

lawsuit and the media goes public with the truthful story of Ada Jones being fatally poisoned and her death being covered up by dirty Government Officials from the Northern District of Alabama in on a scheme to conceal a crime with a crime. Isn't this correct, Billy Lee Barnett? who is one of the so called masterminds of concealing the heinous crime to benefit financially? Money hungry Billy Lee Barnett have shamed the Justice Department and the U.S. Attorneys Office for Northern Alabama and Ms. Martin is turning a blind eye to his crime. Together, they're shaming the whole judicial system and both must be held accountable for their wrong doings. "No one is above the law".

The little punk-Barnett, who is nothing but a coward, he get other dirty officials to do his dirty work. Fagnes has no fear of these punks and cowards. Barnett personally threatened Gerald Vines life with a \$50,000 contract if he ever exposed his wrong doings. Judge Smith didn't want the truth known with his unjust ruling on 1/31/07.

For Judge Smith to state Fagnes story is strange and rambling, but he never mentioned C.P.A. Gerald Vines name. Magistrate Putnam has not answered Fagnes 12/27/06 Motion for him to Clarify. Is he calling Fagnes a liar? Which Fagnes know he will not sign his name Terry Michael Putnam as the undersigned and state Fagnes is lying about his truthful allegations and Fagnes dares Putnam to do it. You're going down Putnam, for incarcerating Fagnes on a fraudulent indictment scheme. There is nothing honorable about you, Putnam. You sway your ruling anyway Dempsey, McGregor, Barnett wants you to, based upon cronyism.

When Judge Smith wrote his Motion to agree with Putnam Report and Recommendation to Time Bar Fagnes from getting justice, the plan consisted of denying Fagnes justice, which records shows that Dempsey completely refused to release any discovery to Fagnes to Challenge his frame job and perjury conviction.

Dempsey was well aware since February 2003, when Fagnes brother came to his office an picked up Fagnes 3 boxes of designer clothes that Dempsey had put a lawsuit on Sheriff Mel Bailey and the Jefferson County Task Force based upon the evidence that Dempsey have hidden, as of today, the reports and audio and video that he had obtained on September 8th and September 10th, 2001, pertaining to the September 7, 2001 arrest of Fagnes. \$1,125.00 was stolen from Fagnes.

Dempsey knows that the plan to entrap Fagnes had back fired on the law

enforcement agencies present on 9/7/01. Dempsey heard the Audio that the officers had placed on Davila. Fagnes at no time discussed drugs or money or ever tried to obtain any drugs from Davila. The only conversation was Davila explaining to Fagnes after Fagnes told him you have your friend worried about you. He called me worried about you. He told me to tell you what y'all talked about to take it to Hoover.

Fagnes was not going to discuss drugs or money with Davila, who told Fagnes that everywhere he goes all day, somebody is following him, and Judge Smith, Fagnes will now explain to you why he ran and got only 20 feet, not as Agent Jay Bartholomew fraudulently testified at the detention hearing and in that so called plea agreement that Fagnes ran about 20 yards, which is a lie. Agent Bartholomew lied and said he was in the vehicle with Agent Jeffery Burgess, the same Agent Burgess who was on a mission to get Fagnes out the way for 12 years to get Fagnes out of the way as being the true Heir of Ada Lee Mays Jones Estate, which Mr. Jeffery Burgess is on the scheme with Dempsey and Assistant U.S. Attorneys McGregor and Barnett to embezzle Ada Jones Estate and hide her murder so they can benefit financially, which they all know Fagnes is telling the truth.

But the culprits advantage is people such as Judge C. Lynwood Smith Jr., U.S. Attorney Alice H. Martin and Magistrate Terry Michael Putnam, who is involved in a conspiracy against Fagnes to keep Fagnes out of court to reveal that Fagnes is in prison on a fraud created by Assistant U.S. Attorney McGregor. Fagnes has gotten all the data from the 31 counties and divisions that comprised the Northern District of Alabama that shows who Mr. Terrell Clement truly is, and prove that he did not sign no indictment against Fagnes on 9/26/01 as the Executive U.S. Attorneys Office has revealed. Now Judge Smith is in on the cover up of keeping Fagnes in prison on the Fraudulent Indictment Scheme.

As Fagnes has reported that Agent Jeffery Burgess is involved when anyone can call Captain Robert Ellis at 606-928-6414-Ext. 315, and ask Captain Ellis who the Justice Department Investigators told him who's all involved in embezzling Ada Jones Estate from Fagnes. Judge Smith won't call him. U.S. Attorney Alice H. Martin won't call Captain Ellis. The reason, they won't a cover up to protect the crime Dempsey, Barnett, F.B.I. Agent Burgess, McGregor, and Attorney Mary Lee Abele, and persons known and unknown to court have committed against the Estate of Ada Jones.

Drug Agent Jeffery Burgess is the same person 21-22 months after he conspired to conceal Ada Jones heinous murder. He's at Ada Jones home, the same home 1124-24th Avenue North Birmingham Alabama. Ask the neighbors about the murder investigation by the Birmingham Police Department Homicide Investigators in November and December 1988.

Burgess was at Ada Jones home with Congressman Spencer T. Bachus III newly and appointed head of the Banking Committee for the Republican Party in Washington D.C. Attorney Randy Allen Dempsey was present. He got out of a white Lincoln Continental with a small bumper sticker of an American Flag. U.S. Attorney Billy Lee Barnett was there and another unidentified white male who appeared to U.S. Attorney Robert McGregor. Fagnes will take a voluntary lie detector test.

Fagnes know the culprits above won't take one about there presence at Ada Jones home in October 1990, whose murderer, her niece, Gwendolyn Davis was ordered to leave the home as reported on page 47 in Fagnes 2255 Memorandum, which explains the meeting to search for money at Ada Jones home on dirty Dempsey orders.

Agent Burgess is the same agent who appeared in the Birmingham City Jail Case No. (#DC 89-6739) after Fagnes left Attorney Mary Lee Abele office he was arrested after she reneged for the 6th time to read Ada Jones "Final Will" to the Fagnes Family at her office at the Frank Nelson Building. You better talk and tell the truth Mary Lee, and escape the Accessory to Murder charges pertaining to Ada Jones Murder and using your position as Trustee of her Last Will and Testament to deceive the inheritors You're going down with them Attorney Mary Lee Abele. You can listen to them thieves if you want too, they re going to be witnesses against you, Ms. Abele. You committed a Fiduciary Crime relating to the Ada Jones Estate. Don't forget, Ms. Abele that these puppet judges is going to be in serious trouble when it goes public that they conspired to keep Fagnes in jail on a Fraudulent Indictment.

Agent Burgess, on 9/7/01, who Fagnes knows very well was in a vehicle by himself. Agent Bartholomew, who is a sick racist and pathological, chronological liar, and the same agent who conspired with McGregor to frame Fagnes on 18/18/01 detention hearing which Dempsey, as of today, got the evidence and reports to free Fagnes from this injustice. Dempsey as of today, is afraid for his role and involvement with the embezzling of Ada Jones Estate.

Fagnes truthfulness has destroyed (his) Dempsey's credibility, character, and integrity and wants Dempsey to ask himself, was Ada Jones money worth embarrassment on you today being presented by Fagnes? Which you know and all of your co-conspirators know Fagnes has not told "one" lie concerning being framed with perjury. Davila never exited his vehicle, Fagnes never incriminated himself. There are no "photographs" of Davila's car trunk being opened with no drugs less alone a box in plain view.

Davila never exited his vehicle on 9/7/01. Judge Smith personal honesty was at stake with his unjust ruling.

Dempsey is hiding two truths that he has hidden all reports concerning Fagnes being framed by McGregor and Bartholomew creating a crime scene that never occurred on 9/7/01. Dempsey got the evidence to immediately free Fagnes but because of Dempsey conflict of interest into muscling his way in on Attorney Mary Lee Abele, Attorney Bill Dawson, Iris Elaine Hardy McNabb before she had to be murdered because she wouldn't step out the way. Isn't that correct, conspirators?

U.S. Attorney Billy Lee Barnett, F.B.I. Agent Jeffrey Burgess, Assistant U.S. Attorney Dirty Coward Robert P. McGregor, I wish U.S. Attorney Alice H. Martin wasn't a crony attorney and had the integrity of Assistant U.S. Attorney Patrick Fitzgerald, who would not turn a blind eye to a crime of this magnitude. F.B.I. Director Robert Mueller integrity is going to be on line when he receives this motion and all documents Fagnes has provided to the court for justice, which it's known, Judge G. Lynwood Smith Jr. don't won't the truth revealed. He is protecting his crony Magistrate Putnam for having Fagnes arrested on a Fraudulent Indictment Scheme, which Judge Smith knows there are no Grand Jury Hearing minutes or hearing against Fagnes on 9/26/01 with a Grand Jury Foreman by the name of Terrell Clement signing an indictment against Fagnes on 9/26/01.

Magistrate Putnam is going to be put as the first individual on Fagnes lawsuit in Atlanta, Georgia. Fagnes knows he will not get justice in the Northern District of Alabama for a sake of cronyism and nepotism. Fagnes has acquired all data concerning Registered Voters from the 31 counties in 2001 that comprises the Northern District of Alabama. There is only one, Terrell Clement that has been found. He states that he did not sign no drug presentments or indictments on 9/26/01 against a William A. Fagnes and he was not the Drug Task Force Grand Jury Foreman for the 21 U.S.C. Grand Jury For the Northern

District of Alabama. Judge Smith did not address that Fagnes was truly indicted on 9/26/01 which would have been Obstruction of Justice on Judge Smith's behalf to put his signature on a fraud; but Judge Smith did say Fagnes signed a plea agreement that he would never appeal and admitted under oath that he was at the back of Davila's trunk, which is a lie, lie lie. Fagnes has shown the court that Judge Smith states that Fagnes could appeal any sentence or conviction that he receives.

