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2007 Oct-30 PM 12:54  
U.S. DISTRICT COURT  
N.D. OF ALABAMA

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APPENDIX - A

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA

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U.S. DISTRICT COURT  
N.D. OF ALABAMAWilliam Anthony Fagnes  
Petitioner

vs.

United States of America  
Respondent

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\* District Court No.: 01-00414-CR-2-KOB-TMP  
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\* Civil Case No: 2:05-CV-8065-KOB-TMP  
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Motion to compel Honorable Judge Karen O. Bowdre to release  
so-called sign plea agreement for defendant or confirm that  
the plea agreement do not exist.

Now here comes Mr. William Anthony Fagnes again to respectfully ask  
Honorable Judge Karen O. Bowdre to release the so-called sign plea agreement for  
the petitioner, which Judge C. Lynwood Smith Jr., who claimed on his memorandum  
opinion on January 31, 2007 that he released it for public viewing. This is  
when he time barred the defendant from getting justice using a procedural  
technicality to deny the petitioner justice, which kept him from answering the  
merits to the injustice used against the petitioner by corrupt prosecutors from  
the Northern District of Alabama, who framed the petitioner with perjury hearsay  
testimony.

As a Pro Se petitioner and defendant, I have the right to have the so-called  
sign plea agreement for my records. The petitioner has repeatably filed motions  
since March 15, 2007 to Judge C. Lynwood Smith Jr. and the Clerk of Court Office  
for N/A to compel production of the so-called sign plea agreement.

On September 6, 2007 the petitioner filed a motion to Judge C. Lynwood Smith  
Jr., which is document (48) on the petitioner docket sheet.

For some strange reason Judge C. Lynwood Smith Jr. would not release to the petitioner the so-called sign plea agreement that he claimed to have unsealed on January 31, 2007 for public viewing. When the petitioner sent the motion for Judge C. Lynwood Smith Jr., (Doc. 48) on September 6, 2007 to confirm or deny the plea agreement existence, the petitioner explained to Judge C. Lynwood Smith Jr. that your integrity and character is on the line, which he was protecting the corrupt government attorney's misconduct from the Northern District of Alabama, who is in a cover-up to frame the petitioner with perjury hearsay testimony and they also illegally incarcerated the petitioner with a manufactured, therefore fraudulent indictment scheme created by ex-Assistant U.S. Attorney Robert P. McGregor, who forged Mr. Terrell Brett Clement signatures on the petitioner indictments on September 26, 2001 and October 31, 2001 (superseding). Mr. Terrell Brett Clement was the Regular Grand Jury Foreman.

Any person with reasonable intelligence who has observed the petitioner (Docket No. 43) Rule 60 (b) 3 motion that was filed into record July 23, 2007 or this motion exhibit section and observe the affidavit (exhibit section) will easily notice that Mr. Terrell Brett Clement, former Grand Jury Foreman for the Regular Grand Jury, whose term in office was for about 6 months. His term began September 2001 and expired February 2002. An individual will notice that Mr. Terrell Brett Clement signatures has been forged on the petitioner indictments, which is case number (CR-01-S-0414-S) and case number (CR-01-414-01) superseding by abuse of power, which the corrupt government officials want a cover-up.

Judge C. Lynwood Smith Jr. suddenly resigned from the petitioner case after he did not release the sign plea agreement. Judge C. Lynwood Smith Jr., whose integrity and character as a honorable judge was on the line protecting the wrongdoings that he very well knew was used against the petitioner. Judge C. Lynwood Smith Jr. one day will be called to Congress pertaining to the cover-up murder of Ms. Ada Lee Mays Jones, which was by corrupted money hungry assistant prosecutors from U.S. Attorney Alice H. Martin Office in Birmingham.

