

The Gun Show Bandit?

WAC's John Rodabaugh



By Ron Lee
Investigative Journalist

Centralia, Washington - On February 15, 2009 after attending a Centralia, Washington gun show, Russ Newkirk, a table holder at gun shows for over 2 decades, was pulled over for an expired license plate tag. Fife, Washington's officer Pomeroy, upon approaching Newkirk, stated that he could smell "un-burnt" marijuana in his car - to which Newkirk states he provided his approved medical marijuana card. However, that wasn't good enough for officer Pomeroy and he called for back-up and placed Newkirk under arrest. It was then when officer Pomeroy discovered a "cache" of weaponry in Newkirk's vehicle.

Continued on page 2

Guardians Gone Wild? State-sanctioned thievery at its sickest

By Ron Lee
Investigative Journalist

Salem, Oregon - Sometimes there are people who need the help of others; people whose lives, for whatever reason, get turned upside down by mental illness, age, health issues, or even life altering situations. For these people, those who are left without family, friends, or anyone willing to care for them responsibly, the state should get involved. Or, at least, that's how it should work according to our current system. Oftentimes these days the state involves



Carolyn Rousseau

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Is This Justice? A Life Altering Quest for Innocence

By Joseph Snook
Investigative Journalist

Deschutes County, Oregon - October 6, 2010 marks a day that will forever be remembered by many residents of Bend, Oregon. As attorneys, prosecutors,

supporters and family filled the Deschutes County Courtroom; Judge Stephen Tiktin announced a sweeping verdict in a rape trial that lasted five long weeks. For Defendant Kevin Driscoll, the five week trial conclusion was bitter-sweet.

Driscoll, who was arrested for the alleged rape of Melissa Leahy-Rossow, almost two years prior, had already been through one trial last September, ending with a hung jury, leaving his life in limbo, while he awaited a second trial this September.

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Lawyer Michael Minns and pilot John Sullivan

Severe IRS Abuse Lawyer Minns Protects Pilot's Rights

By Edward Snook
Investigative Journalist

In 1973, John Sullivan, a commercial pilot for a major U.S. airline, was looking for ways to invest his money and shelter his income from high tax liabilities.

Another pilot he was flying with on assignment with Air

Micronesia, based in Hawaii, told him about a good investment with the Henry Kersting companies. He investigated the company and founder, and with the assurance that it was a legal and bonafide way to defer income taxes, invested various sums of money in 1980, 1981, 1982, and 1984; in 1983 he was on strike against the

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Bend Family's Real Estate Nightmare Obama Mortgage Investigation "Operation Stolen Dreams" Falsely Targets Entrepreneurs?

By Joseph Snook & Edward Snook
Investigative Journalists

Bend, Oregon - On October 21, 2010 a Federal Grand Jury in Eugene, Oregon handed down a lengthy Indictment against Kevin and Tamara (Tami) Sawyer of Bend, Oregon. The Indictment contains charges of Conspiracy to Commit Wire Fraud, Wire Fraud, Bank Fraud, False Statements to a Financial Institution and Money Laundering.

It is reported Assistant U.S. Attorney (AUSA) Scott Bradford, attempted to coerce the Sawyer's into a plea-bargain



The Sawyer Family

carrying a five year prison sentence - if you take the plea, I won't prosecute your daughter. The US-Observer's initial

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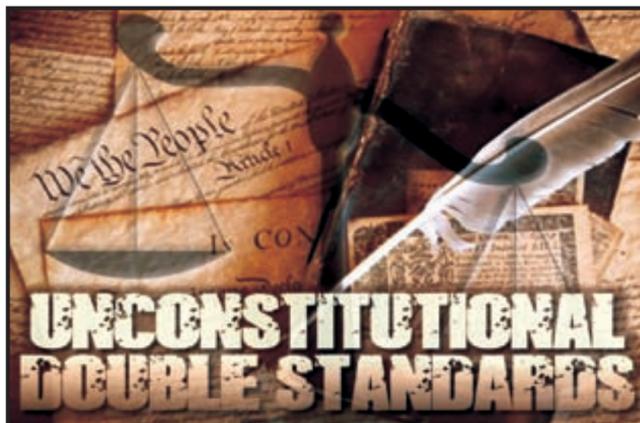
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By Curt Chanler
Investigative Journalist

America - Most Americans are stunned when they realize that prosecutors have absolute Immunity from civil rights

lawsuits stemming from their work in the courtroom - Even if the prosecutor's malicious or dishonest actions deprive a defendant of their Constitutional rights, property, children, or even liberty.

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We have tasted the TEA, now it's time for JUSTICE!
Prepare for a special announcement coming in the next edition of US-Observer!
It's time to take our Judiciary back!

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office in January, 2011. Further, Flaherty informed Chief Deputy Darryl Nakahira that his job would be terminated. Flaherty has eluded that other changes would be made as well.

Deputy District Attorneys closed ranks and voted to form a Union in an attempt to keep their jobs. They are currently negotiating with Deschutes County officials regarding a contract that would require Flaherty to follow a specific process before disciplining or dismissing his deputies. The Union was created for the sole purpose of allowing deputy prosecutors to keep their jobs and side-step Flaherty's authority as an elected public official.

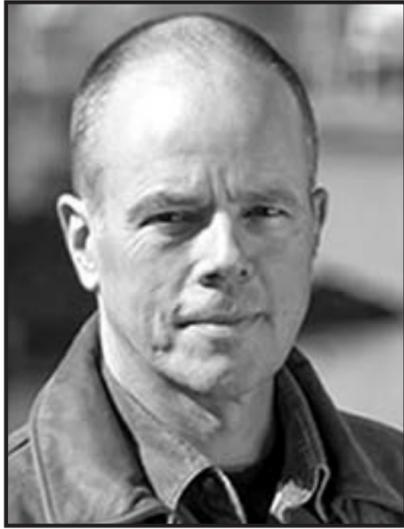
Deschutes County Officials should think long and hard before they decide to preempt an elected official from running his office – from stripping his authority. The US-Observer will publicly shame any that do so, especially in light of the documented corruption that exists in the Deschutes County District Attorney's Office. This corruption has cost tax-payers hundreds of thousands of dollars.

Two Lengthy Trials Cost Taxpayers Hundreds of Thousands

Deputy prosecutor Jody Stutsman Vaughan reportedly caused a number of deputy prosecutors to resign from the Deschutes County District Attorney's Office, with one of them receiving a six-figure settlement.

Recently, Jody Vaughan, with Michael Dugan's consent and blessings attempted to falsely prosecute Kevin Driscoll on serious felony rape charges, even though they were provided plenty of evidence that he was completely innocent. These two lengthy trials cost taxpayers hundreds of thousands.

Vaughan is currently creating a very theatrical issue about prosecuting a Redmond, Oregon man on "multiple counts of rape, sex abuse and other crimes." The Redmond man is represented by Flaherty's wife Valerie Wright. Vaughan is complaining that she might not be able to continue the prosecution in light of Flaherty notifying her that she would need to re-apply in order to have a chance at keeping her job. Vaughan is also claiming in the affidavit she filed that she re-applied to keep her job, but that she fears that her opposing Flaherty's wife in the rape



New Deschutes County District Attorney, Patrick Flaherty. Let's hope he's better than his predecessor.

case could hurt her chances of holding onto her position as deputy prosecutor. In essence, Vaughan is saying that she is aware that Flaherty will get rid of her once he enters office in January and rightfully so. Vaughan is also playing the role of a drama queen with the local press in her lame attempt to keep her job.

It just might be, the Redmond, Oregon man is fortunate that Vaughan won't be prosecuting his case, because she will factually use any means whatsoever to get a conviction, even if it means violating all sorts of ethics and laws in doing so.

We have only touched on Vaughan's obvious and habitual corruption. I could go on and tell how she factually lies to jurors as she attempts to falsely prosecute and how she obstructs justice by assisting and or prompting witnesses to structure their testimony in a direction that would benefit her attempts to falsely prosecute the innocent, but I'll leave that for my fellow writer who is covering these very issues in this edition, in the article titled "Is This Justice?"

Deschutes County voters should be commended for getting rid of District Attorney Michael Dugan and if they are concerned with their pocket-books, they will stand behind Patrick Flaherty and stop any attempts by Deschutes County Officials that would hinder him from cleaning-up the Deschutes County District Attorney's Office in January 2011. ★★★

National Grange Resolutions for a Stronger America

Oppose H.R. 2499, Statehood for Puerto Rico

The National Grange is the nation's oldest national agricultural organization, with grassroots units established in 3,600 local communities in 37 states. Its 300,000 members provide service to agriculture and rural areas on a wide variety of issues, including economic development, education, family endeavors, and legislation designed to assure a strong and viable Rural America. It was formed in the years following the American Civil War to unite private citizens in improving the economic and social position of the nation's farm population. Over the past 137 years, it has evolved to include non-farm rural families and communities.



National Grange

The 11-story landmark National Grange headquarters building in Washington, D.C. was dedicated by President Dwight D. Eisenhower on June 29, 1960, and is the only private edifice in a federal block across from the White House. It serves as a non-governmental headquarters for agricultural and rural families.

Each year, a listing of more than 1,400 issues of concern is published and distributed by the National Grange.

Each edition we feature another Grange resolution so you can see the issues that the Grange has taken up in order to defend America's liberties.

Resolution:

Whereas: Three times in the past 43 years Puerto Rico has voted against becoming the 51st state in the Union; the last time they voted was eleven years ago. Their commonwealth status gives them the freedoms and financial benefits of the United States of America, without having to pay Federal Income Taxes.

Whereas: The U.S. Constitution, Article 4, Section 3-1 states "New states may be admitted by the Congress into this Union", Section 2 states, "the Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States."

Whereas: H.R. 2499 states that every 8th year the people of Puerto Rico must vote whether they want to become a state in the Union at their own expense.

Whereas: Unknown to the majority of the United States Citizens, the U.S. Congress has put an unconstitutional mandated 435 seat cap on the House of Representatives.

Therefore, if Puerto Rico becomes a state, the United States Congress will take six to seven House representatives from 22 less populated states and give them to Puerto Rico.

Whereas: Article 1, Section 3 of the U.S. Constitution states, "The number of representatives shall not exceed one for every thirty thousand, but each state shall have at least one Representative and until such enumeration shall be made". (Enumeration means census will be taken every 10 years for reapportionment for new House seats.)

Whereas: This unconstitutional, Congressionally-mandated 435 seat cap must be repealed. To allow this law to exist denies the states from true representative form of government. If it becomes necessary to construct an addition to the United States building for the House of representatives, then so be it. To steal Congressional representatives from states who meet the U.S. constitutional requirement of one Representative for every thirty thousand people, is an unlawful overthrow of our Republic Representative form of government.

Therefore be it resolved: The the Oregon State Grange is opposed to H.R. 2499, Statehood for Puerto Rico, introduced in the House of Representatives on May 19, 2010, until Congress removes the mandated 435 seat cap from the House of Representatives in order to restore one Congress person for every thirty thousand people as their Representative per Article 1, Section 2-3 of the U.S. Constitution.

This resolution was adopted by the Deer Creek Grange #371, Josephine County, at its regular meeting held on May 10, 2010.

William D. Waggoner

William D. Waggoner, Master
1920 Thompson Creek Rd.
Selma, OR 97538

Delaine Sherman

Delaine Sherman, Secretary
P.O. Box 871
Selma, OR 97538

This resolution was adopted by the Oregon State Grange at its 137th Annual Session held at Roseburg, Oregon, week of June 20-25, 2010.

Continued from page 1 • Gun Show Bandit?

According to Newkirk it took 4 Fife squad cars to confiscate all the guns and gun-show paraphernalia, like knives, that he had after the show. The seized guns and related items represented Newkirk's life savings – his livelihood. It took a reported 6 officers to place Newkirk under arrest even though he maintains he was very compliant.

Newkirk was transported to the Fife jail and booked, then taken to the Pierce County jail felony lock-up floor where he spent the next 3 days awaiting any kind of judicial review. According to Newkirk, "I was being led in chains to the courtroom, when they told me that I was being released." This, unfortunately, came in the form of being released back to the Fife police department and back to the Fife jail where he spent another 2 days before seeing Judge Kevin Ringus.

According to the Fife police department one of the many weapons that had been in Newkirk's possession had come back as stolen. This was refuted by Newkirk who claims the weapon had been purchased legally in Washington some 12 years prior, and that the state of Washington had collected their tax on the transaction. This was pivotal to the case as it was the basis for keeping him in custody for such a lengthy period.

Asked about his experience Newkirk stated, "Being held for 5 full days before seeing a judge is an experience I hope none of you ever have to contend with!"

Newkirk felt fortunate to learn through his attorney Alan Singer, that the prosecutor assigned to his case was John Rodabaugh. Rodabaugh was Vice President of Washington Arms Collectors (WAC), an organization Newkirk had been involved with for a lengthy period of time. However, once he was charged with 7 counts of possession of dangerous weapons, marijuana possession, paraphernalia, obstructing an officer, false statement, and of course his expired vehicle registration tag, Newkirk realized Rodabaugh was going to be no ally.

Newkirk entered into a minor plea-bargain in order to get all of his weapons returned, however, after signing the plea agreement he was told that the Bureau of Alcohol, Tobacco and Firearms (BATFE) had placed a hold on the guns and would be filing federal charges against him. For over a year after his arrest, Newkirk was still without his property.

It was at this point Newkirk enlisted the aid of the US-Observer. Newkirk recalled, "Within 72 hours of the US-Observer signing-on to help me, I had not one but two BATFE agents on my doorstep wanting to arrange the return of my property." Newkirk went on to say, "They said they had no interest in me or my guns and apologized for the more

than one year they had been held."

It is reported that Rodabaugh still has 3 guns and several switchblades of Newkirk's and that his involvement in WAC has kept Newkirk from being allowed to participate in any of their shows, or elections, even though Newkirk had been nominated to the WAC Board of Directors. Newkirk has informed us that he has scheduled a meeting with the WAC Board on October 26, 2010. The Board should reinstate Newkirk at this time and they should direct their Vice-President John Rodabaugh to acknowledge and protect Newkirk's constitutional rights, just as he should with a strictly 2nd Amendment issue.

It is the US-Observer's conclusion that the 2 years of hell Newkirk has paid for his "traffic" violation is enough. It is time for Rodabaugh to step-up and give back Newkirk's property, so everyone can be done with this ghastly case and move on with their lives. Should this not happen, Rodabaugh can rest assured that his days of being out of the limelight will be over.

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ARE YOU A VICTIM OF FALSE PROSECUTION?

If you are, then you are aware of how the 'justice' industry in America can be a racket. You (**the innocent person**) are falsely charged with a crime. Most of the time you receive a myriad of stacked charges intended for the sole purpose of extracting a "plea bargain" from you.

You then rush to an attorney, pay him a retainer to cover the usual \$150.00 per hour (if not higher), which he/she charges, to supposedly defend your innocence. The attorney usually files some motions, writes some worthless letters and makes many unproductive (unless they pertain to you accepting a plea bargain) phone calls until you are broke. Generally you haven't even started your trial and 99% of the time the attorney hasn't completed any investigation.

All of a sudden your attorney is telling you that you can't win your case and

you should accept the benevolent plea bargain that the almighty district attorney has offered you. "Do you want to take the chance on spending 30-40 years in prison when you can plea bargain for 18 months," your attorney tells you. What happened to: "I think we can win this case, it's a good case." Remember? Isn't that pretty close to what your attorney told you as he/she was relieving you of your money?

You then accept a plea bargain and go to jail or you have a jury trial, and are found guilty. Because your attorney hasn't produced enough evidence - if any - and because the judge directs the jury to find you guilty, you go to jail. When you finally wake up you realize that on top of now being a criminal, you are flat broke and incarcerated. You find that the very person (your attorney) you frantically rushed to retain, became your worst enemy.

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In The Nation

Probate Court abuses found all across the U.S. GAO Report cites stolen assets

By Robert Anglen and Pat Kossan
The Arizona Republic

A federal investigation into elder abuse has found that Probate Courts nationwide are failing to protect vulnerable adults from exploitation by the guardians appointed to look after their health and finances.

In a report released Wednesday, the Government Accountability Office reported instances of abuse in 45 states, including Arizona, where courts failed to conduct background checks or monitor those it put in charge of an incapacitated adult.

"It is fair to say from the report that the administration of probate issues in states is spotty at best," said Ashley Glacel, spokeswoman for the Senate Special Committee on Aging, which requested the investigation. "The GAO is saying that there is a good-old-boy network with courts and judges in some states."

For years, the committee has been receiving a flood of complaints from "desperate people" who have lost their life savings or suffered physical abuse while under the protection of state courts, staff members and committee investigators say. Glacel said the committee wants to use the findings to push for additional training for guardians, judges and others involved.

Sen. Herb Kohl, D-Wis., committee chairman, is considering holding hearings next year.

Much of the GAO report mirrors findings by The Arizona Republic, which reported that the Maricopa County Probate Court has allowed the assets of some vulnerable adults to be drained to pay fees for lawyers and private fiduciaries who serve as guardians. The fees can add up quickly to tens of thousands of dollars, especially in cases involving family disputes. Judges, who approve the fees, seldom take significant steps to end the disputes or stop the billing.

An Arizona Supreme Court committee began meeting earlier this year to consider reforms in the probate system. Among initial proposals is requiring training for relatives who serve as guardians.

The GAO identified hundreds of allegations of physical abuse, neglect and financial

exploitation by guardians in 45 states and the District of Columbia over the past 15 years. Investigators focused on cases where a judge appointed a family member, agency or private business as a guardian.

According to the GAO, guardians appointed and approved by courts in 20 cases stole \$5.4 million in assets from 158 incapacitated adults. Investigators found the courts failed in three common areas:

- Screening for criminal convictions and significant financial problems. In four states where guardians are required to be certified, investigators were able to obtain guardianships using two fictitious identities, one with bad credit and the other with a Social Security number from a dead person. The states were Illinois, Nevada, New York and North Carolina.

- Overseeing guardians once they are appointed.

- Communication between state courts and federal agencies. If a federal agency or state court uncovers abuse by a court-appointed guardian, they rarely share that information, allowing the abuse to continue.

The report was compiled from cases that have already gone through the court system. Investigators said they couldn't determine whether the abuse was widespread and added that they could not find a single website, advocacy group or federal agency that compiles comprehensive information on the subject.