Fagnes will now explain Attorney Randy Allen Dempsey second motive which is he is involved with embezzling Ada Jones Estate in a conspiracy using false misrepresentation.

Mr. Dempsey, who is a con man against his client, who he deems as black defendants who are ignorant to the law. Dempsey get them investigated, get their car tags when they come to his office, give their car phones and contact telephone numbers to Drug Law Enforcement Agents to eavesdrop on who the suspected drug dealer is talking to so they can be arrested and have to rely on Dempsey's help, who in return get large amounts of money from them.

Dempsey is the "Devil's Advocate" and would do anything for money. When Fagnes first met Attorney Randy Allen Dempsey, he didn't have two decent suits to wear. Fagnes brought and sent Dempsey over 300 clients over the years and never asked for a dime. Fagnes was only a friend to Dempsey who is the bag man for bribe taking officials in the Northern District of Alabama. Isn't that correct, Mr. Dempsey? who keep a tape recorder recording the transactions. Dempsey got a lot of them crooked officials on tape who sways their rulings anyway Dempsey tell them. Isn't that correct, magistrate Putnam?

Dempsey knows McGregor and Bartholomew fabricated evidence against Fagnes and Judge Smith with his unjust ruling to Time Bar Fagnes from getting the justice Fagnes truly deserves

Attorney Randy Dempsey knows that Fagnes was framed on 9/7/01 and now Fagnes will explain why it was so important to get Fagnes tricked out of his signature pertaining to this so called plea agreement being sealed by Judge C. Lynwood Smith Jr. If Fagnes had signed the plea agreement in open court and admitted that he was at the trunk with a box of drugs with Davila on 9/7/01 which is a lie. The Government and Attorney Randy Allen Dempsey both don't have no signatures of Fagnes signing a plea agreement.

On July 20, 2004, Mr. Dempsey, after completely refusing to release Fagnes any reports, no copies of any indictments against Fagnes, or discovery on 9/7/01 for Fagnes to prepare a defense. Dempsey knows what Judge Smith, U.S. Attorney Alice H. Martin, Magistrate Putnam, the Jury Administrator for the Northern District of Alabama, the Clerk of Court for the Northern District of Alabama as an integral, knows that McGregor has Fagnes in prison on a fraud but remains nonchalant and is calling themselves adhering together with their knowledge, and Fagnes wants them to know they need to be ashamed of themselves knowing they're conspiring to keep an innocent person in prison to appease cronyism. McGregor is a dirty Ex-Assistant U.S. Attorney.

Dempsey motive for not showing Fagnes no plea agreement is the same reason Fagnes wrote Judge C. Lynwood Smith Jr., which he is now construeing as a 2255 Motion, which was a 48 page letter to Judge Smith explaining to Judge Smith that he was never at the back of no trunk with Davila on 9/7/01.

The lawsuit from Dempsey included the dirty Villa Rica, Georgia cops who robbed Fagnes 6/17/98. Dempsey put in the lawsuit against them, which is being hidden by him as of today, that Fagnes was telling the truth. He had been robbed by the same officer, Lt. Eddie Ingram, badge #315, and most importantly, which would be found on page 16 and 17 concerning Demetrius Thompson, a mechanic on pages 16 and 17 Fagnes Response to Government Argument 3/6/06.

Fagnes told Judge Smith the truth which Dempsey and McGregor both knows that at no time had Mr. Fagnes seen any law enforcement agencies, U.S. Attorneys, until about march 2003. Fagnes was being held in prison on a manufactured fraudulent indictment scheme created by McGregor, which is being covered up Judge Smith, Magistrate Putnam, U.S. Attorney Alice H. Martin, and the Clerk of Court Office for Northern Alabama, who all is going to answer to the Justice Department and Federal Bureau of investigations in Washington, D.C. when the media go public with the story. Fagnes will get his justice.

Fagnes will explain the treachery of Attorney Randy Allen Dempsey and Assistant U.S. Attorney McGregor and Assistant U.S. Attorney Billy Lee Barnett; partners in crime and the embezzlers of Ada Lee Mays Jones Estate. McGregor, you punk, you thought you had got away, but it's a "God". You're going down, punk.

McGregor had Fagnes brought down to the U.S. Attorneys Office from the Calhoun County Jail in Anniston, Alabama without Fagnes knowledge to Birmingham, Alabama to 1801 Fourth Avenue, North Birmingham, Alabama 35203,

which is the U.S. Attorneys Office representing the Northern District of Alabama, whose office want defend their dirty name and have shamed the judicial system, and Dixie Land.

Dempsey, who Fagnes had not seen in months after receiving \$64,000.00 in cash since he was allowing Fagnes to be held in captivity illegally since 9/7/01. Dempsey is a dirty attorney who was holding exculpatory evidence and reports from Fagnes , and most all as of today Dempsey knows that Fagnes is not indicted by a Federal Grand Jury, which Mr. Terrell Clement has recently admitted that he did not sign no indictment for a drug presentment on 9/26/01 against a William A. Fagnes.

Judge Smith, in his motion on 1/31/07, did not address the fraud in his courtroom being permitted against Fagnes. Judge Smith, with his unjust ruling on 1/31/07 knows that McGregor and Putnam has conspired against Fagnes arresting and incarcerating Fagnes on a fraud, so Judge Smith comes up with a technicality to Time bar Fagnes to keep the truth out of his courtroom. Fagnes is going to file a Certificate of Appealability to the 11th Circuit Court of Appeals and show a case that the 11th Circuit Court of Appeals reinstated pertaining to a attorney not turning over the discovery and reports to a defendant.

Fagnes knows once he file the lawsuit in Atlanta, Georgia on the corrupt officials and bring Mr. Terrell Clement to Court and the truth is revealed that Fagnes is in prison on a fraud, Fagnes will get his justice and then Fagnes will personally put a personal lawsuit against Judge Smith, U.S. Attorney Alice H. Martin for conspiring to keep him held in false imprisonment, and show them that "No one is above the law", and let them know with their Dixie Land mentalities that they're descendants of corrupt officials from generation to generation, who has conspired to violate black individuals Fifth Amendment Rights, Eighth Amendment Rights, for allowing cruel and unusual punishments to be afflicted against an innocent defendant by turning a blind eye to a major crime for sake of cronyism.

Fagnes Fourteenth Amendment Rights is being violated also by Judge Smith, who is an official of the court, has acted in a manner to deny Fagnes by conspiring to keep Fagnes incarcerated on a fraud to deprive Fagnes his equal protection of laws, and has conspired to deny Fagnes the right to life, liberty, and pursuit of happiness, by denying Fagnes his Constitutional Rights.

Because if Judge Smith knew that Fagnes was indicted by a Federal Grand Jury on 9/26/01 he would have a long time ago stated and signed his name, but Judge Smith know that Fagnes is not truly indicted he wrote his 1/31/07 to deceive the Appellate Court Judges for the 11th Circuit into believing Fagnes had signed a plea agreement and admitted guilt that he was at the back of Davila's trunk on 9/7/01 which is a lie, lie, lie, which Fagnes will show excerpts from his Pre-Sentence Report and Sentencing Hearing Transcripts, which is statements from McGregor.

The deceiving would be to fool the Appellate Court, which Fagnes will now explain to Judge Smith that the 1st of March 2003, Fagnes was brought to the U.S. Attorneys Office, at no time prior to that had Fagnes seen or talked to any law enforcement agencies since 9/7/01, the night of Fagnes arrest, which dirty-lying F.B.I. Agent Jay Bartholomew and Agent Jeffery Burgess, who had taken Fagnes to the Jefferson County Jail. On the way to the Jefferson County Jail, Fagnes wanted to know why he was being arrested. Agent Burgess told Fagnes, I got me two drug traffickers. Fagnes reply was, you don't have me for no drug trafficking and you know you don't.

Fagnes told Agent Jeffery Burgess that he had never discussed drugs with Davila or anyone else nor did he try to buy or obtain any drugs from Davila who was sitting in his vehicle, which he never exited at no time did Davila or Fagnes discussed drugs or money.

Judge Smith, you know there are no "photographs" of any crime scene because if it would have happened, the agents and officers present would have photographs of Davila and Fagnes at the crime scene, which there are also no "photographs" of no trunk open in the air. There are no "photographs" of Davila vehicle or Fagnes vehicle at the location Fagnes was arrested.

Judge Smith, now you give your 1/31/07 ruling straight out of this so called plea agreement to make it appear on your behalf that Fagnes was guilty and signed the plea agreement and provided substantial information against Demetrius Thompson and admitted his Role, which is a lie, lie, lie. All of this is to deceive the true facts to protect cronyism. You know that at no time has Fagnes ever admitted to this lie. You know what Fagnes told you at the 10/28/02 Sentence Hearing Transcripts which Fagnes know you're going to tryto keep sealed to keep the truth from being known.

