two tours in Iraq with the United States Marine Corp; and Patrick who earned a full athletic scholarship to the University of Kentucky as a nationally ranked middle distance runner.

There will be visitation with the family on Monday, April 12 from 5:30 to 7:30 PM at St. Peter's Catholic Church on Patton Chapel Road in Hoover followed by the rosary. A funeral Mass will be celebrated at St. Peter's Catholic Church on Tuesday, April 13 at 11:00 AM, officiated by Monsignor Paul Rohling. The family requests that in lieu of flowers, any donations be made to Kid One Transport, 3535 7th Court South Birmingham, AL 35222; the DAY Program (Developing Alabama Youth Foundation) 11th Ave SW & Railroad Street Alabaster, AL 35007 or the Prescott House, 1730 14th Ave S, Birmingham, AL, 35205.

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