Nancy Swetnam, director of the Arizona Supreme Court's certification and licensing division, which regulates private fiduciaries in the state, said the GAO findings are not surprising.

"What it is saying is there are problems across that nation," she said. "That is very consistent with what we've been saying for many years now. There have been cases of abuse by licensed fiduciaries. Some of those people are sitting in prison. Unfortunately, there is also abuse by family members."

Arizona was the first state to require private, for-profit fiduciaries to attend training, get a fingerprint background check and a credit check before being licensed. Private fiduciaries also are subject to random audits.



But no such standards exist for relatives.

Two Arizona cases detailed by the GAO underscore the problem:

- A Pima County court appointed Anita Heller's niece to manage her aunt's affairs as her guardian but failed to tell the Social Security agency when it discovered the niece was misappropriating money. The niece continued to receive over \$18,000 in Social Security benefits in one year. The niece was later indicted and served probation for misappropriating more than \$200,000 from her aunt's estate, which the niece used to give loans and gifts for her children.

- A Cochise County court appointed Lucrecia Pacheco's niece as guardian despite the fact that she twice filed for bankruptcy and had numerous convictions for writing bad checks. A judge appointed the niece over the objections of Pacheco's attorney and allowed the niece to sell her ranch. The court later found that the niece misappropriated \$150,000, leaving her incapacitated aunt in danger of losing her housing and unable to pay for medicine. The court ordered restitution and damages of \$596,165. In May, the guardian still owed \$397,443.

In Arizona, relatives appointed as fiduciaries are required to submit an annual report on the well-being of the ward and an accounting of the ward's finances. At Maricopa County Superior Court, an accounting office reviews the financial reports. Most states, including Arizona, have no system of oversight to make sure the ward is being well-cared for once a court appoints a relative or private fiduciary as guardian.

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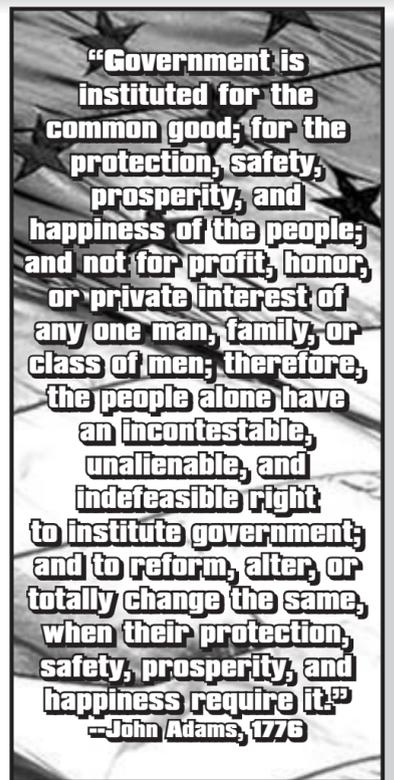
Edward Snook, owner and publisher of the US-Observer says that the only way to effect change at the grass-roots level is through exposure – **Start Your own US-Observer newspaper and be a part of real change.** Become part of taking the truth into America's homes - into their hands.

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Six Americans killed in Mexico's drug war city



American couple slain in Juarez

By Julian Cardona

CIUDAD JUAREZ, Mexico (Reuters) – Gunmen have killed six U.S. citizens in separate attacks since Saturday in the violent border city of Ciudad Juarez, the U.S. consulate said on Thursday, as Mexico struggles to halt surging murders.

University of Texas students Manuel Acosta and Eder Diaz, who studied at the El Paso campus just across the border from Ciudad Juarez, became the latest victims when they were gunned down as they drove through the city on Tuesday.

The slayings followed the deaths of four Americans, including a woman who died of multiple gunshot wounds inside a tortilla shop on Saturday.

Two other U.S. citizens died on Saturday in a hail of gunshots aimed at their car.

"Police said shooters fired 50 rounds, ... peppering the black BMW with bullets," the consulate said in a statement.

On Sunday a U.S. citizen was killed along with two Mexican men when gunmen opened fire on a group standing outside a house. It was not clear why the Americans were targeted.

Such killings are becoming more common even though most American tourists have stayed away from Ciudad Juarez since drug violence surged in January 2008. Since then, more than 7,000 people have died in and around this manufacturing city engulfed in criminal anarchy.

"A lot of the kids tell us that they don't go over (to Ciudad Juarez) anymore. But many folks along the border have families, grandmas," said Mary Ellen

Hernandez, director of the Rio Grande Safe Communities Coalition, an El Paso-based nonprofit that promotes safety among college-age youths.

At least 37 U.S. citizens have died violently in Ciudad Juarez since January, compared to 39 in 2008 and 2009 combined, according to U.S. data.



NO END TO MURDERS

Mexico President Felipe Calderon, who launched a war on drug cartels in late 2006, faces his toughest test in Ciudad Juarez, where 7,500 troops and elite police have failed to end beheadings and car bombings.

In one of the worst attacks against Americans, U.S. consular employee Lesley Enriquez and her husband were shot and killed in Ciudad Juarez as they left a children's party in March. U.S. President Barack Obama expressed outrage at the shooting.

October was the deadliest month in the city's history, with 350 people killed, including 14 people at a birthday party. The drug war death toll across Mexico now stands at more than 31,000 since December 2006.

A war over trafficking routes between local cartel boss Vicente Carrillo and Joaquin "Shorty" Guzman, who heads the Sinaloa cartel, has fueled hopelessness in Ciudad Juarez despite the government's efforts to rebuild schools and parks.

For lack of a better future, jobless youths join gangs and wade into countless battles over protection rackets, drug sales, smuggling and kidnapping.

(Reporting by Tim Gaynor in Phoenix; Writing by Robin Emmott; Editing by Xavier Briand) ***

San Francisco bans Happy Meals?

LOS ANGELES (AFP)

Fast food giant McDonald's said Wednesday, November 3rd, it was "extremely disappointed" at a ruling by San Francisco authorities banning high-calorie Happy Meals, which entice children to eat with free toys.

The response came after the Californian city's board of supervisors voted to forbid restaurants from giving gifts with meals that contain too much fat and sugar.

"We are extremely disappointed with this decision. It's not what our customers want, nor is it something they asked for," said McDonald's spokeswoman Danya Proud.

Happy Meals, which typically come in a colorful cardboard box packed with a burger, a drink, fries



and desert, are popular with hard-pressed parents as well as children, she said.

"Public opinion continues to be overwhelmingly against this misguided legislation. Parents tell us it's their right and responsibility, not the government's, to ... to choose what's right for their children."

And she added: "We are extremely proud of our Happy Meals which give our youngest guests wholesome



food and toys of the highest quality. Getting a toy with a kid's meal is just one part of a fun, family experience at McDonald's."

Under the ban agreed in a preliminary vote Tuesday, restaurants in San Francisco would have to provide fruit and vegetables with meals accompanied by free toys, according to the San Francisco Chronicle.

"This is a tremendous victory for our children's health," said the state education board's Eric Mar, chief sponsor of the legislation.

The measure will go to a full vote next week and if approved would not come into force before December 2011.

Scott Rodrick, who owns 10 McDonald's franchises in the city, was quoted by the paper as saying: "Somehow the San Francisco Board of Supervisors just took the happy out of Happy Meals."

"It would be an understatement to say how disappointed I am with this legislation," he added.

HEALTH

Breakthrough: Microchip Restores Partial Sight

By Charles Q. Choi
LiveScience Contributor

(LiveScience.com) - For the first time, scientists have restored the ability of previously blind patients to recognize letters, fruit and other items using light-sensitive microchips implanted in the inner surface of the eye.

One patient was able to read the hands of a clock, discern seven shades of gray, find and identify tableware and combine the letters of the alphabet to form words.

The microchip is only approximately 3 millimeters by 3 millimeters in size, but is loaded with 1,500 light detectors that send a grid of electrical impulses through a patient's nerves to generate a 1,500-pixel image. The device is implanted under the retina, the inner lining of the eye unlike other implants that sit outside the retina and require users to wear an external camera. Since the chip requires a sharp image, the patients wear reading glasses. [Image of implant in eye]

The implant, a product of 15 years of research, essentially replaces degenerated rod and cone cells in the retina of patients suffering from diseases such as retinitis pigmentosa, a group of inherited diseases that afflict 1 in 4,000 people across the world and is characterized by poor night vision and slow

loss of peripheral vision. A thin wire snakes from inside the eye to its edge and then under the skin to a spot behind the ear, where patients can attach a cord linked to a control box that supplies power. Patients can also use the control box to adjust the brightness and contrast of images.

In the pilot study, 11 patients received an implant, all of whom had been blind for two to 15 years due to hereditary retinal dystrophy. Five of the 11 patients were able to recognize and localize sources of light or large, whitish objects. The last three had the chip implanted in the macula, the spot in the retina that normally has the sharpest vision, and after a week were able to see shapes and objects. The final patient was able to correctly identify apples and bananas [Video], read the time from a large clock and recognize individual letters and words within two to three weeks of implantation.

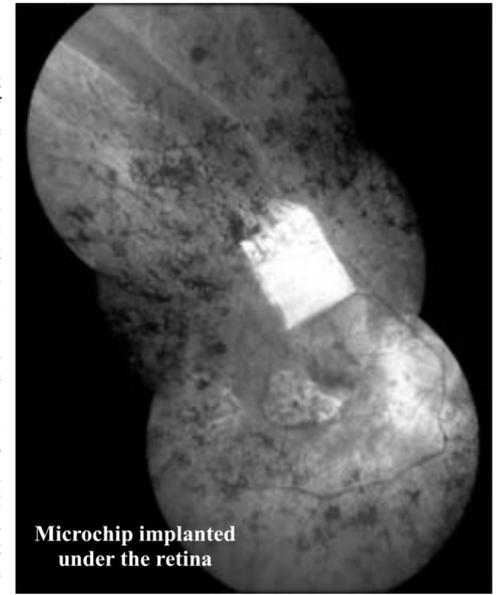
"There was a time when that one patient rediscovered his hand and was just fascinated by it, moved his fingers and took them apart, turned his hand over and looked at the movement of his thumb," researcher Eberhart Zrenner, a neuro-ophthalmologist at the University of Tuebingen in Germany, told LiveScience.

"The visual results they were able to achieve were, up until now, thought to be in the realms

of science fiction," said ophthalmologist Robert MacLaren at the University of Oxford in England, who will implant the chip in the first patients in the United Kingdom. "The recent work by Professor Zrenner and his team in successfully testing this electronic retinal implant in blind people is without doubt a significant advance in this technology," said MacLaren, who was not involved in Zrenner's study.

Not all blind patients will benefit from this device, including cases where the optic nerve or brain damage is involved, or where the retina is ruined or has insufficient blood flow. Zrenner also cautioned that this work is still in progress, and they are still refining where best to implant the device and learning which patients might benefit most. "It's important not to raise false hope," he stressed. "It will be a while before there is a reliable, marketable device."

The first devices had to be removed after three months, since they used wires that could not be left inside the body indefinitely. A Europe-wide multi-center study with 25 more patients has now begun with an improved version of the implant that can be left inside permanently.



Microchip implanted under the retina

"Already I've had a patient from the Netherlands, who is going to marry his girlfriend and had never seen her before, tell me he saw her laughing," Zrenner said. The patient, he added, could tell she was laughing from her white teeth.

The scientists detailed their findings online Nov. 3 in the *Proceedings of the Royal Society B*. ★★★

CT scans reduce lung cancer deaths

For doctor pushing lung screening, a vindication

By Maggie Fox
Reuters Health & Science Editor

WASHINGTON (Reuters) - Dr. Claudia Henschke was delighted with the news -- a trial of 53,000 people had shown that screening smokers and ex-smokers for lung cancer can save lives, something she has been trying to prove for 10 years.

The trial, sponsored by the National Cancer Institute and conducted with the utmost care, showed that the three-dimensional X-rays called spiral CT scans reduced deaths from lung cancer by 20 percent over just five years.

It was no surprise to Henschke, who has shown even more profound results in a series of studies. And she says she is not bitter that her data, and her advocacy for screening, have been rejected repeatedly by many other cancer experts.

"I'm thrilled, because it makes such a difference for people's lives," Henschke, formerly of New York Presbyterian Hospital-Weill Cornell Medical Center and now at the Mount Sinai School of Medicine, said in a telephone interview.

She does feel some exasperation, although she understands the logic of the scientific process, in which one researcher makes a discovery, publicizes it, and other researchers try to replicate the findings -- or poke holes in them.

In 1999, Henschke and other researchers found that spiral CT scanning could detect 85 percent of small lung tumors while they could still be surgically removed. The study started a debate about whether such scans were worthwhile for all smokers.

"This has now taken 10 years," she said. "If you think about it, in the United States we have 160,000 deaths each year from lung cancer. That's 1.6 million."

In 2006, her team published similar findings in the *New England Journal of Medicine*, sparking intense debate. Although her study involved more than 31,000 people at high risk of lung cancer, many cancer experts rejected the conclusion that screening made sense.

They pointed to the high risk of so-called false positives, meaning a suspicious-looking image would turn out to not be cancer. They also noted that some lung tumors might be removed -- a major surgical operation -- that would never have killed the patient.

TOBACCO COMPANY FUNDED

And then it emerged that a tobacco company had helped pay for the research and some

critics suggested that cigarette makers just wanted to give smokers an excuse to keep on smoking.

Henschke rejects this idea.

"It was felt that the tobacco companies should pay for the damage that they had caused," she said.

The study had been done to support the argument that tobacco companies should foot the bill for screening smokers and former smokers, Henschke said.

Henschke also points out that most people now being diagnosed with lung cancer had either quit smoking, or had never smoked -- something that Dr. Bruce Johnson of the American Society of Clinical Oncology backs up.

"You get more bang for your buck if you quit smoking," he said. "That said, if you have already quit, you can't quit again."

For her part, Henschke had her doubts about the trial released on Thursday.

"We were always concerned that it might not show (a benefit) because there was a chest X-ray arm and a CT arm and only three years of screening were provided," she said.

"Each year it should show a bigger reduction for mortality. Had they screened for 10 years, they would have come up with what we found -- a 70 percent reduction in lung cancer deaths. If they screen long enough and follow everyone long enough, they should get to that point, too."

Thursday's trial showed that people who got the CT scans were not only 20 percent less likely to die of lung cancer, but they were 7 percent less likely to die of anything than people who got ordinary chest X-rays, which are virtually useless for detecting small lung tumors.

National Cancer Institute director Dr. Harold Varmus said it is not immediately clear why this is, but Henschke thinks she knows why.

"The low dose spiral CT is not just screening for lung cancer. It is screening for COPD (chronic obstructive pulmonary disease, which includes emphysema) as well as cardiovascular disease," she said.

Her team has a study in the journal *Radiology* ... that shows the spiral CT can show hardened places in major blood vessels called coronary calcifications -- which in turn can tell who is at risk of heart attacks, strokes or artery disease. ★★★

(Editing by Eric Walsh.)

Be fit, have fewer colds: study

PARIS (AFP) - Couch potatoes are nearly twice as likely to catch a cold, and a third likelier to suffer bad symptoms of a cold, compared with counterparts who keep fit, American researchers reported.

They tracked 1,002 adults in Wisconsin aged 18-85 for 12 weeks in the autumn and winter of 2008, monitoring them for respiratory illness and weight and quizzing them about diet, lifestyle and aerobic exercise.

People who described themselves as fit or who exercised up to five days a week or more, had between 4.4 and 4.9 "cold" days on average.

For those who fell in the middle category of fitness, and exercised between one and four days a week, this was 4.9-5.5 days.

But among counterparts who said they were of low fitness and who exercised only one day a week or less, the tally was between 8.2 and 8.6 days.

Good fitness also caused the severity of cold symptoms to fall by between 31 and 41 percent lower compared with the most sedentary lifestyle.



Bouts of exercise unleash a temporary rise in immune defenses, helping to boost preparedness against viral intruders, the study suggested.

It cited figures that the average adult in the US can expect to have a cold two to four times a year, and children between half a dozen and 10 colds a year. The cost to the US economy is put at around 40 billion dollars annually.

The paper, published in the *British Journal of Sports Medicine*, is headed by David Nieman, director of the Human Performance Laboratory at the Appalachian State University in North Carolina. ★★★

Electrical Brain Stimulation May Raise Math Skill

By Denise Mann

(WebMD Health News) - Electrical brain stimulation can help boost math skills for up to six months, finds a new study published in *Current Biology*.

While the people in the new study did not have any math deficits, close to 20% of individuals do have a moderate to severe math disability, and even more will lose their numerical abilities as a result of stroke or neurodegenerative disease.

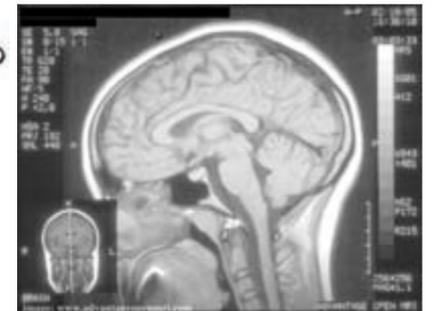
The stimulation technique used in the new study -- transcranial direct current stimulation -- involves applying a weak but constant current to the brain to affect neuron (brain cell) activity. This technology is sometimes used to treat people who have sustained neurological damage following a stroke.

Fifteen college students aged 20 to 22 participated in six, two-hour sessions in which they received either electrical brain stimulation to enhance or impair neuron activity or a sham procedure. The stimulation was applied to the part of the brain responsible for numerical understanding (the parietal lobe).

During the experiment the students were asked to learn a series of artificial numbers, based on symbols that they had never seen before, while they received the brain stimulation.

The results showed that the electrical brain stimulation improved the students' ability to learn the new numbers and that these improvements lasted up to six months.

In addition, the electrical stimulation did not alter any other of the brain's cognitive functions.



"I am certainly not advising people to go around giving themselves electric shocks, but we are extremely excited by the potential of our findings," says Roi Cohen Kadosh, PhD, of the University of Oxford, England, in a news release. "Electrical stimulation will most likely not turn you into Albert Einstein, but if we're successful, it might be able to help some people to cope better with maths."

The next step is to test technology among individuals with math learning disabilities.

"To date no pharmacological interventions have been found that could target numerical cognition directly without holding substantial side effects for other [brain] domains, such as attention," the researchers conclude.