Remember, Judge C.L. Smith, you're supposed to be a Honorable Judge, not a Judge who is helping cold-premeditated murderers, thieves, accessory to murder conspirator's frame artist, con-men, men who committ fraud upon your court, officials who don't respect your direct order, individuals who falsify indictments, steals individuals inheritance, embezzle money from Harmony Street Baptist Church, falsify grand jury foreman signatures, officials who illegally have individuals fraudulently arrested upon indictments they know never occurred.

Judge Smith, you're now a part of their conspiracy, denying Fagnes justice, and most of all, threatening witnesses lives such as C.P.A. Gerald Vines. You don't want the truth revealed and the motive behind McGregor and Barnett and Dempsey framing me, but you write, it's strange and rambling, but you will never charge Fagnes with Perjury. Fagnes dares you. the officials have concealed Ada Jones death to steal her wealth and are being protected by you, Judge Smith, which is true.

Now Fagnes wants you to know your "Bull" plea agreement that you allegedly had sealed, which the Government and Dempsey have no signatures is a fraud. Fagnes received a blank copy of this so called plea agreement July 26, 2004, from Attorney Jeffery M. Brandt, when he had threaten dirty-Attorney Randy Allen Dempsey about reporting him to the Alabama State Bar Association for his repetitive refusal for turning over to Fagnes, any discovery or reports to challenge his unjust conviction which Dempsey has never released Fagnes as of today, any reports for Fagnes to get back in court to challenge the Fraudulent Indictment and frame job and perjury job used against Fagnes to illegally incarcerate Fagnes.

Fagnes will introduce with his Certificate of Appealability, a 11th Circuit Case ruling that will abolish Judge Smith's unjust ruling to keep Fagnes from receiving justice, by agreeing with Magistrate Putnam's Report and Recommendation to Time Bar Fagnes, with Judge Smith's unjust ruling which was nothing more than a scheme to protect Magistrate Putnam for his role of having Fagnes arrested on a Fraudulent Indictment Scheme with McGregor's involvement.

When Fagnes was at the 3/18/2002 Plea Hearing in Judge Smith's Courtroom, as reported, Attorney Randy Allen Dempsey was squenching his eyes at Judge C. Lynwood Smith Jr. When Judge Smith shocked Assistant U.S. Attorney Robert P. Mcgregor, when Judge Smith stated which can be found on page 56 in Fagnes Response to answer Governments Argument which is (Exhibit 0).

Judge Smith, who now don't want the truth exposed, stated to McGregor, pertaining to "Apprendi", which was at the time, a new Supreme Court ruling June 2000, "The court cannot accept the word of a co-operative witness and the police present. The Government would have to show beyond a reasonable doubt that the crime scene existed.

Judge Smith stated the government would have to show photographs of the crime scene on 9/7/01 with the trunk of the cooperative witness vehicle open with a box of drugs opened in plain view, and audio of Fagnes incriminating himself on 9/7/01, the night in question.

when Judge Smith presents this to the court and Government Assistant U.S. Attorney McGregor is in shock, the reason McGregor is in shock is that he knows that "no photographs exist" of a crime scene with a box of drugs with the trunk of Davila's car trunk open. Davila never exited his vehicle on 9/7/01. Isn't that correct, dirty McGregor and dirty Attorney Dempsey?

Dirty McGregor and dirty Dempsey both know today and knew then that Fagnes was being framed by dirty Agent Jay Bartholomew and Assistant U.S. Attorney McGregor with dirty money hungry Assistant U.S. Attorney Billy Lee Barnett, who was McGregor's Supervisor knowledge who gave approval of framing Fagnes with perjury and hear say.

Dempsey, McGregor, and Barnett is in cahoots embezzling and stealing over \$28 Million Dollars from the Fagnes Family, left to them by Ada Lee Mays Jones.

Fagnes, with his 3/6/06 Response to answer Governments Argument pertaining to (Exhibit O), shows to the court the perjury used against Fagnes by McGregor and Bartholomew, which shows Agent Bartholomew stating there was definitely no audio or video of 9/7/01. Attorney Dempsey knows that Agent Bartholomew is lying under oath. Dempsey heard and got a copy of the audio on 9/7/01. Dempsey knows today that Fagnes whole story is the truth before God. Dempsey seen the only picture of Fagnes and Davila at the I-HOP off of Orporto-Madrid. Dempsey got the evidence as of today to immediately free Fagnes from this injustice.

Dempsey has an advantage pertaining to Judge C. Lynwood Smith Jr., and Magistrate T. Michael Putnam's cronyism conspiracy to conceal the true facts pertaining to fagnes not being indicted by a Federal Grand Jury on 9/26/01. Dempsey knew Judge Smith would not give Fagnes the respect of an evidentiary

hearing. Judge Smith must protect what he knows, that fagnes is in prison on a fraudulent indictment scheme, when Judge Smith gave U.S. Attorney Alice H. Martin exactly 6 days after receiving Fagnes 2255 Memorandum.

Judge Smith gave a direct order to Ms. Alice H. Martin to appear, which she treated him as though as he was nothing and never obeyed crony Judge Smith, who was approached by Magistrate T. Michael Putnam, to help him out. Putnam has conspired on 10/19/00 and 9/27/01 to have Fagnes arrested on a Fraudulent Indictment Scheme created by Dempsey, Barnett, McGregor on 10/19/00, and 9/26/01 by McGregor, who conspired with Deputy Clerk Yolanda Berry and forged Mr. Terrell Clement's name. And this is why Judge Smith did not address on 1/31/07 the fraudulent indictment scheme. It would be Obstruction of Justice to state that Fagnes was truly indicted on 9/26/01.

The conspirators would have been lied and stated that Fagnes was truly indicted on 9/26/01, but the Executive U.S. Attorneys Office Director, Ms. Marie A. O'Rourke personally signed the request, which is (Exhibit E) in Fagnes 2255 Memorandum that no indictment or records exist on 9/26/01 with a foreman by the name of a Mr. Terrell Clement signing an indictment against a William A. Fagnes. Ms. Marie A. O'Rourke is well aware of Ada Jones Estate as being the reason of the conspiracy against Fagnes as being the motive for Fagnes being illegally incarcerated on the fraudulent indictment by McGregor, Putnam, and Deputy Clerk Yolanda Berry, in on a scheme to illegally arrest Fagnes pertaining to an indictment that never existed on 9/26/01, and as of today, Judge Smith is now in on the conspiracy to conceal the fact that no records exist of an indictment against Fagnes.

The Jury Administrator knows no records exist. You're looking bad, Judge Smith. Remember, Terrell Clement has been found. You need to be ashamed of yourself, Judge Smith. You have sent a many defendants to prison with harsh sentences, but now you're turning a blind eye for sake of cronyism. You must remember the media is in on this, which will be the biggest story Dixie Land ever seen. It's going to be embarrassing on your behalf, Judge Smith. The F.B.I. will be to talk to you soon.

The corrupt official is so dirty that C.P.A. Gerald Vines life been threatened by U.S. Attorney Alice H. Martin's Assistant. Isn't this correct, Attorney Robert B. French?

Who gained this knowledge from, Mr. Gerald Vines that Billy Lee Barnett threatend his life with a contract of \$50,000, if him and Fagnes exposed the officials concealing Ada Jones death and stealing about \$40 Million Dollars from the inheritors. There are no Statute of Limitations on Murder. Isn't that correct, Mr. Dempsey? Fagnes knows you're a coward and punk, and you're afraid for your actions. Mr. Dempsey's guilt is all over your face, punk, and ask yourself, is all of this embarrassment worth Ada Jones money?

Dempsey, when you was squenching your eyes on 3/18/02 to Judge Smith, after Judge smith stated he could never accept a guilty plea from Fagnes unless it could be proven that the crime scene existed with photographs of the trunk of Davila's car open with the drugs in plain view. Judge Smith stated that he could not take the word of the cooperative witness and the officers present, pertaining to Apprendi. The Appellate Court will immediately find out that McGregor lied under oath and stated that he could produce the photographs, and it goes back to 10/18/01, at the Detention Hearing in puppet Magistrate Putnam's Courtroom, when Dempsey, who was well aware of Agent Jay Bartholomew lying under oath stating that no audio or video exists of 9/7/01.

Dempsey knows the truth about 9/7/01 and knows both McGregor and Bartholomew is two liars. Dempsey knows that no photographs exist of any trunk opened on the night in question. Dempsey heard the audio that Agent Jay Bartholomew stated that don't exist. Dempsey knows Bartholomew is a clumsy liar, but Bartholomew knows Barnett and McGregor has told him that Dempsey is in with us. He won't expose you lying against Fagnes, which was creating a crime scene that never existed on 9/7/01. now, you have dirty McGregor lying to Judge Smith that he can produce them.

When Dempsey was squenching his eyes at Judge Smith at the 3/18/02 Plea Hearing, Fagnes has figured Dempsey behavior out when Dempsey was acting in an improper manner. The reason Dempsey's mannerism is what this so called signed plea agreement is all about, which Dempsey have no signatures for McGregor, Fagnes, or himself. The Government could supply no signatures for Dempsey, Fagnes, or McGregor, but yours truly, Judge Smith has unsealed his copy, which Fagnes is asking him to release to see if it's a computer signature for Fagnes, which the F.B.I. in Washington, D.C. Forensic Document Examiners will easily notice after it's revealed that U.S. Attorney Alice H. Martin been known about the crime against the Estate of Ada Lee Mays Jones being embezzled by corrupt officials.

