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6 In Propria Persona Petitioner

7 **IN THE UNITED STATES DISTRICT COURT**
8 **FOR THE DISTRICT OF ARIZONA**

9 Brian A. Wilkins,) CV: 10-0443-JWS-MHM (MEA)
10)
11 Petitioner,) **OBJECTIONS**
12)
13 vs.)
14)
15 Attorney General For the State of Arizona,)
16)
17 Respondent)
18)
19)
20)
21)
22)
23)
24)
25)

26 This objection will ultimately be deemed “vituperative,” “conspiracy,” “paranoid”
27 and/or some other adjectives to minimize the truth herein, and likely will not even be
28 read by Respondent (“Arizona”) nor the Court. Regardless, Petitioner (“Wilkins”) objects
to the Report and Recommendation issued by the Court, and will keep this short.

The final order from this Court needs to at least include the reality that facts
means very little in prosecutions of average citizens (“subjects”). It is well established
that U.S. courts are bound by the culture and tradition of viewing all evidence “in the
light most favorable to the prosecution,” *Jackson v. Virginia*, 443 U. S. 307, 319 (1979),
regardless of indisputable facts and malice committed by them.

The facts remain that:

1. The State of Arizona prosecuted the Petitioner on charges which they claim
affected “multiple victims.” Once the Petitioner completed the 140+ hours of slave
labor U.S. municipalities refer as “community service,” Arizona then admitted

1 there were in fact no victims in this case. In short, this entire case was
2 prosecuted on false pretenses, thus a fundamental miscarriage of justice which
3 the Court refuses to acknowledge.

4 2. The Maricopa County Superior Court, *sua sponte*, unlawfully vacated Petitioner's
5 trial without a written motion, which violates the Sixth Amendment's speedy trial
6 provisions.

7 3. State of Arizona failed to produce grand jury transcripts, court transcripts, and
8 files from public defenders – upon motion by Petitioner requesting said discovery
9 - once it finally “granted” the Petitioner his Sixth Amendment right to represent
10 himself in post-conviction proceedings. Petitioner was denied self-representation
11 in the prosecution stage.

12 4. The alleged “plea agreement” signed by the Petitioner was expired and altered
13 after he unwittingly signed it.

14 I've re-hashed these facts and many others to every level of Arizona state courts, all of
15 which were completely ignored and denied without review or explanation. Now this
16 Court did everything in its power to rationalize all the egregious constitutional violations
17 to make sure “the State” can continue their persecutions unabated. This Court has
18 established that it does not even matter that the prosecutor responsible for the instant
19 case, Andrew Thomas, will likely be disbarred by the Arizona Supreme Court for several
20 malicious prosecutions over the past five years.¹ The State Bar, however, is only taking
21 these realities to heart because the malicious prosecutions involve their own people
22 (county supervisors, county judges, etc.). In other words, it is unconstitutional and
23 unlawful for Andrew Thomas to maliciously prosecute state agents, but perfectly legal
24 and encouraged for him to do so to average subjects to “the state.” The instant case, if
25

26
27 ¹ Don Stapley: Andrew Thomas, Joe Arpaio Destroyed My Life. Article for
28 Arizona Republic covering the ethical misconduct disciplinary hearing for
Thomas (9/20/2011).
<http://www.azcentral.com/news/election/azelections/articles/2011/09/20/20110920stapley-thomas-ethics-hearing0920.html>

1 nothing else, is now documented precedent of preferential treatment for
2 government/ruling class citizens over all remaining U.S. subjects.

3 A few months ago, the United States Supreme Court reversed a \$14 million
4 judgment against Louisiana prosecutor Harry Connick, Sr., even though it was clearly
5 established that Connick's office wantonly and deliberately withheld exculpatory
6 evidence which left an innocent man sitting on death row for 14 years. *Connick v.*
7 *Thompson*, 563 U. S. ____ (2011). The goal of U.S. courts is the protection of its
8 prosecutors and the upholding of malicious convictions of unwitting American subjects,
9 regardless of facts and malice by said prosecutors. Americans cannot be called
10 "citizens," as all rights allegedly enumerated in the U.S. Constitution simply do not apply
11 in real life situation, except of course, absolute immunity for prosecutorial malice and
12 manipulation. See Eleventh Amendment.