"This is an extremely interesting and exciting technique that can alter the balance of neuron activity, and may have a wide range of applications depending on what part of the brain is stimulated," says Robert Cancro, MD, the Lucius N. Littauer Professor of Psychiatry at New York University in New York City.

"More work is needed, but these findings are certainly suggestive that this can have an impact," he says.

Children with math or reading learning disabilities may benefit from this type of treatment, he says. "It is a very safe technique. The downside is minimal." ★★★

Impeach Obama: Wasted Effort - Wrong Legal Remedy

By Devvy Kidd

"It is impossible to calculate the moral mischief, if I may so express it, that mental lying has produced in society. When a man has so far corrupted and prostituted the chastity of his mind as to subscribe his professional belief to things he does not believe he has prepared himself for the commission of every other crime." ~Thomas Paine, The Age of Reason

From the moment Obama/Soetoro was sworn into office, Americans galvanized into Impeach Obama Now! factions.

However, there is a problem here, because two wrongs don't make a right, which is why I have not supported any petitions calling for impeachment.

Despite the continued protestations by Obama/Soetoro supporters and professional liars in the dominant media, there is no question the usurper camped out in the White House was never eligible to run for president of these united States of America. All the huffing, puffing, vile name calling and protesting does not and cannot alter the legal fact that Obama/Soetoro was born with dual citizenship. It is his father's citizenship status at the time Obama/Soetoro was born that clearly makes him ineligible to be president.

Since November 2008, roughly forty lawsuits have been filed to expose Obama/Soetoro's fraud. Cowardly federal judges have used the cop out - "standing" - as their justification in tossing the lawsuits.

We're all aware that even though tens of thousands of Americans demanded the electoral college not certify the vote for the impostor on the ballot, they also proved to be chicken hearted or political hacks, who value party loyalty over the U.S. Constitution.

The final stop on the way to certifying an ineligible candidate was the U.S. Congress who sat on their cowardly backsides on January 9, 2009, knowing full well there were millions of Americans questioning the legitimacy of Obama/Soetoro's eligibility. Yet, not a single member of Congress stood up on the floor and objected. There is an orderly procedure that could have been triggered had one member of the Outlaw Congress stood up; procedure explained in Footnote [1]. Instead, they all stood down and here we are today with a constitutional crisis that is not going away.

As Obama/Soetoro clearly was never eligible to run for the presidency, once he "took" office, he legally became a usurper. That action is defined as: to seize and hold (a position, office, power, etc.) by force or without legal right: The pretender tried to usurp the throne.

Now, we either believe in the supreme law of the land or we pursue an alternative path that sets a horrible legal precedent. What do I mean by that? You cannot impeach a usurper. To do so (even if the House were to file charges) would be to give legitimacy to Obama/Soetoro holding the office of president. That already happened once in our history with Chester Arthur. We

cannot allow it to happen again no matter how frustrated and enraged we are about the actions of that empty suit sullyng the people's house. **To give legitimacy to his presidency would cement all the bills he signed into law as if they were valid under the U.S. Constitution.**

We also have to look at reality. Nancy Pelosi made it quite clear when the Democrats took control of the Outlaw Congress there would be no impeachment against George Bush, Jr. He was worth far more political currency to the morally and ethically bankrupt Democratic Party than removing him. The Republican Party is expected to gain more than enough seats in the house in the upcoming election. Congressman Darrell Issa [R-CA] has made it clear there will be no impeachment proceeding:

Issa: 'Not a chance' of Obama impeachment under GOP House

October 22, 2010 - "If Republicans take control of the House, there is "not a chance at this point" that they will try to impeach President Obama, a top Republican lawmaker said this week. Rep. Darrell Issa (R-Calif.), who would helm the House Oversight and Government Reform Committee if the GOP wins on Election Day, said that his party will not try to bring impeachment charges simply because it disagrees with the president...Look, disagreeing with the president — the president using his authority, maybe even misusing it — that's not what impeachment's for," he added. "Do we have disagreements? Yes. Do we want to see that the president strictly adheres to process? Yes."

I'm not going to rehash all the unconstitutional bills Obama/Soetoro has signed since he was unlawfully sworn into office. One should remember, the only way a bill gets to a president's desk is from the Outlaw Congress. That's where the treachery begins. Having said that, without question, the entire nation is shuddering under the weight of Obama/Soetoro's communitarian beliefs and actions. Everyday is a new attack on freedom and liberty, spear-headed by the usurper.

As I have said for quite some time, I firmly believe there is no way Obama/Soetoro will run in 2012. Certainly, continuing to raise the specter of another Obama/Soetoro term is good for ratings on Hannity, O'Reilly and conservative talk radio. It's also a good theme for globalists like Newt Gingrich (who sold American jobs by the millions down the river) to raise money for their political organizations.

However, Obama/Soetoro's handlers (the shadow government) got away with fraud the first time around and they know it won't

happen a second time. There's no way Obama/Soetoro can get ballot qualified in 2012 in a single state. The forged, short certificate of live birth Obama/Soetoro's minions have posted on the Internet is worthless and is an ancillary issue. The challenges to his dual citizenship will keep him off the ballot. Nancy Pelosi and others pulled off fraud with their candidate declarations in 49 of the 50 states of the Union in 2008, but they won't get away with it a second time. Pelosi and her gang of co-conspirators should also be indicted by a federal grand jury. Don't think it can't happen. There are many very smart, dedicated individuals working to see all who participated in putting Obama/Soetoro on state's ballots are brought to justice.

Should the usurper remain in office, there is no way he will get the nod at the Democratic National Convention. Take money to the bank on that. It won't happen. There's no way to salvage that shipwreck. Obama/Soetoro's handlers might try to keep him in office as long as possible - if to do nothing more than check-mate any legislation coming out of the "new" Congress in January 2011. As someone who has been in the trenches full time going on 21 years, one must learn how the game is played by the elites to understand the pieces of the puzzle.

Is there any possibility that Obama/Soetoro can still be removed from office? Yes. There is still one case, *Kerchner v Obama*, which I have followed from the beginning. The wind has shifted direction since Leo Donofrio's first case was discussed at the Supreme Court level in December 2008. Mario Apuzzo, attorney for Kerchner, et al, is a real warrior and has fought for his clients in the aforementioned case. It has now gone to the next step: *Kerchner et al v Obama/Congress/Pelosi et al* Petition for Writ of Certiorari filed 30 Sep 2010 and docketed 04 Oct 2010 with the U.S. Supreme Court - *Washington Times National Weekly edition* - 18 & 11 Oct 2010 issues, page 5. U.S. Supreme Court Docket Number: 10-446. Response from defendants due to the U.S. Supreme Court by 3 Nov 2010."

Besides impeachment, is there any other way to remove Obama/Soetoro? Yes, and it could have and should have been done more than a year ago. But, the requirements to qualify for under a Quo Warranto are stringent. Leo Donofrio and Stephen Pidgeon, both brilliant attorneys who have been involved in citizenship cases in the past, now represent roughly 82 Chrysler dealers in bankruptcy proceedings. Leo and Stephen's first obligation to their clients is the



Devy Kidd

"That liberty [is pure] which is to go to all, and not to the few or the rich alone."
-Thomas Jefferson



Knowledge is Power

bankruptcy lawsuit, but that does not rule out a Quo Warranto which could happen before 2012. [2]

The Quo Warranto statute was specifically written to remove a usurper from office and that without question is Barack Hussein Obama. I know time is an issue for everyone as our beloved Republic is under attack 24/7 by those who wish to destroy these united States of America. If you desire to fully understand the entire history behind natural born citizen, the Fourteenth Amendment as it relates to the usurper and quo warranto, I put it all together in one master file. [3]

Does this mean Barack Hussein Obama/Soetoro should get away with his crimes even if he stays until the 2012 election? Absolutely not. He has always known, as well as others, that he was ineligible to run for the presidency because of his dual citizenship. In my mind, there is no question the usurper is guilty under 18 U.S.C. §1343: wire fraud. Obama/Soetoro knowingly solicited campaign funds electronically (TV, radio, Internet) knowing full well his citizenship status made him ineligible. More than \$600 million dollars poured in, and despite enough paper evidence to warrant a full investigation by the FEC regarding foreign contributions, they refuse. However, the House of Representatives can conduct an investigation and refer it to the Department of Justice to indict Obama/Soetoro; if convicted, he would spend decades in prison where he belongs.

I didn't fall off the turnip truck yesterday and I'm not naive. At some point, all these holes in the dam will burst and the long arm of the law will go after Obama, just the same as justice should be done in bringing Bush to trial over his lying regarding the illegal invasion of Iraq; which is not a dead issue and that's all I can say about it at this time.

Why are so many talented, decent Americans continuing the Herculean efforts to bring Bush and Obama/Soetoro to justice in a court of law? Because it is the right thing to do for our country. Every time we the people allow lawbreakers (like Marxist duo, Bill and Hillary) to get away with their crimes, the further our country slips into the muck of a banana republic. We cannot and must not allow that to happen.

As badly as we all want the usurper removed from the White House, it will not happen via impeachment. That comes out of the mouth of a

powerful Republican who will, barring some disaster or major vote fraud, return to Washington in January. We cannot allow our rage and frustration to set another horrible legal precedent: you cannot impeach someone who has never legally held office. Usurper means that individual never occupied the office. We must stick to the correct legal remedy.

Right now we need to concentrate our efforts on winning the major fights underway, i.e., getting ALL of the unconstitutional Obama Care repealed; some provisions are also in the stimulus bill that was signed into law and those must also be repealed and stopped. I would also like to stress how critically important it is to boot out all state reps and state senators who refuse to uphold the U.S. Constitution, who have destroyed their state economies with their foolish legislation and their refusal to take the necessary steps to secure your state from financial disaster; see link below. Get prepared because the worst is about to slam this nation. The elections on November 2, 2010, will not bring some magic bullet relief. It's a long, hard road ahead.

As always, writing for a newspaper is different than the Internet. To access the Footnotes and links below, use a search engine, type in the title and the page will appear.

Footnotes:

- [1] In the Shadow of Nemesis
- [2] Former Chrysler dealers fight back using the Quo Warranto
- [3] Donofrio Final Devvy

Links on the Internet:

- 1 - Alaska Judge Orders Release of Miller's Employment Records (U.S. Senate candidate, Joe Miller) Obama/Soetoro worked as a state senator for Illinois before he unlawfully became a U.S. Senator, yet the courts refuse to release any of his school records.
- 2 - Letter to 1100 State Legislators - Sound Money Bill
- 3 - Index of documents in package delivered to:
- 4 - Masters of Seduction - Masters PDF

Devy Kidd authored the booklets, *Why A Bankrupt America* and *Blind Loyalty*. Devvy appears on radio shows all over the country. She left the Republican Party in 1996 and has been an independent voter ever since. Devvy is a constitutionalist who believes in the supreme law of the land, not some political party. Her web site is www.devy.com. Devvy's radio show broadcasts Mon-Friday; for details go to Devvy's site. ★★★

Size of Estate No Deterrent to Probate Looting Actions

EstateOfDenial.com



By Lou Ann Anderson

Four probate cases recently made news showing estate hijacking as a thriving activity with "proper estate planning" and estate size being no deterrent to the growing threat of Involuntary Redistribution of Assets (IRA) actions in which probate venues and/or probate instruments (wills, trusts, guardianships or powers of attorney) are used to loot assets of the dead, disabled and incapacitated. Texas' growing population and prominence as a retirement destination creates special appeal, but the "up for grabs" nature of property targeted via probate should be a great concern for all Americans.

American inheritance rights threatened

The 15-year legal battle in which Anna Nicole Smith (and now her estate) claim rights to the estate of J. Howard Marshall II is returning to the Supreme Court under the name of Stern v. Marshall. This recent announcement indicates the court's interest in jurisdictional authority of the bankruptcy court rather than actual merits of the case. Nonetheless, the case having endured for these years illustrates an effective weaponization of the legal industry for an assault on property rights.

People close to J. Howard Marshall were aware he was providing for Smith during his lifetime, not upon death. Smith's claim that Marshall verbally expressed the intention to leave her half his estate was never substantiated and in fact, was contradicted by Marshall's elaborate estate planning instruments. A Houston jury spent seven months hearing testimony and evaluating evidence. They did not find Smith or her claim credible.

Venue shopping in the form of the California bankruptcy action - not case merits - allowed Smith's legal team to keep their estate extraction efforts alive. As with this return to the Supreme Court, the case's initial path to Washington D.C. was always far more about legal jurisdiction than entitlement.

A baseless claim and venue shopping has created a seemingly never-ending legal and financial assault against legitimate Marshall heirs. If the Smith side of this battle were to prevail, two dangerous precedents would be set. First, forum shopping outside applicable state jurisdictions becoming an acceptable practice allowing probate challengers to select the court venue most likely provide a favorable judgment would unleash more speculative legal actions against designated heirs or beneficiaries. And secondly, a clear, properly executed estate plan being overturned based on an unsubstantiated oral claim would again open the door to all sorts of frivolous claims. And more importantly understand, these actions would in no way be limited to "high value" estates. Estates of all sizes would become appealing targets.

Power, position trumps final wishes

Wilson Lucom, a former American diplomat became wealthy through a series of marriages. He died in 2006 and his estate has become another example of how estate plans are disregarded and assets functionally looted.

With no children of his own, speculation was that Lucom's \$50 million estate would go to his third wife Hilda, a member of one of Panama's most elite and powerful families, and her grown children. Instead, Lucom directed the bulk of his estate be used to feed starving and malnourished children in Panama. Though it reportedly would have been the largest single charitable donation in Panama's history, the children of Panama will never benefit from Lucom's generosity.



Wilson Lucom

Instead of respecting her husband's final wishes, Lucom's wife launched a legal battle against Richard Lehman, Lucom's longtime lawyer and trustee of the would-be foundation for poor children. The assault on Lehman brought his being charged with "15 criminal charges including negligent homicide in Lucom's death, forgery, extortion and perfidy." The Guardian recently quoted Lehman characterizing these actions as a "smear campaign" and said this of the case's final outcome:

Several lower courts upheld the will as reflecting Lucom's last wishes but Panama's supreme court declared it void last month, arguing that Lucom's reference to his "beloved wife"

showed he really wanted her to inherit the estate, not poor children. Critics - including a former US ambassador - have in the past accused Panama's justice system of favouring the rich and powerful.

Bottom line. Disgruntled family members, wannabe heirs routinely use legal gamesmanship to disregard a decedent's final wishes. Legal industry assistance is easily accomplished. Attacking anyone seeking to uphold legitimate plans is standard fare as also is finding that friendly court to provide the looter's desired outcome. This estate may have been worth \$50 million, but it can (and does) just as easily happen with estates of more modest values.

Government-initiated looting

Josephine Smoron, an elderly Connecticut woman, believed estate planning documents executed in 1996 and 2004 would ensure her longtime caretaker Sam Manzo's inheritance of Smoron's 80-acre farm and cows valued at more than \$1 million. Recognizing local interest in developing her property, Smoron was adamant that churches previously involved in a dispute over her brother's estate have no claim to her estate. As Smoron's health deteriorated, Manzo briefly served as her conservator until being replaced by a court-appointed conservator under the orders of Southington Probate Judge Bryan F. Meccariello.

Shortly before Smoron's June 2009 death, Meccariello approved a change in Smoron's will designating all property be given to three area Catholic churches. The property was divided between two trusts, Manzo was not notified of being disinherited and there appeared no evidence this change reflected Smoron's wishes. The change was per an application by John T. Nugent, the court-appointed conservator and a deacon at one of the named churches. Meccariello was reportedly the only hearing attendee.

Not surprisingly, a purchase agreement with a local developer promptly surfaced and plans for Smoron's farm becoming home to an \$18 million indoor sports complex were announced. With \$200,000 of new tax revenue estimated, Southington officials rejoiced.

Manzo ultimately filed a complaint with Connecticut's Council on Probate Judicial Conduct that resulted in Meccariello being "censured" for the second time in three years. The public admonishment brings no punishment or consequences though the judge has withdrawn his bid for reelection.

With the improprieties made public, the churches are declining interest in the trusts. Nugent, Smoron's former conservator, is now trustee of the trusts he created. An attorney for the developer says the land sales contract is still valid. Sam Manzo, the rightful heir, is suing to overturn Meccariello's disregard of Smoron's estate plan and diversion of her assets. And though the censure describes Meccariello as functionally defrauding Smoron's estate, criminal charges don't seem likely.

Josephine Smoron was victimized by the state of Connecticut in life and the state's ongoing denial of her wishes continues the victimization despite her death. Manzo may one day gain control of the property, but this hijacking will cost him money and time that will never be recovered.

Another case of betrayal

Raymond Simmons, a retired Nashville firefighter, also engaged in "proper estate planning" with a will designating the Tennessee Children's Home as sole beneficiary of his \$800,000 estate. Instead of distributing the assets as Simmons clearly directed, estate executor Daryl Bornstein wrote checks totaling \$100,000 to himself. In addition to losing an unspecified amount of estate funds investing in Iraqi currency, Bornstein lost \$340,000 with Hanover Corp., a now bankrupt capital investment group whose two top officers are under federal

indictment for an \$18 million Ponzi scheme.

Bornstein has been replaced as estate executor by Bill Alsup, the children's home director of development. About \$50,000 remains including a \$25,000 retainer returned from an unnamed attorney who previously represented Bornstein. With the estate described as "almost a fully liquid estate," this retainer is curious. Recovery of additional funds through the Hanover Corp. bankruptcy action is being investigated, but the estate has largely been squandered.

Raymond Simmons was betrayed when Daryl Bornstein elected to disregard the retired firefighter's final wishes. Current and future staff and residents of the Tennessee Children's Home are indefinitely harmed as Simmons' estate would likely have been used to update or replace the home's aging facility.

Civil litigation against Bornstein is fruitless if he has no assets, but even with assets, it could easily become cost prohibitive. Criminal charges wouldn't ordinarily occur, but with media visibility and the children's home being a sympathetic victim, they might. Still, the estate is gone. And interestingly, this case would probably never have received attention had a reporter not been in the Nashville probate court one Friday back in August covering a Danny Tate conservatorship hearing.