Dempsey is in on the plan since 10/19/01 to frame Fagnes, which Dempsey went to a luncheon with the conspirators of embezzling the Estate of Ada Lee Mays Jones and conspiring to conceal her murder by getting Pathologist Gary T. Simmons to falsify Ada Lee Mays Jones Case Summary. Fagnes wants the media to contact Carraway hospital on 26 Street North, to their Medical Records Office and see if a Ada Lee Mays Jones came by their Emergency Room Facility on 11/15/88 on a stretcher at 10:35 hours, and was seen by a Dr. Hoyt Price, allegedly and discharged, at 11:19, which would be a length of time of 44 minutes.

Now what you have is the richest black woman in the State of Alabama at the time, going to a run down State Hospital, as shown in (Exhibit U) Notice to Clarify the Record 12/27/06.

Call Caraway Hospital at 205-737-2585 Medical Records and ask for Medical Records Supervisor, ms. Buelah and ask are there any records on file for Ms. Ada Lee Mays or Ada Lee Mays Jones, coming to Carraway Hospital on a stretcher at 10:35 p.m. on 11/15/88 and being attended to by E.R. Doctor, Dr. Hoyt Price and discharging (her) Ada Jones at 11:19 on 11/15/88. There are no Hospital Medical Bills Records neither to show that the Richest Black Woman in the State of Alabama came to Carraway Hospital.

There is a hospital band to deceive on Ada Jones wrist, which Fagnes knows for a fact that Iris Elaine Hardy McNabb's best friend, Geri, works at Carraway Hospital for years on and was James Hardy Jr. mistress for years. Ada Jones was murdered 11/14/88, and the true records is being hidden by Annie Bushelon Holt, Funeral Director for Bushelon Funeral Home in Birmingham, Alabama, the same funeral home that gave permission to Ada Jones murderers, Iris Elaine hardy McNabb and Gwendoly Davis and James Mason hardy Jr., to forge Ada Jones Burial Policies made out to the true inheritors, William A. Fagnes and Iris Chinesa Fagnes.

The culprits murdered Ada Jones then paid for her funeral by forging her burial policies. Elaine hardy was Aubrey Bushelon's mistress for years on. Aubrey got the records that's signed by Deputy Coroner Jack Parker, stating that Ada Jones had been dead 36 to 48 hours, someone had forced open her jaws and stuffed crackers down her throat. So how could ada Jones had been admitted to Carraway Hospital on 11/15/88 she was pronounced dead at 6:37 a.m. on 11/16/88 from 11/14/88, when the poisoned chinese food was first brought to

Ada Jones home by Iris Elaine Hardy McNabb. Starting from 1:00 p.m. on 11/14/88 until 11/15/88 is 24 hours. From 11/15/88 at 1:00 p.m. to 11/16/88 at 6:37 a.m. is 12 hours. From 11/16/88 starting at 1:00 a.m. that's 36 hours to 6:37, that's about 42 hours.

Deputy Coroner Jack Parker's expertise is correct. Ada Jones had been dead 36 to 48 hours. The reason that pathologist Gary T. Simmons falsified Ada Jones Case Summary is he took a "Suborn" from the same corrupt officials behind framing Fagnes, the true heir, to prison, to get him out the way, which they now know is a bad mistake, they've been exposed and can't defend their dirty names which will be Obstruction of Justice for them to lie when they know they're guilty as accused by Fagnes. They're finger prints is on Ada Jones murder cover up and stealing millions of dollars from her estate.

When Dempsey was squenching his eyes at Judge Smith on 3/18/02 at the plea hearing, Judge Smith was being told by Dempsey to not bring up about, are there any photographs of the crime scene? which Dempsey knew there weren't any photographs of a crime scene that never occurred on 9/7/01. Dempsey knew Fagnes was being framed by the conspirators of embezzling Ada Jones Estate.

Dempsey's main motive also was to keep Judge Smith from exposing. Pertaining to Apprendi the Government would have to produce photographs or video of the crime scene had that actually happened which also Dempsey and McGregor had concocted the scheme to trick Fagnes to sign this bogus plea agreement where Fagnes would be admitting that he was at the back of Davila's trunk on 9/7/01. The scheme would consist of Fagnes not knowing what he was signing. Isn't this correct, dirty snake Dempsey? You're no good. You're going down, punk.

Dempsey and McGregor was having Fagnes to sign that he admitted that he had a box of drugs in his hands, and was at the back of the trunk with Davila, and that Fagnes would sign that he would never appeal any sentence or conviction. Another trick by McGregor was to dupe Demetrius Thompson to believe that Fagnes had provided statements against Demetrius Thompson into believing that Fagnes was giving substantial information against him.

Demetrius Thompson was not indicted, also it was a fraud by McGregor which he was trying to trick Demetrius Thompson to say something negative against Fagnes, which back fired on McGregor, which Demetrius Thompson's so — called Indictment was dropped when Demetrius Thompson's lawyer asked for the Grand

Jury minutes and Discovery. McGregor dismissed the so called charges against Demetrius Thompson.

Judge Smith, when you gave your unjust bias motion on 1/31/07, you wrote exactly what Dempsey and McGregor concocted in this fraudulent plea agreement, when Dempsey was squenching his eyes at you which you kept asking Dempsey did he file a motion in Fagnes behalf, you knew then what you know now, there are no photographs of any crime scene on 9/7/01 with a box of drugs with a car trunk opened. You're pitiful, Judge Smith. Your scheme and 1/31/07 motion was to deceive the Appellate Court and protect Magistrate Putnam and McGregor and keep the truth out of the courtroom that the corrupt officials have concealed Ada Jones death to steal her wealth.

Judge Smith, when I wrote you only a letter which was 48 pages, which you is construing now as a motion for a sentence reduction, which I'll explain at the end of this motion that you should know the truth that you never notified me that you was construing the extensive letter as a 2255 Motion, which the Supreme Court ruled 9-0 you would have to let the defendant know that the court was characterizing the letter as a 2255 Motion. You're all cronyism and not justice.

When I wrote you the letter I told you at no time from the date of 9/7/01, until March 2002, I had not seen no law enforcement agencies. None whatsoever. Demetrius Thompson door was kick down sometime in September 2001. Judge Smith, I told you it was dirty what the task force agents and Jay Bartholomew was doing; kicking down different individuals doors telling them I'm in jail snitching, which was a lie. I told you my children play basketball at the gym with some of the individuals and it's dirty what the officers are doing.

Repeat, Judge Smith, at no time did Mr. Fagnes talk to any law enforcement agencies or gave any statements or interviews. Dempsey knows this is the truth. The log record at Anniston, Alabama (Calhoun County Jail) will show that no law enforcement agencies came to see me or interview Fagnes, because Dempsey representing Fagnes would have to had signed the visiting sheet on the sameday for the interview. There are no records because Fagnes has never been a snitcher, and Fagnes never will, only telling the truth on the dirty corrupt officials who framed him and concealed Ada Jones murder.

Dempsey was squenching his eyes at you, Judge Smith. Dempsey's motive for his mannerism is that he has not shown Fagnes no plea agreement, but Dempsey is out to trick Fagnes to sign the fraudulent plea agreement, which Dempsey knows that Fagnes would never sign that he gave substantial information, and had provided information against Demetrius Thompson and was prepared to testify against Demetrius Thompson, and McGregor and Dempsey is putting another lie in the plea agreement that Fagnes has admitted that he was at the back of the trunk with Davila with a box of drugs, which both "Con Men", Dempsey and McGregor, both know it's a lie, a scene that never happened.

To you, Judge Smith. Fagnes at no time, had sent the police officers to Demetrius Thompson's house, or even discussed one time, Demetrius Thompson's name. The only time Fagnes ever seen any officers was when he was brought to the U.S. Attorneys Office at 1801-4th Avenue, Birmingham, Alabama, March 2003, at this meeting was one of the greatest D.E.A. Agents ever. Mr. Steve Holt, Agent Jay Bartholomew, McGregor, and Barnett entered the room. McGregor asked me was I ready to talk to him. I, Fagnes, asked him, for what? And Fagnes looked at Agent Bartholomew and asked him did have any lies to tell. Fagnes told him it was dirty how you lied at the detention hearing and framed me, but you people have the power to frame people.

Dempsey entered the room. A con was going down. Dempsey lied and said he went to Calhoun County Jail where Fagnes was being held captive on a Fraudulent Indictment Scheme.

Remember, Judge Smith, you suppose to be an Honorable Judge. You can hide the Grand Jury Minutes that never happened on 9/26/01. You can conspire to keep the fraudulent indictment scheme concealed but at the end, Judge Smith, you'll find out "no one is above the law".

Fagnes got something (Documents) to give F.B.I. Director Robert Mueller, Congressman Nancy Pelosi, Senator Arlen Specter. Fagnes is bringing Terrell Clement to reveal that his name has been forged on Fagnes Indictment. You can play nonchalant, Judge Smith, but you'll never stop the citizens of Alabama from knowing that the richest black woman in Alabama, Ada Jones, has been murdered, and the dirty corrupt officials involved with concealing her death to steal her wealth will be brought to justice.

Fagnes will ask for your resignation, Judge Smith, every chance he gets when the atrocity is exposed. Fagnes will ask for you to be impeached, Judge Smith.

Dempsey told McGregor at the U.S. Attorneys Office that his client don't want to talk to him or anyone. Isn't that correct, D.E.A. Agent Steve Holt, who started getting leary, you're smart, Agent Steve Holt, who Fagnes told at the U.S. Attorneys Office, you're a real drug agent, and would never frame no one, but Bartholomew is no real drug agent to frame me in the punk, Bartholomew's face. He held his coward face down.