The culprits involved with the heinous murder cover-up crime of Ms. Ada Lee Mays Jones is the same individuals who is in on a cover-up campaign of falsifying the so-called sign plea agreement with massive perjury to deceive to make it appear the petitioner admitted to their frame job, which the motive consisted of conspiring to get the petitioner out of the way as being the true heir to the estate of Ms. Ada Lee Mays Jones, with assets worth over 35 million dollars in November 1988, which would be worth at least 100 million dollars presently today. The petitioner has dared cover-up artist U.S. Attorney Alice H. Martin to charge him with perjury, which she won't never attempt to. She is in on the cover-up of hiding the fact that the petitioner is being illegally held in false imprisonment by Mr. McGregor misconduct, and she's protecting the crime committed by her assistants against the estate of Ms. Ada Jones.

Judge C. Lynwood Smith Jr. recused himself from the petitioner case, which records show that Honorable Judge Karen O. Bowdre took over the petitioner case on September 12, 2007. The petitioner had explained to Judge Smith that it is very disrespectful for you to allege to be an honorable judge and get caught up with conspiring to keep the petitioner held in false imprisonment to appease cronyism. Maybe Judge Smith conscious whipped him down from turning a blind eye to justice, or maybe the investigation from the F.B.I. Public Corruption made Judge Smith decide to recuse himself from the case. The petitioner has never received the so-called sign plea agreement from Judge C. Lynwood Smith Jr., which is a manifest injustice.

If Judge C. Lynwood Smith Jr. sent a fraud signed plea agreement for the petitioner to the Appellate Court for the 11th Circuit on September 4, 2007, it was to deceive pertaining to Appeal number 07-12372H, which his motive was to never release it to the petitioner is a miscarriage of justice. The petitioner is entitled to the plea agreement that the court claimed to have in their possession. This is already an injustice cover-up to the petitioner.

The media investigators, who is becoming curious and suspicious after receiving court documents from the petitioner pertaining to U.S.D.C. No. 2:05-CV-8065-KOB-TMP. The media, the petitioner family, and supporters can not find on the Justice Department website any court documents or information pertaining to the petitioner case number 2:01-CR-414-CLS-TMP. There is no signed plea agreement for the petitioner on the Justice Department website. The media have the correct pacer, and know the links to find the information.

The petitioner needs the so-called sign plea agreement for evidence to send to the F.B.I. Public Corruption in Washington, D.C. It will be evidence against Attorney Randy Allen Dempsey and ex-Assistant U.S. Attorney Robert P. McGregor, who conspired to falsify a perjury plea agreement to trick the petitioner to sign admitting to a frame job and crime scene that never occurred. Since the Clerk of Court Office for N/A and Magistrate T. Michael Putnam is in on a campaign conspiracy to hide the petitioner case for public viewing. The media has agreed to give the petitioner a story pertaining to the wrongdoings by the local U.S. Attorney's Office and the Court. It's some upcoming surprises to the corrupt officials from the Northern District of Alabama, who thought that they're cover-up campaign to the petitioner is working. The petitioner is posting his court documents on MySpace.com for public viewing and starting a legal defense fund, which will appear around November 1, 2007 and let the citizens of Alabama know about the corrupt officials in Birmingham, Alabama and the misconduct and cover-up of Ada Lee Mays Jones heinous death. The petitioner mailing address will be posted in the newspaper article for anyone who wants to correspond with him about being held in false imprisonment by abuse of power and about the cover-up of Ms. Ada Jones murder.

U.S. Attorney Alice H. Martin name is surfacing in newspapers and magazine articles all over the world pertaining to selective prosecution, which is the same situation that forced him, **Attorney General, Alberto Gonzales**, to resign from his office pertaining to partianship and cronyism. Ms. Martin will be forced to resign from her office for her misconduct.

**Honorable Judge Karen O. Bowdre**, can I please expeditiously receive a copy of the so-called sign plea agreement or admit that it do not exist in the records. I hope and pray that you're a true honorable judge and bring swift justice to this abuse of power used against me by the U.S. Attorney's Office for the Northern District of Alabama.