Stealing estates sometimes works, sometimes doesn't. It can be outright or more subtle - gaining direct control of assets or process-oriented wherein a contrived dispute generates billable hours or other financial/tactical benefit for the looters. These cases happen in plain sight, but often only on the radar of those directly involved. That adds to their appeal as also does the fact that criminal charges rarely occur. Whether initiated by disgruntled family members, wannabe heirs or government, legal industry participation on the part of attorneys, judges and other court-appointed personnel is a common component. This additionally helps keep consequences of exposed looting efforts minimized to sometimes no more than public embarrassment.

While "proper estate planning" is always the prudent course, don't believe this preparation or having only a modest-sized estate wards off the threat of probate corruption or estate abuse. Probate and switch happens every day and those \$500,000 to \$1.5 million estates can be the most appealing of all - enough to be worth pursuing, but not necessarily enough to cost effectively defend.

An unsuspecting public needs to learn what is already known to the legal industry and growing numbers of other unscrupulous individuals - people who are no more than modern-day grave robbers and other property poachers. Everything you have could depend on it. Beware...

Lou Ann Anderson is an advocate working to create awareness regarding the Texas probate system and its surrounding culture. She is the Online Producer at www.EstateofDenial.com and a Policy Advisor with Americans for Prosperity - Texas Foundation. Lou Ann may be contacted at info@EstateofDenial.com. ★★



Anna Nicole Smith



Josephine Smoron

Demanding Accountability
US~Observer

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COMMENTARY Your Right to Speak Out



By Michael Snyder
BLN Contributing Writer

9 Reasons Why Quantitative Easing Is Bad For The U.S. Economy

Buckle up and hold on – a new round of quantitative easing is here and things could start getting very ugly in the financial world over the coming months. The truth is that many economists fear that an out of control Federal Reserve is “crossing the Rubicon” by announcing another wave of quantitative easing. Have we now reached a point where the Federal Reserve is simply going to fire up the printing presses and shower massive wads of cash into the financial system whenever the U.S. economy is not growing fast enough? If so, what does the mean for inflation, the stability of the world financial system and the future of the U.S. dollar? The Fed says that the plan is to purchase \$600 billion of U.S. Treasury securities by the middle of 2011. In addition, the Federal Reserve has announced that it will be “reinvesting” an additional \$250 billion to \$300 billion from the proceeds of its mortgage portfolio in U.S. Treasury securities over the same time period. So that is a total injection of about \$900 billion. Perhaps the Fed thought that number would sound a little less ominous than \$1 trillion. In any event, the Federal Reserve seems convinced that quantitative easing is going to work this time. So should we believe the Federal Reserve?

The truth is that the Federal Reserve has tried this before. In November 2008, the Federal Reserve announced a \$600 billion quantitative easing program. Four months later the Fed felt that even more cash was necessary, so they upped the total to \$1.8 trillion.

So did quantitative easing work then? No, not really. It may have helped stabilize the economy in the short-term, but unemployment is still staggeringly high. Monthly U.S. home sales continue to come in at close to record low levels. Businesses are borrowing less money. Individuals are borrowing less money. Stores are closing left and right.

The Fed is desperate to crank the debt spiral that our economic system is now based upon back up again. The Fed thinks that somehow it can just pump enough nearly free liquidity into the banking system, the banks will turn around and lend it out at a markup and that this will get the debt spiral cranking again.

The sad truth is that the Federal Reserve is not trying to build an economic recovery on solid financial principles. Rather, what the Federal Reserve envisions is an “economic recovery” based on new debt creation.

So will \$900 billion be enough to get the debt spiral cranked up again?

No. If 1.8 trillion dollars didn't work before, why does the Federal Reserve think that 900 billion dollars is going to work now? This new round of quantitative easing will create more inflation and will cause speculative asset bubbles, but it is not going to fix what is wrong with the economy. The damage is just too vast

as Charles Hugh Smith recently explained....

Anyone who believes a meager one or two trillion dollars in pump-priming can overcome \$15-\$20 trillion in overpriced assets and \$10 trillion in uncollectible debt may well be disappointed.

In fact, economists over at Goldman Sachs estimate that it would take a staggering \$4 trillion in quantitative easing to get the economy rolling again.

Of course that may eventually be what happens. The Fed may be starting at \$900 billion just to get the door open. With these kinds of bureaucrats, once you give them an inch they usually end up taking a mile.

So why should we be concerned about quantitative easing? The following are 9 reasons why quantitative easing is bad for the U.S. economy....

#1 Quantitative Easing Will Damage The Value Of The U.S. Dollar

Each time you add a new dollar to the system, it decreases the value of each existing dollar by just a little bit. Now the Federal Reserve is pumping 900 billion dollars into the system and that is going to have a significant impact. Bill Gross, the manager of the largest mutual fund in the entire world, said on Monday that he believes that more quantitative easing could result in a decline of the U.S. dollar of up to 20 percent....

“I think a 20 percent decline in the dollar is possible.”

#2 Inflation Is Going To Hit Already Struggling U.S. Consumers Really Hard

Already, investors have been fleeing from the U.S. dollar and other paper currencies and have been flocking to commodities, precious metals and oil. That means that the price of food is going to go up. The price of gasoline is also going to go up. American families are going to find their budgets stretched even more in the months ahead.

#3 Once An Inflationary Spiral Gets Going It Is Really Hard To Stop

The Federal Reserve is playing a very dangerous game by flirting with inflation. Once an inflationary spiral gets going, it is really difficult to stop. Just ask anyone who lived through the Weimar Republic or anyone who lives in Zimbabwe today. If the Federal Reserve is now going to be dumping hundreds of billions of fresh dollars into the system whenever the economy gets into trouble it is inevitable that we will see rampant inflation at some point.

#4 Inflation Is A Hidden Tax On Every American

Tens of millions of Americans have worked incredibly hard to save up a little bit of money. These Americans are counting on that money to pay for a home, or to pay for retirement or to pay for the education of their children. Well, inflation is like a hidden tax on all of those savings. In fact, inflation is a hidden tax on

every single dollar that all of us own. We have been taxed more than enough – we certainly don't need the Federal Reserve imposing another hidden tax on all of us.

#5 The Solution To The Housing Bubble Is Not Another Housing Bubble

Today, approximately a third of all U.S. real estate is estimated to have negative equity. The Federal Reserve apparently believes that by flooding the system with gigantic sacks of cash banks will start making home loans like crazy again and home prices will rise substantially once again – thus wiping out most of that negative equity.

But the solution to the housing bubble is not another housing bubble. The kinds of crazy home loans that were made back in the middle of the decade should never be made again. Market forces should be allowed to bring the housing market to a new equilibrium where ordinary Americans can actually afford to purchase homes. But that is not how our system works anymore. Today, everything has to be manipulated.

#6 More Quantitative Easing Threatens To Destabilize The Global Financial System

We have already entered a time of increasing global financial instability, and the Federal Reserve is not going to help things by introducing hundreds of billions of new dollars into the game. Over the past two decades, bubble after bubble has caused tremendous economic problems, and now all of this new money could give rise to new bubbles. Already, we see financial institutions and investors pumping up carry trade bubbles, engaging in currency speculation and driving up commodity prices to ridiculous levels.

#7 Quantitative Easing Is An Aggressive Move In A World Already On The Verge Of A Currency War

Quantitative easing will likely help U.S. exporters by causing the value of the U.S. dollar to sink. However, this gain by U.S. exporters will come at the expense of foreigners. It is essentially a “zero sum” game. So all of those exporting countries that are already upset with us will become even more furious as the U.S. dollar declines. Could we witness the first all-out “global currency war” in 2011?

#8 Quantitative Easing Threatens The Status Of The Dollar As The World Reserve Currency

As the Federal Reserve continues to play games with the U.S. dollar, quite a few nations around the globe will start evaluating whether or not they want to continue to trade with the U.S. dollar and use it as a reserve currency.

In fact, a recent article on The Market Oracle website explained how this is already happening....

In September, China supported a Russian proposal to start direct trading using the yuan and the ruble rather than pricing their trade or

taking payment in U.S. dollars or other foreign currencies. China then negotiated a similar deal with Brazil. And on the eve of the IMF meetings in Washington on Friday, Premier Wen stopped off in Istanbul to reach agreement with Turkish Prime Minister Erdogan to use their own currencies in a planned tripling Turkish-Chinese trade to \$50 billion over the next five years, effectively excluding the dollar.

#9 It Is Going To Become More Expensive For The U.S. Government To Borrow Money

Right now, the U.S. government has been able to borrow money at ridiculously low interest rates. But as the Federal Reserve keeps buying up hundreds of billions in U.S. Treasuries, the rest of the world is going to start refusing to participate in the ongoing Ponzi scheme.

Peter Schiff, the CEO of Euro Pacific Capital, says that one of the big reasons for more quantitative easing is because the U.S. government is already starting to have difficulty finding enough people to borrow from....

At the end of the day, all this deflation talk is a red herring. The true purpose of QE 2 is to disguise the decreasing ability of the Treasury to finance its debts. As global demand for dollar-denominated debt falls, the Fed is looking for an excuse to pick up the slack. By announcing QE 2, it can monetize government debt without the markets perceiving a funding problem.

But the truth is that foreigners are not stupid. They can see the shell game that is being played. As Bill Gross noted on Monday, U.S. government debt will soon become a lot less attractive to foreign investors....

QEII not only produces more dollars but it also lowers the yield that investors earn on them and makes foreigners, which is the key link to the currencies, it makes foreigners less willing to hold dollars in current form or at current prices.

As foreigners begin to balk at all of this nonsense, the U.S. government will either have to start paying higher interest rates on government debt in order to attract enough investors, or the Federal Reserve will just have to drop all pretense and permanently start buying up most of the debt. Either way, once faith has been lost in U.S. Treasuries the financial world will never, ever be the same.

Most Americans have absolutely no idea how fragile the world financial system is right now. Once the rest of the world loses faith in the U.S. dollar and in U.S. Treasuries this entire thing could completely unravel very quickly.

The Federal Reserve is playing a very dangerous game. They are openly threatening the delicate balance of the world financial system.

Once the toothpaste is out of the tube, it is really hard to put it back in again. Cross your fingers and hold on tight, because things are going to get really bumpy ahead.

CONSERVATIVE OR LIBERAL?

**If a conservative doesn't like guns, he doesn't buy one.
If a liberal doesn't like guns, he wants all guns outlawed.**

**If a conservative is a vegetarian, he doesn't eat meat.
If a liberal is a vegetarian, he wants all meat products banned for everyone.**

**If a conservative is homosexual, he quietly leads his life.
If a liberal is homosexual, he demands legislated respect.**

**If a conservative is down-and-out, he thinks about how to better his situation.
A liberal wonders who is going to take care of him.**

**If a conservative doesn't like a talk show host, he switches channels.
Liberals demand that those they don't like be shut down.**

**If a conservative is a non-believer, he doesn't go to church.
A liberal non-believer wants any mention of God and religion silenced.
(Unless it's a foreign religion, of course!)**

**If a conservative decides he needs health care, he goes about shopping for it,
or may choose a job that provides it.
A liberal demands that the rest of us pay for his.**

What side of the fence are you on?

Better think hard on this one if you think you are a liberal

A young woman was about to finish her first year of college. Like so many others her age, she considered herself to be very liberal, and among other liberal ideals, was very much in favor of higher taxes to support more government programs, in other words redistribution of wealth.

She was deeply ashamed that her father was a rather staunch conservative, a feeling she openly expressed. Based on the lectures that she had participated in, and the occasional chat with a professor, she felt that her father had for years harbored an evil, selfish desire to keep what he thought should be his.

One day she was challenging her father on his opposition to higher taxes on the rich and the need for more government programs.

The self-professed objectivity proclaimed by her professors had to be the truth and she indicated so to her father. He responded by asking how she was doing in school.

Taken aback, she answered rather haughtily that she had a 4.0 GPA, and let him know that it was tough

to maintain, insisting that she was taking a very difficult course load and was constantly studying, which left her no time to go out and party like other people she knew. She didn't even have time for a boyfriend, and didn't really have many college friends because she spent all her time studying.

Her father listened and then asked, “How is your friend Audrey doing?”

She replied, “Audrey is barely getting by. All she takes are easy classes, she never studies and she barely has a 2.0 GPA. She is so popular on campus; college for her is a blast. She's always invited to all the parties and lots of times she doesn't even show up for classes because she's too hung over.”

Her wise father asked his daughter, “Why don't you go to the Dean's office and ask him to deduct 1.0 off your GPA and give it to your friend who only has a 2.0. That way you will both have a 3.0 GPA and certainly that would be a fair and equal distribution of GPA.”

The daughter, visibly shocked by her father's suggestion, angrily fired back, “That's a crazy idea, how would that be fair! I've worked really hard for my grades! I've invested a lot of time, and a lot of hard work! Audrey has done next to nothing toward her degree. She played while I worked my tail off!”

The father slowly smiled, winked and said gently, “Welcome to the conservative side of the fence.”

If anyone has a better explanation of the difference between conservative and liberal or progressive or neocon I'm all ears.

"Congress has not unlimited powers to provide for the general welfare but only those specifically enumerated.
...A wise and frugal government...shall not take from the mouth of labor the bread it has earned."
--Thomas Jefferson

COMMENTARY

What the Midterm Results Mean For the Grassroots Leader



By Adam de Angeli
Campaign for Liberty

**Campaign
for
Liberty**

This is the first time the two houses of Congress were controlled by opposing parties in 24 years.

That's not counting June 2001 through 2002, since Democrats and Republicans were essentially one War Party after 9/11. They aren't one party this time. The Republicans' mandate was absolutely clear: shut down the Pelosi agenda.

The legislature is deadlocked for the next two years. Sure, there will be some defensive federal battles. But they will all be easy compared to what we had to do last year. Even "moderate" or "bi-partisan" threats, like environmental regulations or Internet regulations, will be easy to stop.

The exception, sadly, is the interventionist foreign policy. But that issue will get a hearing in the 2012 Presidential race, if indeed Ron Paul runs.

For the most part, though, Congress will be frozen.

Don't expect other groups--especially Republican Party organizations--to tell you this. They want your time, talent, and treasure working for their candidates.

We should know better. Change is brought about by the infliction of pain, not pleasure.

And when you support a politician, a funny thing happens: you begin to excuse his bad behavior. Facing his bad votes means facing that you were a poor judge of character or competence. Most people would rather not face that fact.

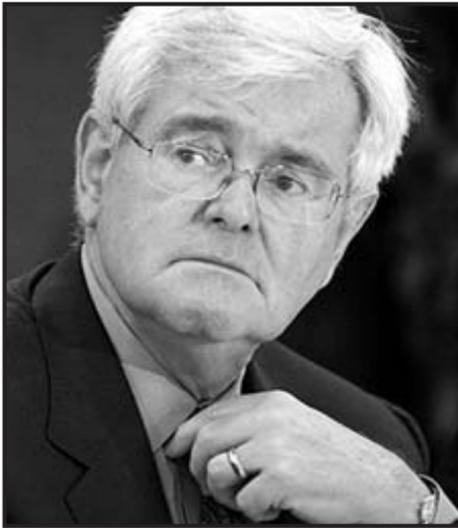
Republicans will also offer their Constructive Republican Alternate Proposal (CRAP). There is Newt Gingrich's "American Solutions," an ideological mess, based on public

opinion surveys. Whether it's the weak-willed "Pledge to America" or the Newt's Solutions, it is a hopeless fight, known to its leaders as such, but useful to them for shaking down supporters for money and volunteer time.

The real agenda here is to turn the swing voters into Team R's baseline vote. That it guarantees a return to the un-accountable right of the George W. Bush years is not important to the people behind this agenda.

We will benefit from alerting organizers to this deception.

And we will really benefit from recognizing this deadlock in Washington, and focusing our efforts on state-level battles, and growing our state organizations.



Newt Gingrich

expansions of government power. The grassroots could not be mobilized against "their" party. Even as it discredited their philosophy and ultimately led the voters to look to the left for answers.

In Michigan, it's our job to prevent that. We need very substantial, positive action from the state government, to reign itself in. Republicans campaigned on doing this.

We need to treat every politician who will not support

substantial, positive action for liberty as an enemy. And here's the hardest part. Where Republican politicians fail us and vote against us, we need an army to mobilize opposition against them in 2012. Why, I explain in another article, linked here. But how? It will not be easy.

It will involve persuading people about tactics. That will involve teaching people about the real nature of politics, and about why they must remain in the 6% swing vote.

People tend not to be swing voters because they view it as some sort of ideological inconsistency. The capital-L Libertarian could never support a Republican. The true conservative, by a Republican's definition, will never vote against a Republican.

But the pragmatic organizer, and the pragmatic voter, sets the bar where some politicians make it and others don't. His vote is in play.

Most Republicans got my vote this year. Some didn't. Some Republicans got my support; others I spoke out against.

In this way, I maintain with any politician that we can be their friend or their enemy. This enough people doing the same, this is how we achieve our agenda.

The next year will not be as easy as the last. We will have less in common with the Republicans. We will have to attack them for bad votes and they will attack back. Grassroots will be harder to mobilize. Money will be harder to raise.

To prevent this, we will now need to focus on educating people about tactics. Supporters must understand why we are doing what we are going to be doing, or else they will be taught, by the politicians and their allies, that we are the enemy for endangering "our" wonderful majority.

The future of the Revolution, at least for the next two years, will lie in its success at building state-level groups that can confront and mobilize against politicians of either party. There will be pied-piper organizations to distract us from this.

It will be a war of tactical philosophies as well as a war of ideas.

P.S. One offensive federal battle that could be won next year: **Audit the Fed.**

Adam de Angeli is the Director of Technology for State Operations for the Campaign For Liberty. He lives in Ann Arbor, Michigan.

★★★

Reject the Welfare/Warfare State



By Ron Paul

Last week's midterm elections have been characterized as a victory for grassroots Americans who are fed up with Washington and the political status quo. In particular, the elections are being touted as a clear indicator that voters demand reductions in federal spending, deficits, and debt.

If the new Congress hopes to live up to the expectations of Tea Party voters, however, it faces some daunting choices. For all the talk about pork and waste, the truth is that Congress cannot fix the budget and get our national debt under control by trimming fat and eliminating earmarks for "Bridges to Nowhere."

Real reductions in federal spending can be achieved only by getting to the meat of the federal budget, meaning expenditures in all areas. The annual budget soon will be \$5 trillion unless Congress takes serious steps to reduce spending for entitlements, military, and debt service. Yet how many Tea Party candidates who campaigned on a platform of spending cuts talked about Social Security, Medicare, foreign wars, or bond debt?