Agent Steve Holt took me back to the Hugo Black Federal Building. He whispered to me, what is this all about, Tony? I can tell you now Agent Steve Holt, when Steve Holt took Fagnes back to the Hugo Black Federal building, a young Marshall asked Agent Steve Holt, did he talk? Agent Steve Holt reply was, we can chain him to the Greyhound Bus. We can whip him with iron pipes. He will never snitch on nobody. He's the real deal. Isn't this correct, Agent Steve Holt? who knows it was never no discussion of Demetrius Thompson.

Agent Steve Holt, who is a classy gentleman, is the case agent for Fagnes Count II, which was ultimately dismissed by Honorable Judge C. Lynwood Smith on 3/18/02, which the statements Fagnes gave to the court led to the dismissal. The statements have been deleted from the 3/18/02 Plea Hearing Transcripts. Isn't this correct, Court Reporter Christina Decker?

What happened was, McGregor who was covering his tracks from having Fagnes arrested with a fraudulent indictment scheme 10/02/01 created 9/27/01, by faxing a blank indictment 10/02/01 that devoided a Grand Jury Foreman Signature. It was only an indictment purporting to be an indictment, which was immediately noticed by Attorney Vionette Reyes at the Rule 40 Hearing who was representing Fagnes.

Ms. Reyes wanted to come to Judge C. Lynwood Smith Jr.'s Courtroom if he would have ordered an Evidentiary Hearing for Fagnes, which Judge Smith is protecting the Fraudulent Indictment Scheme for cronyism.

Ms. Reyes was going to explain to the court that the government can never charge a defendant with the same identical offense as the state. The 10 day period had passed by for the government to intervene from the date of arrest on 9/7/01 pertaining to the Rules of Criminal Procedure 28 U.S.C. 1446 & 1447

Ms. Reyes knew that it was some "Hanky Panky" going on, and stated to the court that it is some Hanky Panky going on in here. The indictment don't have no Grand Jury Foreman Signature and everyone knows that an indictment is not valid unless it has a signature from a Grand Jury Foreman. Honorable Magistrate E. Clayton Scofield III who must be respected is no puppet judge. Look at the fraudulent indictment to illegally hold Fagnes in custody, and without hesitating, angrily threw down the fraudulent indictment and excused himself from his courtroom without saying a word. Judge Scofield knew that the government was pulling a fraud on the court against Fagnes, and not as the same as the puppet judges from Alabama out to put their careers on the line to protect the fraudulent indictment scheme created by McGregor.

You need to know, Judge Smith, that Terrell Clement has been found and it's irrefutable. Mr. Clement's name has been forged, with ^{your} unjust ruling to deceive Judge Smith. The truth will be revealed about Ada Jones Murder Cover up and the dirty corrupt officials from Alabama's Northern District stealing her money from her "Final Will". It's going to get bigger than you Judge Smith.

The public, both blacks and whites will have a lot to talk about when the injustice is exposed by media that U.S. Attorney Alice H. Martin is protecting a major crime with Judge C. Lynwood Smith to conceal a heinous crime committed by Assistant U.S. Attorneys Billy Lee Barnett, Assistant Attorney Robert P. McGregor, Congressman Spencer T. Bachus III Law Firm with double crossing Attorney Randy Allen Dempsey at the helm, Attorney Mary Lee Abele the Trustee of Ada Jones "Final Will" in on a conspiracy with her dirty ex-husband Bill Dawson, who conspired with Iris Elaine Hardy McNabb who is Fagnes mother-in-law. Elaine was murdered after she conspired to kill Ada Jones, her aunt. Isn't this correct, Attorney Randy Allen Dempsey?

And also involved is F.B.I. Agent Jeffery Burgess and persons known and unknown to court, again call Captain Robert Ellis at Ashland F.C.I. . Mr. Ellis contact number is 606-928-6414 ext. 315. The S.E.C. Investigators has gotten statements from all the officials who was blaming the crime on each other but yours truly cover up artist U.S. Attorney Alice H. Martin used her position,

as head law enforcement for the Northern District of Alabama not to bring charges against her assistants. Fagnes dares U.S. Attorney Alice H. Martin to charge him with perjury. All the corrupt officials know that when Fagnes files his court documents he is talking to the corrupt officials and they know Fagnes is telling the whole truth.

Magistrate Putnam is a puppet Magistrate. He's no good. He's a flunky. Fagnes is going to personally file a personal lawsuit in Atlanta, GA., against Magistrate Putnam for all the dirt he has caused to Fagnes and his family. It goes back to McGregor forging Terrell Clement's name to keep Fagnes illegally in custody. Thank God for the internet. Judge Smith, you can conceal Grand Jury Minutes that never occurred, but you can't keep Terrell Clement from coming forward to tell the truth that his signature is a forgery on Fagnes Indictment; Exhibit A and Exhibit B, which is shown in Fagnes 2255 Memorandum which anyone that's got common logic and can observe, can easily notice that Assistant U.S. Attorney Robert P. McGregor has two different signatures for his name.

And to the contrary of the signatures speaks for itself, and any person that knows, that knows that once a document is signed it can never have 2 different signatures for the same document unless Mr. McGregor is manufacturing the documents.

When Fagnes files the lawsuit in Atlanta, he is going to Subpoena Ms. Marie A. O'Rourke, the Director at the Executive U.S. Attorneys Office in Washington, D.C., to reveal that there are no records such as Grand Jury Minutes, in-camera viewing and etc..., showing that a hearing was held against Fagnes on 9/26/01. Fagnes is being held in false imprisonment. Judge Smith, with his unjust ruling to deceive the Appellate Court.

Fagnes had never spoken to no officials about a Demetrius Thompson prior to Fagnes being brought to the plea hearing on 3/18/02. Fagnes had never told no officials he was at the back of Davila's trunk with a box of drugs, a scenario that was created by McGregor and Bartholomew to entrap and frame Fagnes with perjury.

Fagnes would never sign a document ~~that~~ He would never appeal no sentence or conviction. Fagnes had never talked to no law enforcement officials about anything before this 3/18/02 plea hearing.

Fagnes was never prepared to testify against no one when he was brought to the plea hearing on 3/18/02.

What you have is two partners in crime working in concert together; Attorney Randy Allen Dempsey and Assistant U.S. Robert P. McGregor, who had concocted this fraudulent plea agreement scheme with perjury. McGregor knew that he was framing fagnes creating a crime scene that never occurred using hearsay. Dempsey, because of his role in embezzling the Estate of Ada Jones with false misrepresentation, knew that his client Fagnes was being framed and Dempsey knew also, but never revealed to Fagnes that Edward Riley, Fagnes cousin, had relayed to him that Barnett and the dirty officials was stealing roughly \$28 Million Dollars from Fagnes, and that Assistant U.S. Attorney Billy Lee Barnett had threatened Gerald Vines life with a \$50,000.00 contract, if he exposed Barnett and the dirty corrupt officials from the Northern District of Alabama, conspiring to embezzle and steal the Estate of Ada Jones with false misrepresentation.

Judge Smith, who wrote his Motion to Agree with Magistrate Putnam's Report and Recommendation to Time Bar Fagnes, which the Appellate Court can see the evidence for themselves that Attorney Randy Allen Dempsey completely refused to release to Fagnes, any discovery and as of today has not released one report from any law enforcement agencies present on 9/7/01 because Dempsey knows that there are no reports of any at all law enforcement agencies present on 9/7/01 reports stating that Davila was outside his vehicle at the back of the opened trunk with a box of drugs. A crime scene created by dirty McGregor, to frame Fagnes.

The motive for dirty Attorney Randy Allen Dempsey to hide the reports also it will show that the Jefferson County Task Force stole \$1,185.00 and 3 boxes of designer clothes Fagnes sells with his business, "Big T Enterprises", which led to Dempsey putting a lawsuit on the Villa Rica, GA. Police Department, Sheriff Mel Bailey, and the Jefferson County Task Force, which Dempsey is hiding the lawsuits and reports.

Dempsey knows Fagnes is not indicted by a Federal Grand Jury and being held in false imprisonment by Judge Smith, Magistrate Putnam and U.S. Attorney Alice H. Martin from a scheme created by McGregor.

This so called plea agreement would definitely have to be change once Judge Smith told the court that Fagnes could appeal any sentence or

conviction that he receives at the 3/18/02 plea hearing, but the truth is, it's the same plea agreement that was concocted by dirty McGregor and dirty Dempsey to trick Fagnes and never let him know what he was signing, a fraud that he was prepared to testify against Demetrius Thompson, that Fagnes had admitted he was at the back of Davila's trunk with an open box of drugs in plain view, which is a lie. Davila never exited his vehicle on 9/7/01, so how was Fagnes and Davila at the back of the trunk of Davila's car with a box of drugs?

McGregor is no good. He tells a lie to Judge Smith that he can produce the photographs of the crime scene with the trunk in the air. A crime scene that never occurred. The dirty officials from Northern Alabama is allowed to commit perjury because the puppet judges is in cahoots with them, but let an average citizen, not from the Country Club Community, lie, and see how fast he or she is charged with perjury. The puppet judges discriminate against certain defendants.