The word **denied** will never deter the petitioner from seeking justice and the technicality used to the applicant which have been stated that the petitioner has not made a substantial showing of the denial of a constitutional right, which is wrong. The foreman, **Mr. Terrell Brett Clement** wants to testify to the truth that his signature is a forgery on the petitioner indictments. Mr. McGregor made a bad mistake of forging **Mr. Clement** signatures to large letters. The citizens of Alabama and globally can observe on the Internet website that the nefarious mind Mr. McGregor forged **Mr. Terrell Brett Clement** signatures and also that a so-called sign plea agreement has not been produced. The plea agreement has perjury in its contents pertaining to the defendant being framed. The plea agreement contents is a fraud. It has the defendant admitting to the frame job of Mr. McGregor.

It's a violation of the Freedom of Information and Privacy Act. For the honorable court to state that it is unsealing a sign plea agreement for the petitioner, who is seeking justice from this abuse of power, which Judge Smith completely ignored the petitioner, who filed motions for him to produce the fraud plea agreements on October 22, 2007.

A clerk by the name of Ms. Harriet for the Clerk of Court Office for N/A Criminal Division told the petitioner supporters she did not see a sign plea agreement in the record, but it could be in seal documents. The media investigators mention to the petitioner recently that they would file a Freedom of Information Privacy Act lawsuit for production of the sign plea agreement that Judge C. Lynwood Smith Jr. claimed to have unsealed on January 31, 2007 for public viewing, which Judge C. Lynwood Smith Jr. suddenly resigned from the petitioner case, which meant it do not exist.

It's strange that the government released an unsigned plea agreement for the petitioner November 18, 2005 with no signatures for the petitioner, Assistant U.S Attorney Robert P. McGregor, or the petitioner ex-Attorney Randy Allen Dempsey Jr., who also released on July 20, 2004 two unsigned plea agreements to the petitioner after Mr. Dempsey repetitive refusal for 18 months to release any discovery or reports to the petitioner so he could prepare a defense.

Mr. Dempsey has never released any reports from any law enforcement agencies present on September 7, 2001. The reason for Mr. Dempsey misconduct is the true fact for Mr. Dempsey hiding the reports is that the truth will be known and that the defendant is being framed with perjury hearsay testimony created by dirty ex-Assistant U.S. Attorney Robert P. McGregor to entrap the petitioner with perjury hearsay testimony to get the true heir of Ms. Ada Jones estate out of the way by any means necessary, which McGregor, Barnett, Burgess, and Dempsey now knows is a bad idea framing the petitioner with perjury. The criminals didn't want this much exposure for the murder cover-up of Ms. Ada Lee Mays Jones and the embezzlement scheme of stealing over 35 million dollars from the defendant family, which the defendant dared them to ever sign any documents stating the defendant is committing perjury and scandalizing their reputation and the defendant dared U.S. Attorney Alice H. Martin, whose job as head prosecutor would be to face a professional obligation to check out or verify the allegations in this case.

**Certificate of Service**

This is to certify that I have this day served a true and correct copy of the within and foregoing request to enlarge the record 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 that it reaches its destination properly addressed upon:

1. Honorable Judge Karen O. Bowdre  
Birmingham, Alabama
  
2. Clerk of Court Office  
U.S. District Court  
Hugo L. Black United States Courthouse  
1729 5th Avenue, North  
Birmingham, Alabama 35203-2040



IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

WILLIAM ANTHONY EAGNES,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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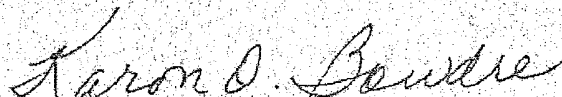
05-CV-8065-KOB

