

In The United States Court of Appeals

NORTHERN

DISTRICT OF

GEORGIA

WILLIAM ANTHONY FAGNES
(Plaintiff)

SUMMONS IN A CIVIL ACTION

V.

CASE NUMBER:) 09-13160-F

District Court # 09-CV-1258-RWS

MARY LEE ABELE et. Al
(Defendants)

TO: (Name and Address of Defendant)

Attorney Randy Allen Dempsey, Jr.
1122 - 22nd Street North
Birmingham, Alabama 35234-2725

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

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

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

CLERK

DATE

January 19, 2010

BY DEPUTY CLERK

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

WILLIAM ANTHONY FAGNES

(PLAINTIFF)

v.

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

MAY - 8 2009

JAMES N. HATTEN, CLERK
[Signature]
Deputy Clerk

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

1 09-CV-1258

RWS

i.

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

ii.

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

i.

SEP 10 1989

09-13160-F

IN THE UNITED STATES ELEVENTH CIRCUIT COURT
COURT OF APPEALS

WILLIAM ANTHONY FAGNES,
(Plaintiff)

v.

MARY LEE ABELE, et. Al
(Defendant)

) District Court #: 1:09-CV-1258-RWS
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RULE 26.1

INTERROGATORY QUESTIONS

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

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

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

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

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

IDENTITY OF THE DEFENDANTS

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

Attorney Randy Allen Dempsey, Jr.

1122 - 22nd Street North
Birmingham, Alabama 35234-2725

Question (1)

Attorney Randy Allen Dempsey, in February 1990, I presented you with information regarding the estate of Ms. Ada Mays Jones. Soon after you received that information, your lifestyle changed dramatically. Since that time, you have assisted the F.B.I. and U.S. Attorney set me up after receiving 69,000.00 dollars from my family. Can you explain the change in your life style between the time that you received knowledge of the estate of Ada Mays Jones in 1988 and your lavish life style that you lead today?

Question (2)

Over the years, you have been an Asst. U.S. Attorney, ex-F.B.I. agent and presently a practicing attorney. Since the death of Ms. Ada Mays Jones, your relationship with these agencies have grown tremendously close. Can you provide a list of all of your financial assets before and after 1988, and the interest in providing financial assistance to the following group of individuals; 1) Mrs. Lisa Dempsey

- 2) Asst. U. S. Attorney Billy Lee Barnett
- 3) Asst. U. S. Attorney Robert P. McGregor
- 4) F.B.I. agent Jeffery L. Burgess
- 5) Congressman Spenser T. Bachus III
- 6) Attorney Wade Steed
- 7) D.A. David Barber (Jefferson County

Attorney Mary Lee Abele

Attorney William (Bill) Dawson

Judge Orris H. Florence.

Question (3)

Evidence provides, you have conspired with the F.B.I. and U. S. Attorney's office to silence the Petitioner by concealing and suppression of documented facts. These facts were regarding the police reports that were obtained the night of my arrest on September 7, 2001. By suppression and concealment of exculpatory evidence, your intentions were malicious in that you received \$69,000.00 dollars from my family and friends, yet, you sided with F.B.I. agent Jay Bartholomew and Asst. U.S. Attorney Robert McGregor by "stating" that the Plaintiff was at the back of the car trunk holding a box of drugs. Can you explain why you did not present the evidence of audio and video that clearly shows that the Plaintiff did not see or come in contact with any boxes, nor did he approach the back of the car of the person used to set up the Plaintiff?

Question (4)

It is apparent that your motives for setting me up for the government was directly related to the estate of Ada Mays Jones, which my wife and I are the rightful heirs. Obviously, your participation was rewarded in some way. Can you tell this Honorable Court what your reward was for setting your client up for the government, and how you were compensated for your participation?

Question (5)

On October 18, 2001 at the detention hearing, you stated that the F.B.I. agent Jay Bartholomew had committed perjury. This was due to the evidence that you had showing that I was framed to spend many, many years in prison. Can you explain what deals you made with the government to suppress and conceal the evidence that you had and or have that would have proven my innocence?