The same with Fagnes situation. The officials and media and anybody observing can see Fagnes is telling the truth. Fagnes has said that they're a bunch of thieves, liars, punks, cowards, dirty corrupt officials. Fagnes repeatably has told the truth and stated the dirty officials from Northern Alabama has conspired and concealed Ada Jones death to steal her wealth and dared Judge Smith and U.S. Attorney Alice H. Martin to charge him with perjury and no perjury charges have been attempted against Fagnes. Reason is, they all know Fagnes is telling the truth and wants a cover up and is hindering a prosecution.

Another trick pertaining to this Fraudulent Plea Agreement is that Fagnes had provided substantial information. This is a lie. At no time had Fagnes talked to any law enforcement agencies concerning anyone. McGregor knows that he framed Fagnes. Ms. Christina Decker, now you can see for yourself why McGregor put perjury on the transcripts, stating that Fagnes stated, I won't lie, I was at the back of Davila's trunk with the box of drugs with the trunk wide open. Ms. Decker, they're framing Fagnes with perjury, but Ms. Decker, Fagnes is going to file lawsuits in Federal Court in Atlanta, GA. Ms. Decker, I sent you an Affidavit March 2005, you completely ignored me.

Ms. Decker, you received \$450 from Attorney Jeffery Brandt, September 3, 2004. It took you 7 weeks to return the perjury transcripts late October 2004. Ms. Decker, as of today, you have not signed the fraudulent transcripts as being true and correct. Ms. Decker, I know that forging was not your idea and it's good that you didn't sign the perjury as being true and correct, which you know perjury and deletion of testimony was taken away. Ms. Decker, I'm being framed by McGregor with perjury, and at the end of the sentencing hearing on 10/28/02, I told the court that I'm not going to admit to a lie.

I was never at the back of any trunk. On 3/5/05 I told ^{you} that Mr. McGregor had the transcripts deleted and perjury added to deceive. The transcripts is perjured to match up with this fraudulent plea agreement.

Judge Smith just unsealed to deceive the Appellate Court Judges, that I admitted guilt that I was at the back of Davila's trunk with a box of drugs at the plea hearing 3/18/02, which you know Ms. Decker is a lie, lie, lie.

Ms. Decker, another con by these disrespectful con men that's in this fraudulent plea agreement is that I, Fagnes, was prepared to testify and gave statements against a mechanic friend of Fagnes named Demetrius Thompson. At no time did Fagnes ever talk to any investigators concerning anyone. Ms. Decker, now you can see for yourself why it's so important for McGregor to falsify the transcripts. The perjury in the transcripts would match up with the fraudulent plea agreement.

Imagine Ms. Decker, the Lawyer Dempsey, who suppose to be a fixer lawyer, gets his clients to sign a plea agreement that he will never be able to appeal any sentence or conviction. Mr. Dempsey who never filed a motion in his client's behalf is withholding as of today, exculpatory evidence to free Fagnes. Imagine Mr. Dempsey gets with McGregor and concoct the plea agreement scheme for fagnes to sign that he was prepared to testify against and sign statements against Demetrius Thompson whose home door was kicked down based upon this lie, and Mr. Thompson was told that Fagnes was in jail snitching and this is the reason Mr. Thompson we're ransacking your home.

The truth before God the Almighty, Ms. Decker, at the time Fagnes was

being held at the Calhoun County Jail in Anniston, Alabama on a fraudulent manufactured indictment scheme from October 15, 2001 until March 18, 2002, the date of the plea hearing. At no time Ms. Decker, had Fagnes seen or talked to any law enforcement agencies about any individuals.

The plea agreement is a fraud.

When McGregor wanted you Ms. Decker, to sign the perjury transcripts you allegedly transcribe as being true and correct, which you know as of today the transcripts was tampered with as we both know. Ms. Decker, you must understand that these are evil-deceitful officials who lie, steal, cheat, and conceal an elderly woman's death to steal her wealth, conspire to kill her murderer, motive for the love of money. The punks threatend witnesses lives such as Mr. Gerald Vines, who also knows the truth.

The culprits are protected by abuse of power by individuals of the court such as Magistrate Putnam, Judge Smith, and U.S. Attorney Alice H. Martin, who all need to be ashamed of themselves. Fagnes knows that none of the above mentioned officials sign no documents stating Mr. Fagnes was truly indicted on 9/26/01, which would be Obstruction of Justice.

Ms. Decker, I am going to ask you one more time to sign page 67, page 9, page 22 of the plea hearing and sentencing transcripts as being true and correct, or you can listen to Judge Smith and Magistrate Putnam, Ms. Decker, and ignore Fagnes.

Ms. Decker your name will definitely be on the lawsuit being prepared to be filed in Federal Court in Atlanta, Georgia against the conspirators of the Fraudulent Indictment Scheme. Remember, Ms. Decker, Mr. Terrell Clement has already admitted on audio that he didn't sign no drug presentments on 9/26/01 against Fagnes, and he was not the 21 U.S.C. Grand Jury Foreman for the Drug Task Force Grand Jury for the 31 counties that comprise the Northern District of Alabama. Fagnes is being held in false imprisonment.

Ms. Decker, you know that a fraud has been committed with the transcripts which was nothing more of a scheme to deceive to fool the Appellate Court that Fagnes had admitted in court his involvement that he was at the back of the trunk of Davila's vehicle on 9/7/01 with a box of drugs. Fagnes seen the officers and took out running which is a lie. Ms. Decker, you have listened to both the plea and sentencing hearing transcripts which you know

personally that fagnes has never admitted to being at the trunk of Davila's car with a box of drugs and this is why McGregor deleted what Fagnes told Judge Smith, which he knows also but is protecting Magistrate Putnam for his role of having Fagnes arrested on a fraudulent indictment scheme, which will be proven.

Fagnes told Judge Smith on 10/28/02 at the sentencing hearing that he will never admit to a lie, that McGregor is an "evil man" and he has done so much dirty stuff to Fagnes, and if you're going to give me life, give it to me. I'm not going to admit being at the back of no trunk. Ms. Decker, I was framed because McGregor, Dempsey, Barnett, Burgess, and persons known and unknown to court, stole at least \$28 Million Dollars from the Fagnes Family. The person who bestowed this wealth, her name is Ada Jones. She was fatally poisoned and her death is a cover up, and this is what this is all about. Judge Smith is protecting the culprits pertaining to cronyism.

Back to Judge Smith. I want you to know that Ms. K.L. Franklin, Pre-Sentence Investigator pertaining to her Presentence Investigation Report Docket No. CR-01-S-414-S, which was prepared for you, Judge Smith, the report was disclosed: May 7, 2002 on page 5, line 12, which is pertaining to Adjustment for Acceptance of Responsibility. MS. K.L. Franklin states to the court, although the defendant has entered a plea of guilty, the defendant adamantly denied his involvement in the instant offense. Therefore, no downward adjustment has been made for acceptance of responsibility, pending the court's consideration.

Judge Smith, when you made your unjust ruling 1/31/07, which was to deceive, you wrote your ruling straight out of the fraudulent plea agreement, which you now states is unsealed that Fagnes signed and admitted his role and involvement which is a lie.

I am using for an Exhibit, a excerpt of page 5 from Ms.K.L. Franklin's Pre-Sentence Investigation Report, which clearly proves after the 3/18/02 plea hearing. Ms. K.L. Franklin found out and knows that Fagnes was being framed by Agent Bartholomew and he also gave her a false report stating Fagnes had pre-negotiated the drug deal with some fur coats and had \$61,000 in his pocket which was to deceive her into thinking Fagnes was going to buy the drugs, then the lying punk Bartholomew had to take the report back and admit

it was not the truth. He knew that he and McGregor were Framing Fagnes.

Judge Smith, if Fagnes had signed a plea agreement admitting this lie in your courtroom 3/18/02, then why would Fagnes not want to make the 3 point sentence reduction, which would mean 36 months off his sentence? Why would Ms. K.L. Franklin, approximately 2 months after the plea hearing 3/18/02, be telling you the defendant, Fagnes, "adamantly" denies any involvement in the instant offense. This is contradicting Fagnes signing a plea agreement admitting he was at the back of the trunk with a box of drugs. Fagnes was framed by McGregor and Bartholomew. Dirty Attorney Randy Dempsey have hidden all reports from Fagnes to help conceal the frame job being used against Fagnes.

Fagnes did talk to McGregor May 2002 on Dempsey telling Fagnes that you'll be given a bail, but Mr. McGregor denied bail for Fagnes. Agent Steven Holt who Fagnes has a lot of respect for, became furious with McGregor after Dempsey explained to Fagnes what Mr. Holt wanted to talk about. Fagnes knew that Steve Holt knew that Fagnes was being framed and agent Steven Holt is very smart. He told Fagnes that someone you think is your friend is not. Fagnes knew he was talking about Attorney Randy Dempsey, who was bringing clients he was representing to the D.E.A. and F.B.I. agents to get immunity and sentence reductions from their cases at the same time that Mr. Dempsey was representing Fagnes on this fraudulent manufactured indictment scheme.

Mr. Dempsey only wanted Fagnes out of the way by any means necessary so that Fagnes would not disturb the embezzlement scheme of the Estate of Ada Jones, worth more than \$46 million dollars in 1988. This was the reason why Fagnes was being set up to spend over a decade in prison on a frame job and manufactured indictment.