13 As Petitioner sits writing this document, a man named Troy Davis will be
14 executed by the State of Georgia in a matter of hours, even though there is no physical
15 evidence tying him to the "murder" the State of Georgia convicted him of. Again, it is not
16 about facts, it is about furthering the U.S. police state and keeping the subjects in line.
17 The U.S. Supreme Court denied certiorari of Mr. Davis' appeal because of some
18 "procedural bar" U.S. courts may invoked whenever and however they choose. *Davis v.*
19 *State*, 263 Ga 5, 426 S.E.2d 844, *cert. denied*, 510 U.S. 950, 114 S. Ct. 396 (1993);
20 *Davis v. Terry*, 465 F.3d 1249, 1256 (11th Cir. 2006), *cert. denied*, 127 S. Ct. 3010
21 (2007). Again, American "subjects" must follow every procedure verbatim and on time,
22 or forever lose that potential slim opportunity at truth setting them free. But again,
23 government agents can violates any and all statutory and procedural guidelines and win
24 their convictions and have them upheld by other ("higher") courts.

25 The Thirteenth Amendment of the U.S. Constitution did not end slavery; it simply
26 moved it to U.S. courts and prisons. Per said amendment, slavery is illegal unless the
27 slave has been "duly convicted" in a U.S. court. This was the great compromise
28 between Confederate states (and territories, i.e. Arizona) and the Union, which

1 guaranteed slavery would still exist, as long as a “conviction” happened in a U.S. court.
2 This arrangement between U.S. courts, prosecutors, and corporations has made private
3 prison giants Corrections Corporation of America and GEO Group two of the most
4 prosperous business in America, despite economic downturn almost everywhere else.
5 This arrangement also got 140+ hours of slave labor by the Petitioner for Maricopa
6 County.

7 The Court and Arizona now believe they have won because the Petitioner will
8 endure a life sentence of “felony record,” which is the new Dred Scott, *Dred Scott v.*
9 *Sandford*, 60 U.S. 393 (1857), if you will...rendering millions of Americans third class
10 human chattel. Again, the Thirteenth (and Fourteenth) Amendments overturned Dred
11 Scott and established the “felony class” in lieu of the “slave class.” I do give credit, in
12 that the European imperial empire has kept their chattel stock and convinced a vast
13 majority of Americans this does not exist anymore. It is very clever, especially as
14 Petitioner has read hundreds of denied habeas corpus petitions which judges use any
15 and every possible reason to uphold the “slavery.” However, many of us, including
16 myself, are now not accepting this imperial government as legitimate...only as an
17 occupier which manipulates its human subjects. I am now free, as the answers and truth
18 I’ve sought are now concrete and indisputable. I thank the Court for establishing once
19 and for all that Americans not part of the Ruling elite, are subjects to the state, tenants
20 in their own home, and do not even own our own bodies. "The ownership of all property
21 is in the state; individual so-called 'ownership' is only by virtue of the government...and
22 use must be in accordance with law and **subordinate** to the necessities of the state."
23 *Sen. Doc. No. 43*, 73rd Congress, 1st Session. All American subjects are listed as "a
24 tenant" in the home they supposedly “own.” An illegitimate government, operating under
25 false premises of freedom and liberty, means Petitioner is a free soul now, despite what
26 “the state” does to impede on that. The truth has set me free.

27 CONCLUSION

1 Petitioner, again, would just like to thank Arizona courts and U.S. District Courts
2 for their clarification on the issues herein. It is established that facts do no matter in
3 these courts, so despite the Petitioner's objection to the Thirteenth Amendment slavery
4 agreement the U.S. government made, it will continue unabated. I look forward to
5 reading more of your decisions in the future and educating the masses about the
6 underlying goals of U.S. "justice."

7 Submitted this 21th Day of September, 2011.

8 /s/ _____

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15 **CERTIFICATE OF SERVICE AND FILING**

16 I hereby certify that on September 21, 2011, I electronically transmitted the
17 foregoing document to the Clerk's Office using the CM/ECF System for
18 filing, and electronically served the attorneys for Respondents, at the following
19 addresses:

20 Arizona Attorney General's Office
21 Sarah Heckathorne
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