Question (6)

On September 7, 2001, the local law enforcement agency and the F.B.I. reported two different reports in conflict. F.B.I. Jeffery Burgess counted \$7,285.00 on top of the hood of his cruiser while the Plaintiff was in the back seat. Can you explain what happened to the \$7.285.00 report?

Question (7)

On September 10, 2001, you came to visit me at the Jefferson County jail. Due to the fact that there "was no" evidence that the Plaintiff had incriminated himself. In fact, you had two different reports, one from the F.B.I., and one from the Jefferson County Task Force. The Jefferson County Task Force reported that the Plaintiff had \$6,100.75 dollars, and (1) one box of new clothes on September 7, 2001, which was a fraud. The F.B.I. report stated that the Plaintiff had \$7,285.75 and (4) boxes of New Designer clothes, which was the truth.

On October 18, 2001, at the detention hearing, when Asst. U.S. Attorney Robert P. McGregor questioned F.B.I. agent Jay Bartholomew about the event, the F.B.I. agent stated that he had one box of clothes and \$6,100.75. You have placed a law suit against Jefferson County Sherrif, Jim Woodward and the Jefferson County Task Force for stealing \$1,185.00 and (3) boxes of clothes. After we talked at the jail on September 10, 2001, you were informed that the \$7,285.00 was for the purchase of wholesale clothing for my business Big T Enterprises, the same conversation was on tape with the cooperative witness. The information was on the tape that you suppressed and concealed from the record. Knowing that this information was recorded, you would have to deliberately scheme and conspire with the Jefferson County Sherrif and the F.B.I. . Can you provide this Honorable Court with the copy of the audio and information related thereto?

Question (8)

On October 18, 2001 while agent Bartholomew was on the stand, he intentionally mislead the court when he stated that there was no audio or video of the counting of the money and the clothes. Agent Burgess counted the money and filed the clothing himself on September 7, 2001. Considering the fact that you admitted to the Plaintiff that you had a copy of the tape and saw no incriminating evidence, why did you not bring forth this evidence that would have proven beyond a reasonable doubt that the Plaintiff, "your client" was in fact being set up?

Question (9)

On October 18, 2001 at the detention hearing, a copy of the transcripts were ordered, and there was a lot of missing testimonies of the proceeding. The Court Reporter, Ms. Virginia W. Flowers deleted information from case # CR-01-S-414-S. The courts have a back up system that contains all of the correct recording that the court reporter typed, are you prepared to make a statement under the penalty of perjury that the transcripts are true and correct regarding the agents saying that there were no audio of the events that took place on September 7, 2001?

Question (10)

On October 18, 2001, following the detention hearing, you came to me and stated that the Criminal Enterprise expressed to you that the Plaintiff was suppose to "stay away" from Birmingham, Alabama. You then stated that you were going to have a luncheon with the exact same Criminal Enterprise that set me up. Could it be that at that meeting, you were convinced that the 28 million dollars that was designated to the Plaintiff and his wife could best be distributed between the members of the luncheon?

Question (11)

As a matter of record, you have never truthfully represented the Plaintiffs best interest since your meet with the Criminal Enterprise. Was the interview and the meetings with me and the Criminal Enterprise a negotiation scale to determine what the value of setting the Plaintiff up, verses, presenting evidence that you knew would provide certainty that the Plaintiff would be set free?

Question (12)

When the Securities and Exchange Commission contacted you regarding the Stocks that were with Stockham Valve Pipe & Fitting, can you provide this Honorable Court with the information that you provided the agency?

Question (13)

It is obvious that you have sided with the Criminal Enterprise, as your style of living has tremendously increased. Can you tell this Honorable Court exactly how much money you received to assist with the set up of [m]e?

Question (14)

Can you explain how you received access to the estate of Ms. Ada Mays Jones from under the estate manager, Attorney Mary Lee Abele?

Question (15)

Evidence provides, you were not aware of the murder cover up of Ms. Ada Mays Jones from the very beginning. If it were not for the fact that the Petitioner hired you to assist in retrieving the money, and exposing the Criminal Enterprise, you would have had no knowledge of the entire scheme. At what point did you hold the evidence over their heads to either allow you to orchestrate the disbursement of the estate, or turn in the evidence that would free the Plaintiff, and convict the Criminal Enterprise of murder and embezzlement?