Dempsey is a snake attorney and dishonorable double crosser, and everybody who knows Dempsey reading this motion knows that Dempsey was stressing bad, and looking rough. The reason is, he is afraid for his actions, using false representation concerning the Estate of Ada Jones, giving kick backs to McGregor, Barnett, Burgess, and unknown persons known and unknown to the court. This is a classical murder cover up to steal the assets from the deceased "Final Will" of Ada Jones, and they all know that framing Fagnes was a bad mistake. F.B.I. Director Robert Mueller, you stated that "perhaps", if the F.B.I. don't vigorously investigate matters of this magnitude, the District that the crime occurred may never investigate public corruption in their district, which is now being proven true.

Yes, Mr. Mueller, this is a prime example of what you told Senator Arlen Specter, under oath. You will immediately find out that the culprits involved have already blamed the crime against the Estate of Ada Jones, each other embezzling millions of dollars and the two individuals involved that got the most blame was Assistant U.S. Attorney Billy Lee Barnett and F.B.I. Agent Jeffery Burgess, Attorney Mary Lee Abele, who wants to escape Accessory to Murder charges for her involvement in concealing Ada Jones "Final Will" from the true inheritors.

Dirty Attorney Mary Lee Abele is weak. She should not have gotten involved in a murder plot against Ada Jones for the love of money. As Trustee of Ada Jones "Final Will", Ms. Abele has committed a "Cardinal Sin" against Ms. Ada Jones Trust and must be held accountable for her actions. Ms. Abele dirty coward ex-husband, Attorney Bill Dawson, is the mastermind and one of the original architects with Iris Elaine Hardy McNabb, who was murdered herself, pertaining to Dempsey and Congressman Spencer T. Bachus III, wanting in on Ada Jones money worth at least \$35 Million Dollars in 1988 in stock and cash, pertaining to Ada Jones mother, Anna Wilson Harrell's investments in Stockham Valve Pipe & Fitting Inc.

F.B.I. Director Mueller, this is not a hard crime to solve. It is very easy. Ada Jones paper trail and Final Will and Last Testament will lead back to who have been fraudulently embezzling Ada Jones Estate. Mr. Mueller, also, the LT. General, Robert S. Vines, brother, Life C.P.A., Gerald Vines life has been threatened by U.S. Attorney Alice H. Martin, Assistant U.S. Attorney Billy Lee Barnett. Mr. Vines has nothing to worry about. Mr. Barnett is a punk and a coward, and he has hidden Ada Jones murder so he can benefit financially.

Mr. Mueller, your integrity and honesty is at stake. One or more of your F.B.I. Agents is deeply involved in protecting the crime against the Estate of Ada Lee Mays Jones, and have used their police power to get Pathologist Gary T. Simmons to falsify Ada Jones State of Alabama Death Certificate 88-038500. Ada Jones was murdered in a cruel fashion Mr. Mueller. Her death is concealed by corrupt officials from the Northern District of Alabama who think that they're above the law.

U.S. Attorney Alice H. Martin have been known about the heinous crime

against the Estate of Ada Lee Mays Jones. Both Ms. Martin and Judge C. Lynwood Smith Jr., is in on a campaign to keep the crime from making it to the courtroom. Their motives is cronyism and most likely bribery by the conspirators.

F.B.I. Director Mueller, I am being held in prison on a fraudulent manufactured indictment scheme created by Ex-Assistant U.S. Attorney Robert P. McGregor, Magistrate Terry Michael Putnam, and Deputy Clerk Yolanda Berry, an employee for the Clerk of Court Office for the Northern District of Alabama, whose office is well aware no records exist of an indictment against Fagnes on 9/26/01. I have sent you this motion for Judge C. Lynwood Smith Jr. to release a fraudulent plea agreement that was concocted with perjury and created by 2 of the conspirators, McGregor and Dempsey, of embezzling \$28 Million Dollars from Fagnes, left by my aunt Ada Mays Jones Estate, left also to my family as reported.

Ada Lee Mays Jones was murdered and her death is a cover up by dirty corrupt officials from the Northern District of Alabama. U.S. Attorney Alice H. Martin is turning a blind eye to the crime and is violating her oath of office.

The reason I write, Mr. Mueller, and call the corrupt officials dirty names, I know they will not defend themselves because they are guilty and afraid for their actions, and with your help and office investigation which will be a very easy case to solve, individuals have the evidence against the dirty corrupt officials. They already blame the crime concealing Ada Jones death to steal her wealth on each other. Captain Robert Ellis of Ashland F.C.I., who was in communication with the S.E.C. Investigators, # 606-928-6414 Ext. 315. Mr. Ellis was told whose all involved with embezzling Ada Jones Estate. The dirty corrupt officials as of today is in control of stolen money and securities worth at least \$46 Million Dollars. They have divided and plundered millions of dollars over to their lawless hands, and with your investigation and help, when charges be brought against the thieves and cooperation starts and the culprits start looking for deals and then we'll know who they have been giving bribes to, such as the officials behind keeping me incarcerated on a fraudulent manufactured indictment scheme.

I'm sending you all my court documents. It takes them months to send me back a filed date, when in reality, I have sent extra postage for a returned file date to the Clerk of Court Office.

My situation is a classical murder cover up of wealthy Ada Jones death in order for the dirty corrupt officials to benefit financially.

I have been framed by the conspirators who don't have one photographs of a crime scene that never occurred. Mr. Dempsey who was a F.B.I. Agent for 6 months. Mr. Dempsey privately speaks bad about the F.B.I. and his corruption by agents is his reason for not wanting a career with the F.B.I. Mr. Dempsey is U.S. Congressman Spencer T. Bachus, III law partner. Mr. Bachus is very aware of the cover up of Ada Jones death and embezzling scheme and have been to Ada Jones home with the conspirators involved with the embezzling scheme.

I have sent you enough information to easily bring to justice the corrupt officials who need to be brought to justice. They have used a many F.B.I. Agents against me over the years and manipulated the agents who did not know their dark secrets.

One agent in particular, Steve Holt, who is a gentleman at all times, Mr. Holt became suspicious of the individuals behind framing me. It was some information that Mr. Holt was seeking. I voluntarily gave Mr. Holt the information around June of 2003 because he was investigating the wrong individual who had nothing to do with a murder of a confidential informant on a major investigation.

I told him that the person responsible is dead and after explaining it to him, as far as the knowledge I had learned about the incident, Mr. Holt knew what I told him was the truth, and I told him the person your pursuing did not have anything to do with it. Mr. Holt was satisfied with the truth.

At this meeting was Mr. Dempsey, Assistant U.S. Attorney McGregor, who framed me on his dirty Supervisor, Billy Lee Barnett, a dirty corrupt attorney, who is afraid as of today as being the mastermind of concealing Ada Lee Mays Jones death and giving her murderers a pass. Mr. Mueller, as you and your assistants review my truthful documents, you will notice I have called the culprits involved with concealing Ada Jones death to steal her

wealth liars, thieves, snakes, cowards, punks, and etc., and have always taken my truthful allegations under Penalty of Perjury and dared U.S. Attorney Alice H. Martin, who need to be ashamed of herself, to charge me with perjury. She cannot because she is turning a blind eye to the crime for sake of cronyism and she need to resign from office or be forced to resign when the media goes public with the truth.

Assistant U.S. Attorney Billy Lee Barnett is in a "no win" situation. He knows that he froze the Estate of Ada Jones in 1989 worth over \$46 Million Dollars. He knows that Fagnes allegations is the truth. Dirty Barnett knows that Mr. Gerald Vines wrote him about releasing the money to fagnes Family, worth at the time about \$28 Million Dollars.

Mr. Barnett knows he has conspired and hid Ada Jones death. He knows that was induced and that Pathologist Gary T. Simmons took a "Suborn" and falsified Ada Jones Case Summary. And with Mr. Simmons actions, he gave her murderers a pass by putting Natural Cause on her death certificate.

Ada Jones has "cocaine" in her blood, but on the fraudulent case summary concocted by Gary T. Simmons, which it took him over 8 weeks to rule on Ada Jones death.

Mr. Simmons is involved as of today, with concealing documents pertaining to Ada Jones murder. The Birmingham Police Department Records section don't have a police report pertaining to Officer Richard Landers report, who was called out to 1124-24th Avenue, North Birmingham, Alabama, which is Ada Jones residence and the place where she was murdered on 11/14/88.

The time of her pronounced death is 6:37 a.m. on 11/16/88. Ada Jones Toxicological Report which have shocked the culprits that Fagnes got a copy which shows that Ada Jones has "cocaine" in her blood. Mr. Simmons, in his case summary, never states how the cocaine was administered in Ada Jones body. It's definitely foul play. Isn't that correct, Assistant U.S. Attorney Billy Lee Barnett? A snake in the grass.

Mr. Mueller, I will send you my documents and ask a favor from you, which I won't reveal on this motion to release this so called Perjury Plea Agreement, concocted by dirty Assistant U.S. Attorney Robert P. McGregor and dirty Attorney Randy Allen Dempsey. Mr. Mueller, you will get a copy of Billy Lee Barnette's signature freezing Ada Jones Estate and more documents that's not revealed to the court.

And you will know what Probate Judge went into seal documents at the Jefferson County Probate Court which will be irrefutable. I've been waiting on the culprits to sign a Declaration or Affidavit stating Fagnes is committing perjury but they're smart, it would be Obstruction of Justice on their behalf.

Ada Jones Coroner's Report which shows that she had been dead 36 to 48 hours when she was pronounced dead at 6:37 a.m., the report shows that someone forced open her jaw, and stuffed crackers down her throat. The reason for this is to make it appear that Ada Jones had digested food before the authorities was called out to her residence 11/16/88, which the same dirty Pathologist, Gary T. Simmons, on the same day, ordered Ada Jones to be given an autopsy because of the foul play and inconsistent statements that was given to Officer Richard Landers.