With regard to entitlements, the 2010 Social Security and Medicare Trustees report tells it all. It paints a stark picture of two entitlement programs that cannot be sustained under even the rosier scenarios of economic growth. No one, regardless of political stripe, can deny the fundamental problem of unfunded future liabilities in both programs.

We should understand that Social Security was intended primarily to prevent old widows from becoming destitute. Life expectancy in 1935 was only about 65, when there were several workers for each Social Security recipient. The program was never intended to

be a general transfer payment from young workers to older retirees, regardless of those retirees' financial need. Yet today Social Security faces an unfunded liability of approximately \$18 trillion.

First, Congress needs to stop using payroll taxes for purposes not related to Social Security, which was a trick the Clinton administration used to claim balanced budgets. Second, Congress should eliminate unconstitutional spending -- including unnecessary overseas commitments -- and use the saved funds to help transition to a Social Security system that is completely voluntary.

At some point in the near future Congress must allow taxpayers to opt out of federal payroll taxes in exchange for never receiving Social Security benefits.

Medicare similarly faces a shortfall of \$30.8 trillion in unfunded future benefits. The Part D prescription drug benefit accounts for approximately \$15.5 trillion, or half of the unfunded Medicare liability. Congress should immediately repeal the disastrous drug benefit passed in 2003 by President Bush and a Republican Congress.

Fiscal conservatives should not be afraid to attack entitlements philosophically. We should reject the phony narrative that entitlement programs are inherently noble or required by "progressive" western values. Why exactly should Americans be required, by force of taxation, to fund retirement or medical care for senior citizens, especially senior citizens who are comfortable financially? And if taxpayers provide retirement and health care benefits to some older Americans who are less well off, can't we just call it welfare instead of maintaining the charade about "insurance" and "trust funds"?

Military spending and interest on the national debt similarly represent large federal expenditures that Congress must address by rethinking our foreign policy and exercising far greater oversight over the Federal Reserve and the Treasury department.

I have for a long time criticized our interventionist foreign policy and the Fed, and I will continue to do so. It's time for Congress to face the fundamental problems that affect Social Security and Medicare, and show the courage necessary to make real changes to both programs by rejecting the welfare/warfare state. ★★★

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Plea-Bargains

Most arguments on the evils of plea-bargaining are that every time a prosecutor anywhere in the United States offers something of value like relocation, no prosecution, less time in jail, lowered fines or the promise not to prosecute a loved one or family member to anyone for their sworn testimony against anyone including themselves, they have committed the crimes of bribing a witness, witness tampering and obstruction of justice. Our Founding Fathers were clear, that no one was to be above the law and that is evident in their writings. They were extremely clear that our Federal Constitution was the supreme law of the land and that no State Constitution can be in conflict with our Federal Constitution and that no law can be made that is in conflict with our Constitutions and still be an enforceable law.

Just one of the countless examples of our Founders intent that no one is above the law is clearly shown in the Fourteenth Amendment, wherein all citizens are guaranteed “equal protection of the laws,” and “due process of law.” Oregon’s Constitution, Article I Section 20, clearly states, “No law shall be passed granting to any citizen or class of citizens privileges or immunities, which upon the same terms shall not equally belong to all citizens,” yet our courts have repeatedly found that prosecutors have immunity for their actions in conducting their so-called job of “prosecuting,” and in their daily practice of forcing plea-bargains upon defendants...

Federal Law

Federal law is clear on the bribing of witnesses in our Federal Criminal Code and Rules. Title 18 chapter 11 Sec. 201 states, “whoever directly or indirectly, corruptly gives, offers, or promises anything of value to any person, or offers or promises such person to give anything of value to any other person or entity, with intent to influence the testimony under oath or affirmation of such first-mentioned person as a witness upon a trial, hearing or other proceeding, before any court, any committee of either House or both Houses of Congress, or any agency, commission, or officer authorized by the laws of the United State to hear evidence or take testimony, or with intent to influence such person to absent himself therefrom; or directly or indirectly, corruptly demands, seeks, receives, accepts, or agrees to receive or accept anything of value personally or for any other person or entity in return for being influenced in testimony under oath or affirmation as a witness upon any such trial, hearing, or other proceeding, or in return for absenting himself therefrom; shall be fined under this title not more than three times the value or monetary equivalent of the thing of value or imprisoned for not more than fifteen years or both.

This federal law is clear in that if you bribe or attempt to bribe or seek, demand, or except a bribe to influence or to gain your testimony or to make yourself absent from that trial, you have committed the crime of bribery in the form bribing a witness or a witness excepting a bribe and these crimes cannot be committed without also committing the crimes of witness tampering and obstruction of justice.

The Opposition

Thomas Jefferson observed that the natural progress of things is for liberty to yield and government to gain ground and nothing gives Jefferson’s observations more credence than the US Supreme Court’s decision in 1976, in the case of *Imbler v. Pachtman*. Here the court decided that prosecutors have absolute immunity from civil rights lawsuits for their work in the courtroom.

The court acknowledged that its ruling “does leave the genuinely wronged defendant without civil redress against a prosecutor, whose malicious or dishonest actions deprives him of liberty,” but the Court believed the alternative was worse: by leaving prosecutors to fear a lawsuit or bankruptcy every time they lose a trial. The Supreme Court has said that instead of being sued, prosecutors who break the rules could be kicked out of the legal profession or even charged with a crime. This however, is dependent upon another member of the very same club (Bar) they belong to, initiating such an action against them – which rarely happens. In a majority of cases, their fellow Bar members simply sweep any corruption under the rugs at their “justice” buildings.

Argument from opposition: Plea-bargaining keeps the government from spending billions, prosecuting every case and costing the tax-payers too much money.

Answer: If prosecutors did their jobs, they would dismiss cases that shouldn’t be

prosecuted for lack of evidence, or evidence in favor of the defendant and like-wise, prosecute those they are confident in convicting, which relies on their ability to perform the job they are paid for, as well as the evidence they possess. Eliminating stacked charges, meant to force plea-bargains, would actually protect prosecutors from lawsuits.

Argument from the opposition: If a prosecutor is in fear of being sued for filing charges, they are not only hindered in their ability to perform their duty, how much taxpayer money would be spent on defending prosecutors from retaliation lawsuits?

Answer: Again, if there isn’t enough evidence to prosecute, then there shouldn’t be ANY charges. If prosecutors did their jobs, and investigated each case, they shouldn’t fear lawsuits.

Our Founding

Everything we know about the intent of the framers of our Constitution, from their struggles to create it, to the Constitution itself tells us that government, whether it be the legislative, judicial, or executive, are all to be held accountable to the people for their actions as our representatives. In fact, our Founding Fathers felt that it was so important that the people’s representatives obey our Constitution, they made that fact very clear in Article VI of our Constitution, where it states, “the Senators and Representatives before mentioned, and the Members of the several State legislatures, and all Executive and Judicial officers, both of the United States and of the several States, shall be bound by Oath or Affirmation to support this Constitution.” When Article VI of our Constitution is read in its entirety it makes one thing very clear and that is the word shall is an order, a directive, that all of the above mentioned servants of the people shall be bound by Oath or Affirmation to support this Constitution.

Another shining example of our founding fathers intent to limit the prosecutorial powers of the prosecutor is found in Amendment VI of our Bill of Rights, where it makes no provision for the practice of plea-bargaining, as it lays out the establishment of our fair trial principle that; “In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by an fair and impartial jury of the State and district wherein the crime shall have been committed, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of Counsel for his defense.”

Again, in Amendment VI of our Bill of Rights the word shall is an order, a directive that in all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by a fair and impartial jury. The absence of any provision for plea-bargaining in our Constitution or our Bill of Rights is no accident, because our founders knew and understood the inherent nature of man. They knew if they provided a provision that would allow a prosecutor to take the accused behind closed doors and make deals outside of the purview of a Judge and Jury, that it would be inviting prosecutorial misconduct and a complete corruption of the justice system itself.

The constitutional rational underlying plea-bargaining and the belief that prosecutors can have privileges and immunity’s that places them above the laws they violate in the pursuit of a conviction, cannot withstand the scrutiny of public opinion and common sense.

Only someone who is history challenged, constitutionally retarded, or both, could believe that the intent of our Founding Fathers

“... our US Supreme Court ruled that law enforcement, prosecutors, and judges have special privileges and immunities that allow them to live above the law, without the fear of civil law suits.”

was to fight a war that could cost them everything they owned, including their lives and the lives of their families and love ones. They spent eleven years, many of them away from their homes and families, exhausting their financial fortunes, while arguing and debating the content of a written Constitution that would make our form of government the

Continued from page 1 • Bend Family’s Real Estate Nightmare



investigation shows most, if not all of the Indictment to be a malicious attempt to ruin the Sawyer’s lives, due to the crash in the real estate market.

A Veteran Police Captain of 30 Years Forced to Retire

A booming real estate market coming to an abrupt end has meant more than just foreclosures for Tami Sawyer of Bend, Oregon. Like many people who placed their bets on real estate value increases for income, Tami did the same. Over the years, lenders joined her successful businesses by loaning money in hopes that the return would be as good as expected – as good as it had been for several years.

Tami Sawyer was very successful, not only with selling real estate, but with buying foreclosures and renovating them to sell for a profit. She was so successful that eventually friends and family wanted in on the business.

After years of profits, the “flipper” (buying and refurbishing fixer-homes, then selling for a profit) trend started to slow down and buying new construction became the next wave for Tami and her lenders. Builders were far behind schedule as the market was on fire, yet they were willing to lock-in at “today’s” prices. By the time the homes were completed, prices had risen by as much as 30 to 40% of their previous purchase price.

Tami Sawyer offered to cash out some lenders, but the income was so good that they wanted to remain vested, confident in her ability to grow their investment. Great amounts of money were earned and anyone who knows Bend, Oregon, knows that it was one of the fastest appreciating areas in the nation.

Most are aware, in early 2008, the real estate market took a turn for the worse. As home values in Bend began showing a sharp decrease in value, with sales dropping dramatically, and the banks refusal to renew development loans, some lenders panicked. Not knowing what the future held, coupled with investment decisions they had already made, some of Tami’s lenders began demanding their investments be returned. According to Sawyer, there were a couple lenders out of the fifteen involved that started filing lawsuits, contacting the local media, contacting the FBI, and ultimately forcing her husband Kevin Sawyer, a veteran Captain of 30 years with the Bend Police Department into an early retirement.

envy of the rest of the world. For them to then grant immunity to the very people they sought to protect us from, can only be considered absolute lunacy.

Our Founding Fathers never intended nor does our Constitution grant to our US Supreme Court the power or the authority to grant privileges or immunities to anyone. Yet in several cases our US Supreme Court ruled that law enforcement, prosecutors, and judges have special privileges and immunities that allow them to live above the law, without the fear of civil law suits. The best example of privileges and immunity’s leading to wide spread and egregious abuses of power, would be the example that plea-bargaining provides. Plea-bargains cheat the innocent, just as they cheat the public. If a person has committed a crime, public safety demands that person to pay for their crime. If a person who is innocent is charged with a crime, the plea-bargain becomes no more and no less than out and out Blackmail.

Routinely across America, prosecutors offer plea-bargains to innocent people. The plea-bargain goes something like this; you are facing 5, 10, 15 years in prison or in some cases even more. You can go to trial or you can plead guilty to one of several charges against you and only receive a sentence of 18 months, maybe a little less in prison. What a dilemma. Either a person accepts the Blackmail or faces having his/her life ruined in a possible lengthy prison

“Hansen is Only a Source” - Bulletin Reporter Sheila Miller



Bend attorney Martin Hansen

According to a US-Observer source, Bend attorney Martin Hansen, who represents at least one of the lenders, began feeding questionable info to Bend Bulletin reporter, Sheila Miller. During a phone conversation with Miller, she stated to this reporter that she didn’t have any relationship with Hansen and that he was only a source for information. Our sources tell us that this is not the case.

In short order, the Bend Bulletin newspaper permanently ruined the Sawyer’s reputation with over 32 articles printed to date - all with your typical one-sided smear tactics and completely biased reporting, to say the least.

The Bend Bulletin articles were so damaging that they caused a severe financial strain on Tami’s businesses. Renters refused to pay rent, but continued to stay in Tami Sawyer’s homes and more lawsuits were reportedly filed against her by lenders who read the Bulletin articles. Tami stated, “The fictitious, one-sided reporting by the Bulletin has greatly affected my life and ability to work towards getting my lenders their money back.” Without the means to satisfy every demand from her lenders, Tami Sawyer began offering personal judgments in order to avoid costly lawsuits; however some lenders were unreasonable, continuing their suits.

If You Take the Plea I Won’t Indict Your Daughter – AUSA Scott Bradford

It didn’t take long for Bradford to enter into

Continued on page 15

sentence. And they call this justice...

It’s hard to believe that plea-bargains actually save the tax-payers money, because “our” justice system has locked up more people in America than any other justice system, world-wide. How much do “us-tax-payers” spend on housing these prisoners, and how many of these prisoners plea-bargained?

Is our justice system, not a corrupt business set up to keep the cash flow steadily filling the system and constantly breaking the public? No wonder so many people strive to become an attorney and take part in such a lucrative business. How many attorneys live in your town?

Solution

Remember, every prosecutor in America has absolute Immunity from civil rights lawsuits stemming from their work in the courtroom, even if the prosecutor’s malicious or dishonest actions deprive an innocent defendant of their liberty. What can we do to change this evil system we have allowed to flourish for many decades? The only possible answer that I can come up with is for the US-Observer to take the immunity and plea-bargain issues head on.

The math is simple folks, plea bargaining and prosecutors with immunities equal our American justice system of today, a dysfunctional and corrupt system of tyranny from top to bottom and a blight on our nation, our Constitution, and the memories of our Founding Fathers and all that they stood for.

“Plea bargaining gives a prosecutor the power to punish you for exercising your Constitutional Rights and immunity allows him to get away with it.” – Curt Chancler

Wake up America - Wake up before it is too late! ★★★

China G20 showdown with US

By Alan Beattie in Washington, Geoff Dyer in Beijing, Chris Giles in London

(Financial Times) - China has curtly dismissed a US proposal to address global economic imbalances, setting the stage for a potential showdown at next week's G20 meeting in Seoul.

Cui Tiankai, a deputy foreign minister and one of China's lead negotiators at the G20, said on Friday that the US plan for limiting current account surpluses and deficits to 4 per cent of gross domestic product harked back "to the days of planned economies".

"We believe a discussion about a current account target misses the whole point," he added, in the first official comment by a senior Chinese official on the subject. "If you look at the global economy, there are many issues that merit more attention - for example, the question of quantitative easing."

China's opposition to the proposal, which had made some progress at a G20 finance ministers' meeting last month, came amid a continuing rumble of protest from around the world at the US Federal Reserve's plan to pump an extra \$600bn into financial markets.

Officials from China, Germany and South Africa on Friday added their voices to a chorus of complaint that the Fed's return to so-called quantitative easing would create instability and worsen imbalances by triggering surges of capital into other currencies.

Tim Geithner, the US Treasury secretary, has proposed using what the US refers to as current account "guidelines" to accelerate global rebalancing, partly as a way of changing the debate away from simply pressing China to allow faster appreciation in the renminbi.

But on Thursday and Friday, governments focused instead on the global impact of the Fed's action. "With all due respect, US policy is clueless," Wolfgang Schäuble, German

finance minister, told reporters. "It's not that the Americans haven't pumped enough liquidity into the market," he said. "Now to say let's pump more into the market is not going to solve their problems."

Pravin Gordhan, finance minister of South Africa, a key member of the emerging market bloc, said the decision "undermines the spirit of multilateral co-operation that G20 leaders have fought so hard to maintain during the current crisis", and ran counter to the pledge made by G20 finance ministers to refrain from uncoordinated responses.

The US Treasury declined to comment on Friday.

Experts say the mood has soured since the G20 Toronto summit in June and worry that unless the summit can patch up differences on trade imbalances and exchange rates, the outlook for international economic agreement is poor.

Ousmène Mandeng of Ashmore Investment Management and a former senior International Monetary Fund official, said: "The G20 will also have to show [in Seoul] it can work on the issue or its very existence will be in question."

In recent weeks, there had been some hints that China was favourable to the idea of current account targets. Yi Gang, a deputy central bank governor, said China aimed to reduce its surplus to 4 per cent of GDP in the medium-term.

But Mr Cui's comments suggest that China's senior leaders have decided to reject Mr Geithner's proposal. "We believe it would not be a good approach to single out this issue and focus all attention on it," he said.

Separately, the deputy foreign minister also had a stern message for European leaders, warning them not to attend next month's Nobel Peace Prize ceremony for Liu Xiaobo, an imprisoned Chinese democracy activist.

(Please visit FT.com for more economic news.) ★★

Number of the Week: \$10.2

\$10.2 TRILLION: The amount of money advanced- nation governments will need to borrow in 2011

By Mark Whitehouse

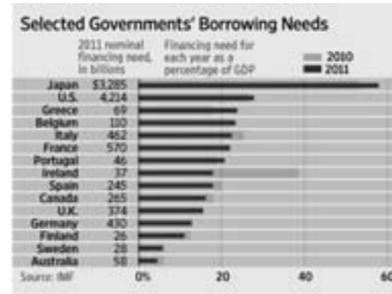
As the debts of advanced countries rise to levels not seen since the aftermath of World War II, it's hard to know how much is too much. But it's easy to see that the risk of serious financial trouble is growing.

Next year, fifteen major developed-country

governments, including the U.S., Japan, the U.K., Spain and Greece, will have to raise some \$10.2 trillion to repay maturing bonds and finance their budget deficits, according to estimates from the International Monetary Fund. That's up 7% from this year, and equals 27% of their combined annual economic output.

Aside from Japan, which has a huge debt hangover from decades of anemic growth, the U.S. is the most extreme case. Next year, the U.S. government will have to find \$4.2 trillion. That's 27.8% of its annual economic output, up from 26.5% this year. By comparison, crisis-addled Greece needs \$69 billion, or 23.8% of its annual GDP.

So far, with the notable exception of Greece, major advanced nations haven't had too much trouble raising the money they need. Japan's domestic investors have consistently bought its government bonds despite their low yield. Foreign investors have been snapping up U.S. Treasury bonds, which remain the world's premier safe-haven investment.



Still, there's reason to be concerned that governments' appetite for borrowing could ultimately push up interest rates, or worse.