Question (16)

As a representative of the Plaintiff, your instructions were to investigate and find out any and everything regarding the estate of Ms. Ada Mays Jones. You received over \$69,000.00, sixty nine thousand dollars to do this, as well as get me out of prison, as the truth was given to you along with the money. Can you explain to this Honorable Court exactly what you did in regards to the investigation that you were hired to do, and what evidence can you provide that reflects your efforts to retrieve the funds from the estate?

Question (17)

For many years now, you and the co-conspirators have gotten away with murder and embezzlement of the estate of Ms. Ada Mays Jones. In that time frame, witnesses and evidence provides that everyone in that conspiracy has been very successful and prosperous to say the least. Murder is a Capital crime, and there is no statute of limitations. Are you prepared to take responsibility of a leadership role in this Criminal Enterprise, or were you coerced into your role as the fiduciary?

Question (18)

Can you tell me your relationship with Appeals Court judge William Pryor?

Question (19)

Until this information became available, you have orchestrated a scheme that includes powerful individuals use their governmental positions to suppress, conceal and entrap the Plaintiff in prison. The Criminal Enterprise even sought to have the Plaintiff put in a hole in prison to keep me from exposing and receiving the information that you have before you today. In the past, when members of the Criminal Enterprise were exposed, political contacts and power brokers came to the rescue and silenced the information from getting out. Are you willing to swear under oath and take a lie detector test with all the other co-conspirators to discredit the information?

Question (20)

On January 31, 2007, judge C. Lynwood Smith, committed perjury before the court, when he stated that the Plaintiff signed a plea agreement before his bench. Because the evidence was being presented that proved that his signature and the signature of the foreman were forged, he recused himself. As you are aware, judge C. Lynwood Smith, Jr. was suppose to release the signature of the plea agreement on January 31, 2007, but, because he knew that the conspiracy was coming apart, and the evidence that he was sure would never surface, he would rather recuse himself than sink with the ship. Do you believe that today, judge C. Lynwood Smith, Jr. will come to your defense and testify under oath before the members of the Justice Department in Washington, or turn you and your associates in for a lesser charge?

Question (21)

The Plaintiff has a signed affidavit, and forensic scientist have been presented with signatures of the Plaintiff and the foreman. The signatures were planted on these documents be one or two of several people. Are you in a position of comfort to say that you "did" or "did not" sign the forged documents, as your signature has also been compared with the forged signatures on the plea agreement?

Question (22)

On July of 2004, you sent two unsigned plea agreements to Attorney Jeffery M. Brandt. Can you explain why you would send an attorney a "unsigned" plea?

Question (23)

Do you know Mr. Herbert Stockham of Stockham Valve Pipe and Fittings, Inc. and Crane Valve of North America?

Question (24)

Evidence reveals, in August 1990, your white Lincoln Continental was parked directly behind Congressman Spencer T. Bachus III, in front of Ms. Ada Mays Jones home at 1124-24th Avenue, North Alabama around 9:00 p.m. Can you explain to this Honorable Court why after (21) months, Congressman Bachus, Jeffery Burgess, and two other white males were interested in going into the home of Ms. Ada Mays Jones?

Question (25)

Can you provide this Honorable Court with all of your banking information for yourself, your business and client accounts from 1988, until today?

Question (26)

Evidence provides, you requested to meet with Iris Elaine Hardy several time beginning in August 1990. You requested information that she had regarding the estate of Ms. Ada Mays Jones. Because she did not fall for your trick to expose the murder of Ms. Ada Mays Jones, and threatened to expose your team if she was not further compensated, did you have anything to do with the murder of Iris Elaine Hardy to shut her up regarding the estate?

Question (27)

Mr. Dempsey, over the years, the Plaintiff has been a very good a true friend to you. My family has done everything they could to respect you as a man and an attorney. Are you aware that evidence is now available to put you away in prison for the rest of your life, and that information is being presented to you today?

Question (28)

Mr. Dempsey, who do you believe will be the first person to tell everything about your lavish scheme to lock me up and steal the Ada Mays Jones estate?