Deputy Coroner, Jack Parker, who knows that Ada Jones was murdered, told me in a telephone conversation, he never seen a murder as the murder of Ada Jones, which as of today, is a cover up by the same individuals involved with framing Fagne with Perjury, falsifying transcripts, creating a crime scene that never occurred, falsifying a manufactured indictment, lying under oath about they have photographs of a crime scene that never occurred, hiding reports of 9/7/01, hiding audio and video of 9/7/01. The individuals are the same culprits who have used their colleagues over the years to investigate Fagnes. Now the truth is known.

To the Court Judge, C.Lynwood Smith Jr., you will immediately release this so called perjury plea agreement and allow the true transcripts pertaining to the 10/18/01 Detention Hearing Transcripts to be released with no deletions, 3/18/02 Plea Hearing and 10/28/02 Sentencing hearing, to show that Fagnes at no time, has Fagnes ever admitted to a lie that he was at the back of Davila's trunk on 9/7/01 which everyone involved with hiding Ada Jones death to steal the wealth now knows it was a bad mistake framing Fagnes. Justice will prevail.

Judge Smith, don't take weeks releasing the signed plea agreement. I am filing a lawsuit in Atlanta, Georgia for false imprisonment. I'm bringing Mr. Terrell Clement to the Richard Russell Federal Building to show that his signature is a forgery, and show that Mr. Terrell Clement was not the Drug

Task Force Grand Jury Foreman on 9/26/01. I have all the Voter Registrar from the year 2001 to present to the court from all 31 counties and divisions that comprise the Northern District of Alabama and show that this is definitely Terrell Clement and expose the treachery of Ex-Assistant U.S. Attorney Robert P. McGregor presenting fraud to the Court in Atlanta, Georgia on 10/02/01. Fagnes have been in prison held as a captive under false imprisonment. Either Judge Smith, you release the truth that there are no Grand Jury Minutes and that Fagnes is in prison on a fraud, or you go down with the culprits. And remember, Judge Smith and U.S. Attorney Alice H. Martin, "no one is above the law".

As fagnes has reported, this is bigger than you both protecting the culprits involved. Both of you need to be ashamed of yourselves. Now, Judge C. Lynwood Smith Jr., release the fraudulent signed plea agreement, which Dempsey tricked me out of a signature, and not let me know what I was signing.

I, William Anthony Fagnes, hereby certify "Under Penalty of Perjury" pursuant to 18 U.S.C. §1001. I declare under Penalty of Perjury, to the best of my ability, under the Laws of the United States of America, that the foregoing is true and correct. I understand that any falsification of the above mentioned statements and truthful allegations is punishable under the provisions of 18 U.S.C. § 1001.

This 12th day of March, 2007.

William Anthony Fagnes

William Anthony Fagnes
Reg # 22619-001 Unit - H
Atlanta Federal Prison Camp
P.O. BOX 150160
Atlanta, GA. 30315

CERTIFICATE OF SERVICE

This is to certify that I have this day, served a true and correct copy of the within and foregoing documents upon the party(s) listed below by depositing a copy of the same in the United States Mail in a properly addressed envelope with adequate postage to insure it reaches its destination properly addressed upon: .

1. CLERK OF U.S. DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
HUGO L. BLACK UNITED STATES COURTHOUSE
1729 - 5TH AVENUE, NORTH
BIRMINGHAM, ALABAMA 35203 - 2040

2. MS. ALICE H. MARTIN, UNITED STATES ATTORNEY
1801 4TH AVENUE, NORTH
BIRMINGHAM, ALABAMA, 35203 - 2101

3. C. LYWOOD SMITH JR.
U.S. DISTRICT COURT JUDGE
NORTHERN DISTRICT OF ALABAMA
101 HOLMES AVENUE, N.W.
HUNTSVILLE, ALABAMA 35801

Docket as of December 28, 2000 8:01 pm

Web PACER (v2.3a-EDLA)

U.S. District Court
USDC for the Northern District of Alabama (Southern)

CRIMINAL DOCKET FOR CASE #: 00-CR-384-1

USA v. Fagnes, et al

Filed: 10/19/00

Case Assigned to: Judge C Lynwood Smith, Jr

Case Referred to: Magistrate-Judge John E Ott
Dkt# in other court: None

WILLIAM ANTHONY FAGNES
defendant
[term 12/27/00]

Randy A Dempsey
[term 12/27/00]
328-0172 fax
[COR ret]
DEMPSEY & STEED PC
Civic Center Professional
Building
1122 22nd Street North
Birmingham, AL 35234-2725
328-0162

Pending Counts:

NONE

Terminated Counts:

21:841(a)(1) NARCOTICS - SELL,
DISTRIBUTE, OR DISPENSE
Cocaine hydrochloride
(1)

Offense Level (disposition): 4

Complaints:

NONE

U. S. Attorneys:

G Douglas Jones
244-2181 fax
[COR]

Robert P McGregor, Jr
244-2182 fax
[COR]

US ATTORNEY'S OFFICE

Robert S Vance Federal Bldg,
Suite 200
1800 5th Avenue North
Birmingham, AL 35203
244-2001

US Marshal

731-0447 fax

[COR]

UNITED STATES MARSHAL'S OFFICE

Hugo Black Courthouse, Room 240
1729 5th Avenue, North
Birmingham, AL 35203

Disposition

USA motion to dismiss GRANTED
(1)

731-1712
US Probation
278-2125 fax
[COR]
UNITED STATES PROBATION OFFICE
Hugo Black Courthouse, Room
201
1729 5th Avenue, North
Birmingham, AL 35203
278-2100

DOCKET PROCEEDINGS

DATE # IMG

DOCKET ENTRY

10/19/00 1 INDICTMENT (referred to Magistrate Judge Harwell G. Davis III) filed by USA Counts filed against William Anthony Fagnes (1) count(s) 1, Edward Riley (2) count(s) 1 (kc)
[Entry date 10/20/00]

10/19/00 -- ADDRESS: William Anthony Fagnes, 3006 Anniston Ave, Bham, AL 35209; Edward Riley Jr, 3732 5th Ave, South, Bham, AL 35222 (kc) [Entry date 10/20/00]

10/19/00 -- PRAECIPE (TMP) for warrant as to both dfts (kc)
[Entry date 10/20/00] [Edit date 10/20/00]

10/19/00 -- ARREST Warrant issued for William Anthony Fagnes (by order of Magistrate-Judge T M. Putnam) del USM (kc)
[Entry date 10/20/00]

10/30/00 2 ARREST Warrant returned executed as to defendant William Anthony Fagnes filed ; defendant arrested on 10/30/00 (rld)
[Entry date 10/31/00]

10/30/00 -- COURTROOM NOTES (before Magistrate-Judge T M. Putnam) : first appearance of William Anthony Fagnes-Charges and Rights explained-Attorney Randy A Dempsey present; Bond set at \$500.00 UNS, with S/C imposed-Bond and Order Setting Conds of Rel explained and executed; dft released and advised of his next ct-appearance, Thursday, 11/16/00, at 9:30 a.m., for ARRAIGNMENT, before Judge Ott (rld)
[Entry date 10/31/00]

10/30/00 3 BOND (w/ACKOW and General Order Setting Conds of Rel) Filed (\$500.00 Unsecured) by William Anthony Fagnes (rld)
[Entry date 10/31/00]

11/1/00 -- Docket Modification (Utility) case referred to Magistrate-Judge John E. Ott (kc) [Entry date 11/01/00]

11/1/00 -- Docket Modification (Utility) : arraignment set

[Entry date 11/01/00]

11/1/00 4 NOTICE OF ARRAIGNMENT ; set for 9:30 11/16/00 for William Anthony Fagnes issued cm to atty (kc) [Entry date 11/01/00]

11/16/00 5 NOTICE OF ARRAIGNMENT ; set for 9:30 11/22/00 for William Anthony Fagnes issued cm (kc) [Entry date 11/16/00]

11/22/00 -- COURTROOM NOTES (before Magistrate-Judge Paul W. Greene) :
ARRAIGNMENT of dft William Anthony Fagnes ; NG plea entered; Attorney Randy Dempsey present (ret); dft continued on \$500.00 Bond CrtRprr Julia Adkins CrtRprr tape nbr (tm) [Entry date 11/22/00]

11/29/00 -- Docket Modification (Utility) ; pretrial conference set for 9:30 12/4/00 for William Anthony Fagnes (yb) [Entry date 11/29/00]

12/26/00 6 MOTION by USA to dismiss indictment without prejudice as to William Anthony Fagnes (1) count(s) 1 filed cs fx CLS (kc) [Entry date 12/27/00]

12/27/00 7 ORDER (by Judge C L. Smith Jr) granting motion by USA to dismiss indictment without prejudice as to William Anthony Fagnes (1) count(s) 1 [6-1] counts dismissed as to William Anthony Fagnes (1) count(s) 1. USA motion to dismiss GRANTED, terminating party William Anthony Fagnes filed cm (yb) [Entry date 12/28/00]

Case Flags:
REFER

END OF DOCKET: 2:00cr384-1

PACER Service Center			
Transaction Receipt			
07/20/2004 08:47:14			
PACER Login:	nl0057	Client Code:	
Description:	docket report	Search Criteria:	2:00cr00384
Billable Pages:	4	Cost:	0.28