01-CR-414-KOB

ORDER

Before the court is Petitioner's "Motion to compel Honorable Karon O. Bowdre to release so-called sign [sic] plea agreement for defendant or confirm that the plea agreement do [sic] not exist" (doc. 51). In his January 31, 2007 memorandum opinion in this case, the Honorable C. Lynwood Smith unsealed documents 27 and 28 in criminal case number 01-CR-414-KOB. See doc. 29 at 3 n.3. One of these documents is the "so-called sign [sic] plea agreement" Petitioner now seeks. Despite Judge Smith's order, these documents were not made available electronically on CM/ECF. The Clerk has informed this court that the documents are now available electronically in case number 01-CR-414-KOB. In addition, the court now ORDERS the Clerk of Court to make available in this civil docket electronic versions of documents 27 and 28 from case number 01-CR-414-KOB. The court also ORDERS the Clerk of Court to send copies of this order and the unsealed documents to Petitioner by first-class mail.

DONE and ORDERED this 5th day of November, 2007.


KARON OWEN BOWDRE  
UNITED STATES DISTRICT JUDGE



IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

WILLIAM ANTHONY FAGNES,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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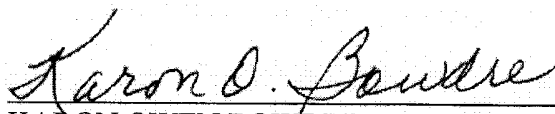
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DONE and ORDERED this 5th day of November, 2007.

  
KARON OWEN BOWDRE  
UNITED STATES DISTRICT JUDGE

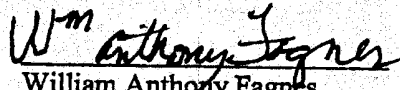
COMPETENCE

The defendant has not had any drugs, medication or alcohol within the past 48 hours except as stated hereafter and is competent to enter the plea agreement stated above.

ACKNOWLEDGMENTS

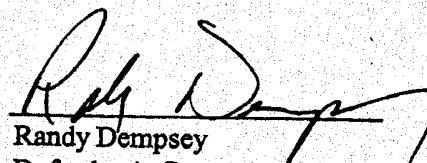
1. I have READ this document, DISCUSSED it with my attorney and UNDERSTAND and AGREE with all its provisions, both individually and totally.

3 / 18 / 02  
DATE

  
William Anthony Fagnes  
Defendant

2. I have discussed this case with the defendant in detail and have advised the defendant of the defendant's rights and all possible defenses. The defendant has conveyed to me that the defendant has read and understands this document and consents to all its terms. I believe the plea and disposition set forth herein are appropriate under the facts of this case. I concur in the entry of the plea as indicated above and on the terms and conditions set forth herein.

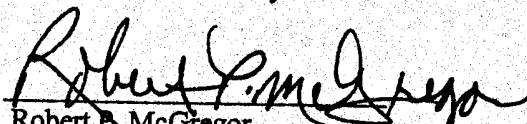
3 / 18 / 02  
DATE

  
Randy Dempsey  
Defendant's Counsel

3. I have reviewed this document and agree to its provisions.

ALICE H. MARTIN  
United States Attorney

3 / 18 / 02  
DATE

  
Robert P. McGregor  
Assistant United States Attorney

**F. Accuracy of the Plea.**

1. The court will not accept the plea of guilty until it has made such inquiry, as it may deem appropriate, to satisfy itself that there is a factual basis for the plea of guilty.

Done: ✓ Not Done: \_\_\_\_\_

**G. Acknowledgment of the Defendant.**

1. William L. Fagles, hereby acknowledge that my attorney, whose name is signed to the attorney certification below, has explained to me, in detail, each of the matters set out above. As to any matters I do not fully understand at this point, I will specifically call to the court's attention during the plea proceeding in open court.

3/18/02  
Date

Wm Fagles  
Defendant

**H. Certification of Counsel.**

As counsel of record for the above named defendant, I hereby certify that:

1. I have discussed with the defendant, in detail, each of the matters set out above;
2. I have observed the defendant today prior to the plea proceeding and am aware of no reason why he/she is not competent to enter a plea of guilty at this time;
3. I am aware of no reason, at this time, why the defendant's plea of guilty should not be accepted.

3/18/02  
Date

[Signature]  
Counsel for the Defendant