For one, government borrowers are tapping into smaller international capital flows. The total amount of foreign portfolio investment sloshing in across advanced countries' borders

averaged about 3.8% of global GDP in the twelve months ended June, compared to an average 9.5% in the eight years leading up to the recession.

Beyond that, the U.S. and other advanced nations are putting pressure on China to allow its currency to appreciate

against the dollar. All else equal, such a move would curb demand for dollar-denominated debt from a country that is the largest foreign holder of U.S. Treasuries.

In the U.S., domestic investors could pick up the slack. The Federal Reserve has committed to buy an added \$600 billion in U.S. government debt over the next eight months. Demand from households has been very strong as U.S. consumers boost their savings rate. Tighter regulations could push banks to buy more safe assets such as U.S. Treasuries.

But as the IMF warned in a report this week, the chances that investors will balk at lending to governments "remains high for advanced economies." That's a highly undesirable outcome — picture a financial crisis in which governments can't step in to help, because government finances are the problem. We can't know how close we are to such an outcome, and the need to keep the recovery going would make cutting back now a risky move. Ultimately, though, we're heading in the wrong direction. ★★

Continued from page 1 • Severe IRS Abuse Gets Punished

airline and had no income. He received stock certificates in the Kersting commercial activities.

Mr. Sullivan signed a promissory note among other documents for investment write-offs on deductions for loans which substantiated they owned a small part of commercial buildings, car rental companies, etc. He received other documentation that he and his wife Alinka Sullivan signed while living in Florida. But in 1983, he received a newsletter from Mr. Kersting warning them to be prepared for an audit because the Internal Revenue Service had raided his office. They were looking for a list of names and addresses of his partner-investors. The Sullivans then received another letter from Mr. Kersting advising them to have sufficient money in a savings account in the event they had to pay the IRS should they disallow the tax write-offs for these business investments.

One day, while Mrs. Sullivan was at home, and her husband was flying, she looked out her patio window to find two IRS agents in her back yard looking at their boat. She asked what they were doing there trespassing, and they identified themselves as IRS agents, saying they were doing an investigation regarding the tax shelter situation. Mrs. Smith asked to see a search warrant and since they did not have one, she told them to leave or she would call the police since she did not believe them.

Because Henry Kersting was enraged at the brutality with which the IRS had treated him, he hired an aggressive law firm and vowed to defend his business practices together with the pilot-investors. The Sullivan's now had legal representation and signed a document agreeing to take this matter to US Tax Court, and to be bound by a test case.

In the meantime, Mr. Sullivan was transferred with the airlines and moved to Texas. He then received a letter from his certified public accountant's wife stating her husband could no longer represent his interests and to find another CPA, because the IRS had raided their office, without a search warrant, and had threatened to put her husband in jail. She hysterically stated that they had "threatened" her family and had forced her husband to close down his office, thus preventing her from being able to feed her children, because they had several pilots involved in the "Kersting matter," and were to give the IRS the names and addresses of these pilots immediately to keep her husband out of jail.

In 1984, Mr. Sullivan's neighbor, a pilot friend, who was emotionally upset about being on strike and without an income, was so depressed about a tax bill he had received in the Kersting matter, that he drove to the parking lot of his church and shot himself. The US-Observer has been informed that three pilots have committed suicide, due to IRS pressures in this case.

Mr. Sullivan wrote to Mr. Kersting informing him he no longer had a CPA, and that he had received a letter from the IRS stating he owed money in back taxes because they found the Kersting investments to be "a sham," and therefore the tax write-offs for these businesses were "disallowed." The IRS in Ogden, Utah, contacted the Sullivan's,

saying they would owe thousands of dollars in "back taxes."

After several unsuccessful attempts to settle with the IRS regarding disallowing write-offs for the Kersting investments, the Sullivan's and some other 1800 pilots, decided to be bound by an Agreement that would be a test case trial of some selected pilots, and they would honor the results of that court's decisions. Since this tax litigation was in full force, the Sullivan's decided they would be bound by a blanket ruling. The IRS was allowed to choose five cases out of the 1,800 and the Plaintiff's were allowed to choose five, which would represent all of them in order to expedite matters and not clog the court calendar. It's very interesting that when it came time to choose, the Plaintiff's lawyers only chose three. A prudent person would think that one or more of the Plaintiff's Attorneys had struck a deal with the IRS prior to any agreements with the pilots, regarding the test case trial (for more details, read: "Largest IRS Refund in U.S. History - Amazing 30 Year Old Tax Case" at www.usobserver.com)

Once again, transferred by the airlines, Mr. Sullivan was now living in Arizona. Two U.S. Marshalls arrived at his front door, with the excuse that they needed information about their "next door neighbor." The Sullivan's invited them in for a private conversation, and during the course of the talk they stated, "...oh, so you are one of those pilots involved in that famous tax shelter case." Mrs. Sullivan asked to see some identification if that tone of the conversation was to continue, fearing they might be recording it. They promptly left.

It was after these cases were selected, the Hongsermiers, the Thompsons and the Cravens, that IRS agent-attorneys William A. Sims and Kenneth W. McWade, subverted the test case process by fraudulently getting the Thompsons and Cravens to cut a secret deal with them, unbeknownst to the Sullivans. With the IRS conspiracy in place, the unsuspecting trial attorney for the other pilots had lost the fight before it had begun.

Judge Goffe ruled against the remaining pilots on every count, and the Sullivans received a Settlement Agreement from the IRS signed by Kenneth W. McWade, stating they owed \$27,000 from the outcome of this test case. Mr. and Mrs. Sullivan, bound by the test case, signed the Agreement to pay this amount in back taxes. The only problem was that they did not have that amount as their finances had been depleted when Continental Airlines had been on strike for two years and they were forced to live on their savings. Mr. Sullivan moved back to Florida to seek new employment.

There they received a letter from the IRS asking them for \$47,614. Mrs. Sullivan called them to explain they had signed an Agreement with Mr. McWade for only \$27,000, void of

interest and penalties; that their figures were not correct. They asked her to send in a letter detailing how much money they now had available. Mrs. Sullivan went to the expense of obtaining a CPA and asked him to prepare an Offer in Compromise. It was rejected.

One evening while her husband was flying and she was cooking dinner, she received a phone call from the IRS. "How were you able to buy a house when you owe the government money?" The voice with the southern drawl asked.

"We got a mortgage loan from the credit union to help the striking pilots." Mrs. Sullivan politely replied.

"You had no business buying a house. Until we get paid you should be living in the back seat of your car!" Mrs. Sullivan promptly hung up on the female agent.

The next day, Mrs. Sullivan called Mr. McWade in Hawaii and asked him to please contact the Atlanta,

Georgia, IRS office and explain to them that he had signed an Agreement with them for only \$27,000; that no interest or penalties needed to be paid, and to correct their figures, as she was obviously not familiar with this Agreement; but if she was, she was ignoring it.

Mr. McWade told her that he could not do that because her case had now gone to collections so there was nothing he could do, that she should just work out a payment arrangement with them. No amount of pleading with him would get him to change his mind. He refused to call Atlanta. They would have to pay whatever bill the IRS in the Atlanta office had sent them.

Outraged that the IRS had reneged on their agreement, Mrs. Sullivan, tore up her American Citizenship papers in protest and sent them to the IRS with a note stating: "I no longer believe in this government. How can you lie to my husband, a Captain in the U.S. Air Force, Viet Nam veteran, and a decent human being? What kind of morals do you people have? We had an Agreement signed by one of your attorney-agents, who obviously has no integrity."

The IRS put Mrs. Sullivan in the category of a tax protestor and proceeded to file a lien against them at the Broward County Courthouse for \$47,614, as a reminder to any other would-be tax protestor of the power they held. They called Mrs. Sullivan at dinner time every couple of weeks asking for \$800 per month, or else! She agreed to a payment plan to establish peace in her household, and began sending them \$800 checks every month, not missing a deadline or payment, but even that did not satisfy them, and they proceeded to garnish Mr. Sullivan's wages, putting his new job in jeopardy and ruining his credit.

Captain Sullivan tried to fly his airplanes with 150 passengers safely, never knowing whether or not he had a house to come home to, or even if his wife would still be there. She was obviously in a terrible emotional state fighting

the IRS, and he felt he had a gorilla on his back.

Fed up with the treatment they were receiving at the hands of the IRS, Mrs. Sullivan called several banks to try to obtain a second mortgage on their house to pay off the \$47,614. None of them would grant her the loan since there was an IRS lien on Mr. Sullivan's social security number. They had purposely tied his hands. She asked them to release the lien for 24 hours so that a bank could place its lien in first place, thus enabling it to give her the money and she would pay them off immediately. But they declined, saying they liked the 17% interest.

Finally, in desperation, she told her story to a friend who owned a private medical clinic and had access to investment monies. Since these investors were sympathetic to her plight, having some tax issues themselves, they consented to lend her the \$47,614, at a high interest rate. She agreed to their offer in order to get the IRS gorillas off her back.

Mrs. Sullivan obtained the loan and wrote a check for \$47,614 to the IRS, even though she did not owe that amount, so she could get their lives back under control. The IRS was supposed to remove the lien in 30 days since they had been paid in full, but instead filed other liens leading the public to believe they now owed double the original amount. When Mr. Sullivan tried to buy a new automobile, he was denied the loan because "you have some very big liens against you." No amount of explaining that the liens had been paid convinced the dealer, because "we have to go by what the Courthouse says." He found his credit ruined.

Once again, the airlines transferred Captain Sullivan to Texas. Mrs. Sullivan felt the case was closed and asked for her American Citizenship papers back. They were returned to her in an IRS envelope without a cover letter. She taped the certificate together placing it in her safety deposit box, thinking the treatment received from the IRS was no different than how the Gestapo had treated her family in Poland. Her father had died fighting tyranny, but she had found it also with the IRS in the USA, and was terribly disappointed as she had believed in her constitutional rights.

Suddenly, in 2010, without warning, they received documents in the mail from the IRS stating that the court case they had agreed to be bound with had been overturned by an appeal in the Ninth Circuit Court of Appeals. The nightmare was finally over after 17 long and frustrating years.

They were entitled to a reimbursement of their monies. Now there was a guardian angel on board, his name was Lawyer Michael Minns, who firmly believed in the Constitution, and who like David and Goliath, had fought a monster and won!

The Sullivan's were very lucky. They had solid citizens in their corner, and now with the IRS being punished for their dastardly deeds, they could finally buy their retirement home and settle into community affairs of also standing up for what is right, because they both believed in the greatness of this country.

But as they painfully learned, if you do not use your civil rights, you lose your civil rights. These pilots decided to fight for their rights and by doing so, yours! ★★



Mrs. Alinka Sullivan

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.



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2010 ELECTION RECAP

Gun Owners Have Up-Hill Battle Ahead

(SAF) - The historic 2010 elections are now mostly behind us. While much of the country voted to restore some fiscal and political sanity, Oregon bravely bucked the trend.

With some notable exceptions, voters chose candidates who promised to end policies of massive government intrusions. In Oregon, Multnomah County Elections workers Portland voters returned John Kitzhaber to the Governor's mansion.

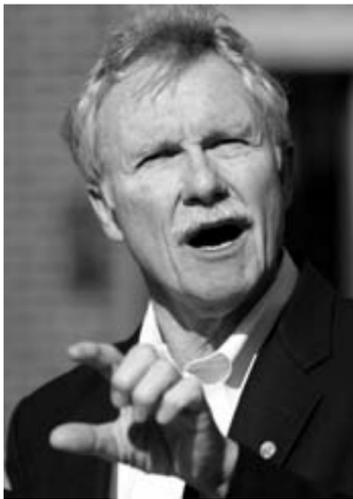
This was an amazing race. While Chris Dudley held a small lead through most of the campaign, Kitzhaber pulled out a last minute victory, as so often happens when the Multnomah County votes are discovered recorded.

What's most interesting about this race is that Kitzhaber campaigned on his "experience" but left office last time admitting he could not do the job.

Based on his history, it is reasonable to assume that along with creating special exceptions for his beach house and sweetheart deals for his girlfriend, Kitzhaber will veto any bill that can, in any way, be perceived as "pro-gun." Anyone running a business will consider relocating, schools will continue to fail and unemployment will rise. The public employee unions will continue to benefit until the state runs out of productive people to tax. (Which, when you think about it, can't take much longer.)

On the national level, there was one congressional race that was very close. That was the 5th Congressional District race between Scott Bruun and Kurt Schrader.

Schrader went to Washington with a record as a committed enemy of gun owners. He voted to decimate gun shows in Oregon and, as a Congressman, voted to shut down organizations like OFF. Schrader has been one of Nancy Pelosi's most obedient servants, voting for bail-outs for billionaires and Obama's health control. As you might expect, he was rewarded by an endorsement from the



John Kitzhaber

NRA who also sent thousands of dollars to Harry Reid who elevated two committed gun banners to the Supreme Court. Harry was victorious over his opponent Sharon Angle, a strong supporter of gun rights. Thanks NRA!

Ballot Measure 71 passed overwhelmingly, meaning the voters have decided that the legislature was not doing enough damage meeting every other year, now they will meet every year. The con job was that with the passage of this measure, the legislature would be better able to deal with the budget, but the new sessions won't be limited to the budget. If you watched the fiasco in February's "special" session you saw how bills that are not really understood or even read get rammed through with almost no citizen input.

The good news is the change in the Oregon legislature. With one or two seats still in play, it appears right now that the Oregon House is split in half. The Senate might be as well, depending on the final vote count in District 3, where Alan Bates has been the last minute beneficiary of a sudden "surge" of Democrat ballots. If the anti-gun Bates prevails, the Oregon Senate will be 16-14 Democrat. If his opponent wins, the Senate will likely be split evenly as well.

Having both Houses evenly split would be unprecedented. The last time anything like that happened, the Senate was evenly split in 2003. Picking a Senate President became quite a circus until the Republicans folded and allowed anti-gun militant Peter Courtney to assume the position, one he has

held ever since.

While there are several races whose outcomes benefit gun owners, there is no question that the single most exciting victory we had was the removal of our number one target, House Rep Judy Stiegler.

Stiegler, from Bend, was a freshman legislator who masterfully derailed several popular pro-gun bills while attempting to portray herself as a supporter of gun rights. We are very pleased to have been able to return Stiegler to private practice. For everyone who worked to send her home, we thank you. OFF, and many OFF members, supported her opponent Jason Conger. We suggest you drop Jason a note and congratulate him, and please remind him that as gun owners, we are expecting him to be a strong supporter of gun rights. His address and a sample message can be found here.

We are also very pleased to be able to announce (unless there is another surge of "discovered" Democrat ballots) the retirement of Martha Schrader, Senate district 20, who lost to OFF-supported Alan Olsen. During the campaign, Martha, (Kurt Schrader's wife) attacked pro-gun Olsen for a 30 year old bankruptcy. Now that Martha will be returning to her Canby home, perhaps she will find time to pay the real estate taxes she and Kurt have, in the past, chosen to ignore.

2011 will be another uphill climb for gun owners. The election of John Kitzhaber means we will have to work harder than ever to protect our rights. While most of the country is trending towards liberty, Oregon has re-elected pro-bailout, pro-health control, anti-gun Ron Wyden to the US Senate and the failed ex-governor one more time.

With your help we will keep on doing what we have done since 1999, fighting. Buckle up, folks, it's going to be an interesting ride.

★★★



Ron Wyden

Behind the Scenes, Obama Continues Pushing UN Gun Control Treaty

(Gun Owners of America) - In late September, several dozen UN representatives met at the University of Massachusetts in Boston to further discuss their plans for global gun control.

While our President may have a history of being absent for important events -- missing over 300 votes while in the U.S. Senate, dising important dignitaries who visit our country, etc. -- he was sure to have his administration represented at this meeting.

The final report for the Boston Symposium on the Arms Trade Treaty (ATT) is posted online and states that:

"In the end, we seek to achieve an ATT that will establish the highest possible common international standards for the import, export and transfer of conventional arms, including small arms and light weapons, in order to contribute effectively towards peace and stability. This Symposium has brought us one step closer to achieving that goal."

So, they are one step closer to their goal. What are there goals for our firearms?

Apart from using generic phrases like "highest possible common international standards" (aka, gun controls), the gun banners are very careful not to publicly post specific anti-gun proposals that would excite the American public against them. But Paul Gallant and Joanne Eisen, who have attended these UN meetings, spell out what the proposed ATT will really entail.

Writing together with another noted firearms author of the Independence Institute, Dave Kopel, they say that an Arms Trade Treaty would impose:

- * **Microstamping on firearms, thus increasing the cost of each gun by about \$200;**
- * **Registration of all firearms, which is often a prelude to gun confiscation;**
- * **Restrictions on gun sales, especially private transfers (thus, no more gun shows as we know them);**
- * **Embargoes on firearms and materials (such as nickel and tungsten) that would limit access to many of the firearms which are sold in this country.**

I'll never submit to any stinkin' gun control laws!

You might think: "I don't care what the UN imposes on us, I will never comply with their gun controls."

Oh really? So, you'll never buy a new gun from a gun dealer? Because if you do -- and that gun has been manufactured according to UN treaty standards -- then the microstamping technology on that gun will cost you a couple hundred dollars extra.

Not only that, the signature impressions that the firing pin leaves on your spent cartridge cases will be registered with the government under your name.



No problem, you say, you're not a criminal -- so who cares if the signature from your firing pin is registered with the government.

Well, do you ever take your guns to a shooting range and leave your spent brass? According to Kopel, criminals could easily implicate innocent gun owners by going to gun ranges, collecting the empty casings and dumping them at crime scenes. Moreover, the common practice of selling or giving away once-fired brass could disappear overnight.

Do you still think that a UN treaty won't affect you? The "master minds" at the UN plan to register every firearms sale that passes through a gun dealer and to cut off (make illegal) any private sale that you might attempt as a means of circumventing their controls.

But we can beat this travesty if the new Congress stands firm.

Even if the President signs the Arms Trade Treaty -- and he most certainly will when it's completed -- we can strangle this hideous creature in its cradle if he can't get two-thirds of all the Senators to support him. ★★★

Visit www.gunowners.org!

Articles and Opinions

To the Editor letters for publication are encouraged – they must be typed, a maximum of 1,000 words or less in length. Please submit photographs or artwork. Contact Editor for permission to submit in-depth articles up to 1,750 words, plus graphics. Opposition opinions are welcome.

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Citizens who have founded and support it believe in the Bill of Rights and Article 1, Section 1, of the Oregon Constitution which states:

“We declare that all men, when they form a social compact are equal in right; that all power is inherent in the people, and all free governments are founded on their authority and instituted for their peace, safety, and happiness and they have at all times a right to alter, reform, or abolish the government in such a manner they think proper. This enumeration of rights and privileges shall not be construed to impair or deny others retained by the people.”

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Letters to the Editor



Bad Ticket, Errant Cop, Bad Judge?

Editor;

On June 8, 2010, Don L Ryan of Grants Pass was stopped and given a ticket for speeding in a school zone. The problem with this is; he was not in a school zone. Don pled Not Guilty to the ticket. Don appeared in court with not only a witness but photographs as well.

Officer John Lohrfink stated his radar had been calibrated and was reading correctly both from the rear as well as from the front. The officer stated that the radar did pick up the speed from the rear and he turned around to pull Don over. Lohrfink stated that the sound of the motorcycle Don was riding is what caught his attention. It is a Harley Davidson; yes they do have a unique, somewhat loud sound, not against the law though.

Don was heading down Hamilton Street along with his passenger and came to a stop at Fruitdale Ave., at which point he made a right turn. He was not in a school zone; the school zone is to the left on Fruitdale. There is no way it would have been possible to be in a school zone coming down Hamilton and making a right hand turn, it is impossible.

Judge Kathi Holmbeck listened to the officer, she then listened to Don. Don had his witness on the stand and it was verified by the witness, under oath, that Don was not in a school zone. Photographs were presented as well.

The judge stated that she was going to believe the second-year officer rather than the cold hard facts presented to her. If there was no crime, there should be no fine and it should have been dismissed. The judge stated that she was going to lower the “mandatory minimum” fine to \$100.00. The judge making this decision shows that there was evidence that this “speeding in a school zone” did not, in fact take place, therefore, it should have been dismissed. She chose to agree with the officer regardless of the proof and truth that was looking her in the face.

This brings up another problem, if she in fact thought Mr. Ryan was truly speeding in a school zone, why was the ticket amount reduced? Doesn't the word “Mandatory” mean the same thing to a judge as it does to the rest of us?

The judge's actions show that she was not convinced that the officer was correct or the “mandatory fine” would not have been lowered. There was doubt on the judge's part; she chose to take the word of the officer (her words) over Mr. Ryan's testimony, photographs and a witness who was under oath.

Do we live in a Police State now? Why do we have the option to prove ourselves innocent if the courts continue to ignore us and do as they please anyway?

Concerned Citizen - Josephine County

Edward Snook's Note: By lowering the fine in this situation, Judge Holmbeck, proved she was prejudiced. She made her decision based on the participants and not the facts. Being from Josephine County, Oregon, she most likely has very little experience and most likely her work consists of public defender representation. On second thought, maybe the experience is a negative – far too many “experienced” judges here in Josephine County rule just like Holmbeck...

The officer should have to prove guilt, not the other way around. In actuality, with freedom in mind, what is the difference between facing a traffic ticket or standing trial on an assault charge?

I commend Don Ryan for standing up and for the fact that he wasn't happy with 20 lashes instead of 40. Don tells me he plans to appeal Holmbeck's wrong decision and I can assure him that the US-Observer is 100% behind him. One thing that Don can be thankful for is the fact that he wasn't facing 20-30 years in prison.

Immigration Solution

To the Editor,

With all the discussion of illegal immigration in the news, it amazes me that the politicians are all afraid to offer the solution that will work. The logical answer is to use America's Military to enforce our borders and immigration laws. Bring all our military forces home from foreign lands and put them on our borders. This is the only place that they are constitutionally mandated to be operating - Protecting our legal citizens from foreign criminals and invaders.

The heavily armed drug cartels are over-running our local police and lightly armed border patrol agents, but will be no match against our sophisticated Military power. The United States Military is not constitutionally allowed to be operating all around the globe in illegal wars and UN police actions. We currently

have 35,000 US active military on the Korean border and it is quite well sealed. All wars since WW2 are illegal and unconstitutional and this needs to stop if America is to survive. We cannot afford to be the world's police organization. We don't have enough jobs for our citizens and legal immigrants and certainly don't need added drain on our social services or the drugs that are currently pouring across our porous southern border. Homeland defense can't exist with unsecure borders. We are financially bankrupt and no country on earth has ever been able to survive with wide-open borders. We will be no different.

Randy Cort
Grants Pass, Oregon

Charges Dropped!

Dear US-Observer,

You folks at the US Observer have no idea what you have done for our family. My brother Tom is currently on a fishing trip thanks to Edward Snook. Only one month ago he was sitting in a jail cell facing a murder charge.

My husband and I did everything we could for Tom and all of his friends helped financially until we just could not give any more. We all feel so violated now that the case is over for having given so much money to an attorney who did nothing. I know that Mr. Snook told us that when the state agreed to drop the charges that we had to consider everything over because of the agreement that was made, but I would give anything to see Tom's crooked attorney get what he has coming. I guess this is just wishful thinking and I will have to trust God for the vengeance.

Anyway, our family has truly found a hero in Mr. Snook. If there is ever anything we can do for him or the US Observer please DO NOT hesitate to ask. Thank you so very much Mr. Snook for giving my brother back to our family.

Keren Masters
St. Augustine, Florida

Klamath County, Oregon CPS Abuse

Editor:

My name is Millissia Santopietro, I'm 29 years old. On April 28, 2010, Klamath County Protection Services (CPS) caseworker Tara Holmes appeared at my door to serve me with a "protective action" order that states I have an allegation of sexually abusing my sister. I left my home under threat from Tara that if I did not leave she would take my child.

Tara wrote on the protective order that I "voluntarily" left my home. At a later date she told me the accusation from Nicole Chambers (my half-sister) occurred 8 years ago when I was 21 years old and Nicole was 11 years old.

I already knew Nicole had accused other family members of sexually abusing her. My grandmother told me that Nicole also made accusations of rape against one or two men in Las Vegas. I checked with Klamath County Courthouse records and discovered that in March 2010, Nicole filed a restraining order against a man named Glen Bowen Forrest, accusing him of rape: she states in her petition that he was her boyfriend of 2 years.

I have heard Nicole bums around the Tulelake area and I have seen her panhandling as I drove down Main Street here in Klamath Falls.

According to what I've heard from family members and others, Nicole regularly claims someone is sexually abusing her.

CPS caseworker Traci Jensen replaced Tara Holmes on my case. Traci has been encouraging my husband to divorce me. She recently referred to me as a child sex molester when I went for a visitation with my 23-month old daughter, Andrea Rosa Santopietro. When I objected to her accusation she immediately canceled my visit with my child.

I lived part of my life in foster care. Nicole and I have different fathers. I rarely saw Nicole throughout my life. A few years ago I made a complaint to Klamath Falls Police Office Deeds that Nicole burglarized my home.

Judge Roxanne Osborne has presided over my hearings when I was in foster care.

I was scheduled to go to trial on October 15, 2010. CPS is also claiming that I am a Threat of Harm to my daughter due to Nicole's sex abuse accusation.

I was looking forward to finally coming to trial on Oct 15 so I could prove my innocence. I felt sure it was finally going to be over and I could return home to my husband and child. But a few days before the trial, a hearing was held on Oct 11th that I could not attend because I was not notified. I have the court audio transcript of that

hearing.

The transcript starts out with D.A. Ed Caleb telling Judge Osborne he does not think he can "win" my case, that he does not have evidence. My attorney, Andrea Janney, tells them that she is prepared to go to trial on the sex abuse charges, she's ready and she has expert witnesses.

Judge Osborne instructs Caleb to look at the foster files and states to him, "I know because I was the judge, I remember when she sex-abused her sister."

IDID NOT EVEN KNOW I WAS ACCUSED UNTIL 8 YEARS LATER AND YET JUDGE OSBORNE "REMEMBERS" THAT I AM GUILTY!??

It's very clear to me that Judge Osborne is assuring Caleb that with her as my trial judge he WILL "win."

Judge Osborne moved the trial date to Dec. 9th to give Caleb more time. CPS and the courts can keep parents out of their homes indefinitely, permanently, judges do whatever CPS wants.

My attorney is working hard for me and she was ready to go to trial, and now CPS and Osborne have included an additional charge to my care - "mentally incapable of caring for my child" due to my disability.

Yes, I have a disability for which I receive a small monthly benefit. I was born with Fetal Alcohol Syndrome (FAS) because my mother drank during her pregnancy with me.

Since April 28th CPS has not allowed me to return to my home, husband, and child. I am also not allowed to stay in the Women's Crisis Center or with anyone who has small children. I stayed with my mother-in-law, Elaine Fiori, for 2 weeks but she lives in senior housing that doesn't allow long term guests. I have had to sleep in my car at times. Winter is approaching. I'm extremely thin now, less than 100 pounds. I get cold easily so I wear layers of clothing. I am becoming malnourished and I will soon have kidney surgery. I am supposed to eat well and take care of my health but I am too often unable to eat due to the stress of the situation.

I would like to tell Judge Osborne, Ed Caleb, and CPS that I was born with FAS, but I was not born yesterday - that I KNOW ITS WRONG THAT I AM ACCUSED OF SOMETHING I DID NOT DO AND ITS WRONG THAT I'M NOT GOING TO GET A FAIR TRIAL.

Child Protection Services operates in secrecy - early in May, Tara Holmes instructed me to be quiet about this, she said DON'T TELL ANYONE - but I am telling everyone! I've been telling anyone who will listen and now I'm telling you. THIS COULD HAPPEN TO ANYONE - and CPS, Judge Osborne, and D.A. Ed Caleb should be held accountable for what they do.

Thank you,
Millissia Santopietro
Klamath Falls, OR

Editor's Note: I commend you for your heart-breaking letter Millissia. It must have been very difficult for you to write.

It is an absolute fact Child Protection Services here in Oregon is rampant with abuse. While some caseworkers and others in official capacities strive to protect children and promote justice, far too many of them create abuse and ruin families and children, as they create victims and then destroy them. Many in this unconstitutional system act as Judge, Jury and Executioner – without having completed an adequate investigation. In some cases, without any investigation whatsoever.

Please inform us of the outcome of your tragic case and we will make it a part of history, just like we are doing with your letter. When abuses are exposed/made public, change for the better occurs...

November Elections

Dear Editor:

I was surprised to see the outcome of the November elections. I must say that our country spoke loud and clear, but the problem I have is that what happened appears to be more of the same old same.. Only time will tell.

I was attending a comedy show with friends the other night and one of the comedians said something that stuck. She mentioned the new color of politics was PURPLE, the combination of blue(dem) and red(republican). She then announced the PURPLE party's mascot. It was none other than Barney the dinosaur. What a laugh. As the next few days passed, I couldn't stop thinking about how the people in attendance reacted. Most didn't really get it. I hope for those who appeared not to get the joke, it was out of frustration. Our Country deeply needs an answer and NOW is the time.

Randy Blythe
Dallas, TX

Continued from page 1 • Innocent Facing Trial

During the course of our in-depth investigation, we exposed police detectives, mainstream media, Deputy Prosecutor Jody Vaughan, District Attorney Michael Dugan, Melissa Leahy-Rossow, Sexual Assault Nurse Examiner (SANE) Kathy Wade for their conspiring attempts to convict an innocent man.

After reviewing all of the evidence, it became apparent that Jody Vaughan and her tactics were not only unlawful, but malicious. Even more unjust, was how District Attorney Michael Dugan could condone such actions. Dugan ignored warnings from the US-Observer, he ignored conclusive evidence we provided, he placed his entire career on the line with the Driscoll case and he lost, not only his career, but his reputation as well.

“Three other women had accused him of forcing them into having rough sex”

– Cindy Powers, Bend Bulletin

The power of the mainstream media is very relative to legal cases and can be extremely dangerous. As quoted above, Cindy Powers of the Bend Bulletin, in her December 25, 2009 article, led the public to believe that Driscoll was not only guilty, she alluded that he had raped other women. What Powers has failed to report is that while questioning these women, Judge Stephen Tiktin not only disproved her incriminating statement, he found that that these allegations were completely false. Sexual intercourse between the two women, not “three” and Driscoll was consensual, according to the female’s statements from the witness stand. It was also reported that Jody Vaughan had found these women and passed the information along to Bend Bulletin reporter Cindy Powers, who is a former prosecutor herself.

The local media had very little to say once the second trial ended, in fact the Bend Bulletin printed a quick four sentence blurb, announcing the verdict. Since January 2009, and until the second trial ended, their reporting was quite the opposite. The Bulletin and other media painted a guilty picture of Kevin Driscoll, who at that time was reportedly just another dirty rapist off the streets.

Driscoll was originally arrested and bail was set for \$352,000.00. It was reported that detectives from the Redmond Police Dept. faxed a copy of the charges to Driscoll’s employer, resulting in his suspension from his job of over 6 years with the Federal Aviation Administration (FAA). Driscoll found himself on house-arrest, jobless, and a rapist to his neighbors and nearly everyone else in the small town of Redmond, Oregon.

“Thousands wrongly convicted each year”

–American Bar Association

Instead of giving up, Driscoll hit the ground running, knowing his life depended on it. Driscoll obtained the help of the US-Observer, Attorney Ted Coran, online bloggers, his brother, investigators, friends and family, who all pulled together in their attempt to prove his innocence. After conducting our initial investigation, the US-Observer contacted District Attorney Michael Dugan. We explained to Dugan that with all of the evidence proving Driscoll’s innocence, he should lay this case to rest before it hit the courtroom. Dugan had different plans – he stated in an email, “Truth is different from Fact.”

During the first trial, Driscoll decided not to testify in his own defense, relying instead on the overwhelming amount of evidence in his favor. It was a move that ended up almost costing him his life. The entire story leading up to the second trial can be viewed at www.usobserver.com.

“Prosecution experts exaggerated, made honest mistakes or committed outright fraud”

– Study of Wrongful Convictions Raises Questions Beyond DNA - Brandon L. Garrett, a law professor at the University of Virginia

The second trial was one of the most distasteful examples of how a justice system should operate. On a positive note, I must say that Judge Tiktin was honorable and unbiased during this trial, which is something rare. Driscoll’s Attorney Ted Coran, performed exceptionally well and I’d go one step further in saying that if you are innocent and trial is the only option you have, Ted Coran should be at the top of your attorney list.

During trial, Ted Coran exposed the fact that Melissa perjured herself. Melissa told Nurse Kathy Wade during her initial examination that her last sexual encounter was seven or eight days prior. Upon discovery of video surveillance Driscoll had outside his home during the night in question, coupled with

testimony from Dennis Baker, that he had sex with Melissa just hours before the alleged rape, Melissa quickly changed her story. Sexual Intercourse then, became a definitive problem for nurse Kathy Wade, Jody Vaughan and Melissa. According to Kathy Wade, who testified she has handled 61 sexual assault cases, the term sexual intercourse was now defined as “erect penis into her vagina and ejaculation.” This was a covert attempt by Wade, Vaughan and Melissa to ultimately save Melissa from being impeached, because none of her perjured statements matched with either prior testimony or the police reports. Reportedly, Jody Vaughan convinced Nurse Wade to lie many times during the trial. When Wade was called back to court for further testimony, she wouldn’t answer her phone and ended up, “nowhere to be found” as Judge Tiktin stated.

Photos of Melissa’s bruising became the next issue for the court. Jody Vaughan presented pictures of Melissa’s bruises on what was referred to as “pink or some sort of purple paper” by Judge Tiktin, ultimately enhancing the color of the bruises. Attorney Ted Coran, had the same photos printed from Costco, and presented them to the court. Jody Vaughan became very upset as they weren’t entered into evidence, even though they were on a CD that was entered as evidence, which she reportedly didn’t want jurors to see. Judge Tiktin stated that the defendant’s picture was “a lot more faithful reproduction of what a patient info form looks like.” After viewing the photos, Jody Vaughan asked the judge if she could have the photos, “so

Driscoll was offered “NO” jail time in return for accepting a plea-bargain requiring him to register as a “sex offender.” Driscoll, who has proclaimed his innocence all along, declined Vaughan’s desperate offer.

Many more key statements have been left out, but the picture is quite clear to this writer, that Kevin Driscoll is not only innocent, he was being tried by someone who is an absolute disgrace to everything the terms justice and ethics stand for...

The Costs Associated With Prosecuting Crime in Oregon:

“The most significant growth in expenditures was the District Attorney’s office which, on average, grew 32%. Deschutes and Grant County had the greatest growth at 55%, totaling a cost of \$11,636,816.00 for Deschutes County in 2009”

– University of Oregon

At 9:24 a.m. on October 6, 2010, the jury was escorted to their chambers to deliberate. At approximately 10:52 am, they reached their verdict. Judge Tiktin pronounced the jury’s decision, count one, unlawful sexual penetration, not guilty; count two, rape in the first degree, not guilty; count three, sodomy in the first degree, not guilty; count four, rape in the first degree, not guilty; count five, rape in the first degree, not guilty; count six, sexual abuse in the second degree, not guilty; count seven, assault in the fourth degree, NOT GUILTY! Not guilty on all counts.

“The criminal justice system in the United States is notoriously fragmented”

--Northwestern University, School of Law

As court adjourned, 13 of the 14 (12 jurors, 2 alternates) jurors walked over to Kevin Driscoll, shook his hand, gave him hugs, then took him and his attorney to lunch. This is something I have never witnessed, nor heard of.

Had the US-Observer not investigated and printed the true story, or Driscoll’s Attorney Ted Coran not done such an exceptional job, it is very likely Driscoll would be sitting behind bars today.

Kevin Driscoll’s father stated, “I have come to the realization that the motive of the justice system is to stifle the true victim, keep him in jail with half a million dollar bail, confine his resources, destroy his livelihood, sending derogatory letters to his employer, get him fired, bankrupt his family, destroy his good standing in his community by releasing untruths and bias reports to the media, break him emotionally and financially by besmirching his good name, destroy his life, then offer him a plea-bargain that looks like a lifesaver in the sinking titanic and gloat over your win column, brag about your conviction rate and go on to the next victim. Thankfully Kevin did not relent to this treachery and was able to rally support from several avenues, friends, family and a very good upstanding lawyer with high moral fiber above reproach and the US-Observer for allowing him the option to continue a good honest fight against the injustice of the judicial system.”

Today, Driscoll continues to face an uphill battle. His home is now in foreclosure, he and his family are nearly bankrupt after spending over one-hundred thousand dollars on his defense, his job with the FAA is gone, and his name is forever tarnished. What took days for District Attorney Michael Dugan and Assistant Jody Vaughan, combined with the mainstream media and detectives to ruin, has possibly cost Kevin Driscoll the rest of his life.

Writers Note: According to witnesses, Jody Vaughan stated after trial, “It’s not over between Kevin and I.”

It appears that the only crime committed was by the DA’s office. The powers that be would have saved the tax-payers a reported \$150,000.00 on the first trial, which didn’t include DNA testing, and an additional estimated \$375 – \$400,000.00 in the second trial that included DNA testing and “so-called” expert witnesses, had they conducted a thorough investigation to begin with. After researching this case thoroughly and being fully aware of Jody Vaughan and her deceptive practices, it appears she has a much deeper issue.

A psychoanalytic theory as described by Sigmund Freud finds, “all humans have criminal tendencies; furthermore the most common element that contributes to criminal behavior is

a faulty identification by a child with her or his parents.” Perhaps, for Jody Vaughan, she has a disconnect with not only her parents, but the justice system and citizens of Deschutes County as well.

I would offer one piece of advice for Jody Vaughan, if she is fortunate enough to prosecute her next scheduled rape trial. Make sure you print your photos on non-color enhancing paper, and be absolutely certain your “alleged victim” knows the legal definition of “sexual intercourse” prior to taking the stand.



I can have my officer do some work on them.”

Two witnesses had testified to seeing the bruising prior to the alleged rape and expert testimony factually disproved Vaughan’s arguments regarding the age of the bruises on Melissa. Expert witnesses and Forensic Pathologists Terry Haddix, M.D., William Brady M.D. (founder of Oregon’s Medical Examiner Board) and Epidemiologist Michael Freeman PhD, all concurred that the bruises were pre-existing. Dr. Haddix and Dr. Brady both agreed that the bruises were 48 hours old to a medical certainty. Dr. Freeman reviewed all the case studies that he could find on bruising and coloring and stated that there has never been a case where yellow bruising occurs in less than 19 hours. He said any bruising with yellow color less than 19 hours old, would be almost impossible. The percentage would be 1/10 of 1%,” but Vaughan thought she could enhance the color of the bruising, to make it appear that Driscoll had caused them. The expert’s testimony, as well as eyewitness testimony, compared to the time of the alleged rape, made it impossible for Driscoll to have caused the bruising.

Redmond Police Officers, Chris Wick and Cory Chase were another set-back for prosecutor Jody Vaughan. Officer Chase reportedly stated he never lied to Driscoll during his investigation, nor did he lead Melissa into coerced answers during their interview. Detective Wick, who has been an officer for over five years and according to his testimony, “has investigated many serious felony cases,” had a different story than Chase. Wick stated, “I was... I stepped on her answers or led her or suggested things, I believe that,” referring to his taped interview with Melissa. It was also reported the officers failed to question other eye witnesses, and when asked why, it was because they had all the information they needed and other cases to work on.

“Over 90% of all criminal cases in the United States are resolved through plea bargaining”

– All Academic Research

It didn’t take long before members of the jury were seen rolling their eyes, when the prosecution was examining witnesses. At this juncture, prosecutor Jody Vaughan quickly picked up on their body language and held a meeting with Driscoll and his attorney behind closed doors, to offer him a new plea-bargain. Facing 300 months in prison if convicted,

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itself much earlier under the auspices of caring for people, even those who still have a responsible support network. With doctors stating these individuals need assistance, the state takes it upon themselves to appoint a Guardian ad litem - someone who is supposed to be responsible for the welfare of the individual in question. This guardian tends to be someone who makes the responsibility of guardianship their business, profiting from their court-appointed positions. The problem with this kind of court-sanctioned "control" of another individual is, it tends to give guardians too much power to protect the guardianship, for the sake of making money, rather than serving the interests of the clients, whose welfare the whole process was supposed to be about in the first place.

According to a recent article by the Houston Chronicle regarding a General Accounting Office (GAO) study, "Federal auditors uncovered hundreds of allegations of physical abuse and mistreatment by guardians of the elderly and disabled in 45 states ... Nationwide, complaints about guardianships are common, but no one centrally tracks or investigates abuse, the GAO found, 'Although we continue to receive new allegations from family members and advocacy groups, we could not locate a single website, federal agency, state or local entity, or any other organization that compiles comprehensive information,' the [GAO] report said."

The GAO report states that in the 20 matters they focused on they found, "guardians stole or otherwise improperly obtained more than \$5.4 million in assets from 158 incapacitated victims."

Oregon is not untouched by this rampant pilfering of incapacitated peoples' assets.

A case that has the potential of becoming such a story is that of Carolyn Rousseau, from Grants Pass, Oregon. Rousseau was deemed mentally ill by Jackson County, Oregon, Circuit Judge Daniel Harris on November 5, 2008. According to court documents, Harris placed her on a 180-day commitment hold, and Ms. Rousseau effectively became a ward of the state. Soon thereafter the court appointed Nancy Doty, a professional guardian with a reported case-load of over 100 clients, as Carolyn's guardian and conservator. Not only could Doty make decisions on Carolyn's well being, but she could make financial decisions regarding Carolyn's personal property. Doty was given complete control and the 180-day hold has turned into 731 days as of this writing and most of this time has been spent away from the city that Carolyn calls home. Her friends, who believe Carolyn to be much improved, while still needing some sort of care, have been denied access to her. The foster home in Portland, Oregon, where Carolyn now resides won't even allow Carolyn to receive phone calls from most of them, reportedly on the orders of Nancy Doty.

Carolyn attends church, plays duplicate bridge and loves to walk, even unsupervised at times, yet Nancy Doty still retains control over all that is Carolyn's. Accusations have been made that Doty and the foster home care-giver collude in their reporting to make it appear that Carolyn still requires their "services" thereby ensuring they get paid.

In a move that seems to support this claim, Nancy Doty filed a motion that is being entertained by the court to sell Carolyn's home to pay for Doty's services and Carolyn's expenses. Doty even had Carolyn's car towed from a friend of Carolyn's residence where it was placed in storage and it has been reported that it is currently scheduled to be auctioned off.

In a scheduled court hearing that in part addressed the home-sale issue that I attended on November 2nd, I saw that Carolyn Rousseau is not a quick woman, but that she is thoughtful, kind, expressive and incredibly articulate. She reasons and has an understanding of what is being said to her. And, Carolyn knows full-well that the home and property she worked all her life to achieve is slated to be sold-out from under her, even though she has repeatedly voiced her objections to the sale. Carolyn passionately stated to Doty in a recess during the hearing, "[my home] is in my heart, not just my head. It is in my heart."

This, however, wasn't the only issue brought up at the status hearing. Apparently, no legal representation has been found for Carolyn who is up against the state and an apparent guardian-gone-wild. Doty, on the other hand, was armed with two lawyers for her own representation at her client's, Carolyn's, status hearing. And, Marion County Circuit Judge Claudia Burton seemed to suggest that Carolyn, who has been previously ruled incompetent, requiring a guardian, can and will represent herself at the November 19th hearing that will determine if Carolyn's home will be sold. Judge Burton must be realizing Carolyn is competent. However, it is more than apparent that Carolyn is afraid of retaliation by Doty, as was brought up when Carolyn stated to Judge Burton that she thought Doty would take away her privileges.

To her credit, Judge Burton allowed a letter written by a friend of Carolyn's stating she would like to be Carolyn's guardian in Grants Pass, much attention. In it Carolyn's friend outlines her years of experience in related health fields and in care-giving and says that she wouldn't charge anyone for her time as guardian. Judge Burton seemed interested and went so far as to say she would like to see it properly formatted and all parties properly served before the November 19th hearing, and she even asked Carolyn if she would like her friend to be her guardian, to which Carolyn responded in the positive.

Carolyn does require some supervision as she has moments of unbalance. This fact has never been in question by anyone. Nor, has the fact that an episode in which Carolyn became incoherent, due to her father's death, required intervention - the event which started this whole nightmare. But, the level of the state's involvement, especially that of the current court-appointed guardian, is most definitely suspect. So much so in fact it appears the State of Oregon, the law offices of Cartwright & Associates (representatives of the court-appointed guardian), and Nancy Doty, herself, treat Carolyn Rousseau like just another "ward of the state" whose continual commitment means a paycheck through the alleged pilfering and sell-off of everything Carolyn has. That is the only thing that makes any logical sense. Because, it is apparent to those, not previously mentioned, who attend any of Carolyn's public hearings and Carolyn's friends, that justice, compassion and healing aren't the reasons Carolyn Rousseau is being held in foster care against her wishes. To these people it all seems to be about the money, and they could be right.

Perhaps the judge should re-read the letter sent to her by Carolyn on August 4th, 2010, before allowing Doty to abscond with her property and subjugate her to a life of state care. In it Carolyn writes in part:

"I, Carolyn Rousseau, read in Nancy Doty's report that I am to remain 'in foster care' for the remainder of my life. I find this statement most disturbing as I feel extremely let down by the Mental Health Service. The counselor I have does not help me work toward going home to Grants Pass. I want to be supported at my own home in Southern Oregon.

"Nancy Doty has threatened me with life-long foster home care. So I am relying upon the courts to hear what I want. ...

"Due to the restrictions placed on my life, I no longer enjoy the full and active experiences at my home ... in Southern Oregon.

"And, after all, Nancy Doty knew that my friends agreed to set up a schedule so that a caregiver would always be present ... However, this was not considered. To repeat, I have caregivers in Southern Oregon and choose to have my own life back ...

"My detention 'in foster care' has merely served to exacerbate any/all problems I have had in the past and very likely contributed to presenting issues (e.g. in Nancy Doty's recent report).

"As a result of my isolation from a 25 year history of friendships, being removed from my ... familiar surroundings in Grants Pass and at home, this existence has merely served to play upon my mind. ...

"I, Carolyn Coyne Rousseau, do question all of these issues I supposedly have ... Many of the mental health diagnostics would leave very few individuals classified as 'normal'.

"I went through a bad patch surrounding my father's death and will - it churned up old wounds. Like anyone, I have some ups and downs, particularly with significant life events (eg. deaths)."

Perhaps, for Carolyn's sake, it not too late for the system to do what it was designed to do, protect Carolyn Rousseau.

Writer's Note: If I were Judge, I would look into the allegations made by Doty's lawyers that the insurance on Carolyn's home is set to lapse on November 19th. It has been reported that Carolyn never carried any homeowner's coverage as she owned her home outright, thereby making their statements fraudulent in nature (unless of course they could show they purchased this coverage after they took control of the property). I would want to see pictures of Carolyn's property as it was represented by Doty's attorney as needing so many repairs that it would be too costly to place Carolyn back in her home. The photo evidence is there to the contrary. Also, I would sanction these lawyers for placing the property on the market before ever being given the go-ahead by the court to do so. But, that's just me. ★★★

WHERE DO YOU STAND ON THE ISSUES? CONSERVATIVE OR LIBERAL... WE WANT TO HEAR FROM YOU!

Email us at: editor@usobserver.com

the real estate issues.

FBI investigator Rhonda Schantz began questioning everyone, as she attempted to manufacture a case against Kevin & Tami Sawyer. Recently, Bradford stated that he was going to indict the Sawyer's daughter, regarding a loan she had received from Washington Mutual, if Tami and Kevin refused to accept a plea-bargain. At this juncture, Kevin Sawyer, who is usually calm and reserved, decided he'd had enough and contacted the US-Observer. Working his entire life in a profession where integrity and law was everything, it didn't take Kevin long to see that the threatened indictment against his daughter for his plea, was a form of Blackmail.

The US-Observer's cursory investigation shows that Tami Sawyer didn't violate any laws. In fact, she hired CPA John Harrigan and two attorneys to make sure she was following the letter of the law with regards to how she ran her businesses. Sawyer's former CPA John Harrigan, refused to answer questions during a mid-October phone conversation with this reporter.

Part of the "manufactured charges" against the Sawyers, deals with the Bend Bulletin reported "vacation" home the Sawyers built in Cabo San Lucas, Mexico. According to page 5, item C of their indictment, the Sawyers used lenders money to pay for such things as "phone bills" and decorating their vacation home in Mexico. It is clear to the US-Observer that the Mexico property was built as an income property, not a vacation home. According to one source, the Sawyers were advised by former CPA John Harrigan that they could legally spend up to four weeks per-year at the income property in Mexico. According to the website www.casadeguerencia.com, the "vacation" home appears to be a nice income producing property, which costs \$1,200.00 per-day. According to the dates available chart on the website, it is clear that renters have been regularly staying in the Sawyers' "vacation" home. Again, there is no question whatsoever that the home is rent-producing as opposed to "vacation."

We should note that Scott Bradford is part of President Obama's "Operation Stolen Dreams." This operation is purported to be one that goes after fraud in the real estate market. However, the US-Observer has numerous cases where public officials supposedly going after fraud were in fact protecting fraudulent banks and loan officers as they went after innocent people. This appears to be the case with Tami and Kevin Sawyer.

Why Hasn't Bradford Charged Menoni?

One of Tami's former employees, Ondi Hibbs, who has been quoted many times in the Bend Bulletin, filed a lawsuit against Tami Sawyers main business entity Starboard LLC, just after she quit working for Tami. A counter-suit was subsequently filed by Tami Sawyer and Hibbs reportedly dropped her lawsuit. It is also reported that Ms. Hibbs has filed numerous lawsuits against citizens of Deschutes County over the years that were eventually dropped.

According to an Observer source, lender Ann Marie Whitney wanted her loan to be long-term (5 yrs.), given her knowledge that the real-estate market wasn't stable. Tami Sawyer referred Whitney to David Rosell for investment advice. After the reported advice of Investment Analyst David Rosell, Ann Marie decided that it was in her best interest to loan money to Starboard LLC. Upon reading about the Sawyers in the Bend Bulletin, coupled with a crash in the Bend real-estate market, it was

reported that Whitney became scared and filed a lawsuit.

According to an Observer source, Paris Menoni originally loaned \$136,000.00 to Starboard LLC after she let her home go into foreclosure, according to our source's records. The home Menoni reportedly let go into foreclosure was purchased for 775k and it is reported that Paris was only earning \$1,600.00 per month, with a stated income of over \$13,000.00 monthly at the time of her purchase. If so, why hasn't Scott Bradford charged her for committing bank fraud or charged the bank for defrauding Menoni? Once she found out about the lawsuits against the Sawyers, she reportedly jumped in line to get in on the action.

Richard Russell, Paris' ex-husband and one of Tami's former lenders, loaned Starboard LLC \$50,000.00. According to one source, Russell wanted his loan to stay in the real-estate market until his retirement, which was 3 to 4 years away at the time. It is also reported that Richard Russell and Paris Menoni sued the Sawyers at the same, using the same attorney, Claude Ingram.



Dr. David Redwine, Gynecologist

One of Sawyer's lenders who helped initiate the federal "manufactured" charges, Dr. David Redwine, Gynecologist, was recently issued a Notice of Proposed Disciplinary Action by the Oregon Medical Board. According to the complaint, the Oregon Medical Board proposes to take disciplinary action pursuant to ORS.677.205 against Redwine, for violations of the Medical Practice Act, unprofessional or dishonorable conduct, and gross or repeated acts of negligence. Performing breast exams on patients in social settings, prescribing drugs to non-patients and a "sporadic" sexual relationship with a patient, were just a few of the alleged actions that Dr. Redwine is being held to account for. It is reported that once his construction costs for his new home were underestimated by hundreds of thousands, he began harassing Tami, demanding all of his money, when he reportedly knew it was tied up in real-estate that he had loaned on. This is allegedly the reason that Mr. Redwine filed his lawsuit against the Sawyers.

We have also received information that the Sawyers have put almost one million dollars of their own money back into the businesses since the market crashed in Bend. If Tami's intention was to "steal" money from her lenders, why would she continue to issue personal judgments, pour her and her husband's own funds into the businesses, still have the reported majority (11-15) of her lender's support, and state that "bankruptcy is, but will never be an option"?

Anyone who has information about this case or the following individuals are urged to contact the US-Observer at 541-474-7885. CPA John Harrigan, Attorney Martin Hanson, Dr. David Redwine, Steve Wilson, Lori Maunder, AUSA Scott Bradford and Ondi Hibbs.

Logon to www.usobserver.com for updates.

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Wake Up America Southern Oregon's Mission:

Written in plain English, the learning of the Constitution is pivotal to guarding each American's liberties. As it is learned, it will be shared with others so that they, too, can understand that through the Constitution they can be protected.

For if attacked by Government, each citizen has the power to use the Constitution as their shield, and when holding the government accountable, wield it as their sword.

For it was the intention of the Founders for the people to remain a free and prosperous citizenry.

So it is for Wake Up America Southern Oregon, that we spread truth and gain in number, growing into a formidable force, so that public officials remain representative and are held accountable to the true government, the People.

WUA meets every other Tuesday at 6:30 p.m. in Rogue River, Oregon, at the Live Oak Grange, located at 120 Gardiner St.

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"A small body of determined spirits fired by an unquenchable faith in their mission can alter the course of history."
-Mohandas Gandhi

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21	22	23	24	25	26	27	19	20	21	22	23	24	25
28	29	30					26	27	28	29	30	31	

WAKE UP AMERICA BACKED CANDIDATES WIN!

Wake Up America Souther Oregon, has it's first backed candidate win! - With the support of WUASO, Candidates in both Josephine and Jackson County declared their victory November 2, 2010. WUA votes as a group and openly debated, with some candidates in attendance to decide who would win WUA's vote.

After deciding to back both Commissioner positions in Jackson County along with one Commissioner and Sheriff position in Josephine County, it was time to vote. WUA openly supported John Rachor and Don Skundrick of Jackson County in their bid for Commissioner. Candidates for Jackson County filled out WUA questionnaires. In Josephine County, it was Sheriff Gil Gilbertson who won WUA support along with 31 year old Simon Hare for Commissioner. Both Simon and Gil attended WUA open debates. Simons opposition, Dave Toler who was the incumbant, filled out a WUA questionnaire, and Gil's opposition, Don Alaire wasn't avialable to fill out the questionnaire, nor comment. The end result was a unanimous win for WUA!

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