RE: Brian David Hill

GENERAL ADJUSTMENT

Mr. Brian David Hill began s The supervising U.S. Prol supervision history has bee present with Mr. Hill. He Disability as his source of inc

On April 28, 2015, a warrandisplaying troubling behavior visited Mr. Hill's residence to case. The U.S. District Cournot complied. When USPO I

VA) on November 13, 2014.
A) reported that his initial physical health conditions relies upon Social Security

the WD/VA due to Mr. Hill rton, on April 28, 2015, she the Court to be filed in his behavior, however, he had

3

not complied. When USPO I address this issue with Mr. Hill, he became visibly upset. He began wringing his hands together and shaking his head. After USPO Burton instructed Mr. Hill to stop sending documents to the Court, he hit a plate off of a table beside a couch sending it to the floor. Mr. Hill began pacing and raised his voice toward USPO Burton. Due to Mr. Hill's escalated behavior, USPO Burton advised that she would be leaving the residence. Mr. Hill responded by indicating that he would be okay. Mr. Hill paced toward the kitchen and he was instructed to remain in the living room and

d sit down and told USPO Burton that she was a "jerk." Mr. Hill's to calm down and advised that USPO Burton was only doing her d to discuss his issue with sending documents to the Court and mental health services at Piedmont Community Services in I by continuing to hit items off of a side table and calling USPO It this point USPO Burton felt unsafe and left the residence.

BLE UPON REVOCATION:

s C Felony. Therefore, if supervised release is revoked, he may rs in prison. 18 U.S.C. § 3583(e)(3).

's most serious violation is a Grade C in that his violation is criminal history category was Category I. Pursuant to USSG plicable upon revocation is 3 to 9 months.

imum term may be satisfied by a sentence of imprisonment; or a a term of supervised release with a condition that substitutes on according to the schedule in USSG §5C1.1(e) for any portion

ng the range of imprisonment applicable upon revocation are not consider the policy statements, but may deviate from them for

Kanaswamys Cry E-CF account should prove that he apened up court filings about Kristy Burton lying. -Brian D. Hill

The maximum term of supervised release that can be reimposed following revocation is the term of supervised release authorized by statute minus the imprisonment imposed upon revocation.

Ramaswamy's CM Should prove that account hat had prove that him some about this wing. This about this fill a since the since t

my declarations of the first burshamy suches of the state of prior thanks as the statements.

RE: Brian David Hill

GENERAL ADJUSTMENT UNDER SUPERVISION:

Mr. Brian David Hill began supervision in the Western District of Virginia (WD/VA) on November 13, 2014. The supervising U.S. Probation Officer (USPO) Kristy L. Burton (WD/VA) reported that his initial supervision history has been challenging based on numerous mental and physical health conditions present with Mr. Hill. He resides with family in Martinsville, Virginia and relies upon Social Security Disability as his source of income.

On April 28, 2015, a warrant was requested from the U.S. Probation Office in the WD/VA due to Mr. Hill displaying troubling behavior. According to information provided by USPO Burton, on April 28, 2015, she visited Mr. Hill's residence to address his sending numerous documents to the Court to be filed in his case. The U.S. District Court Clerk's Office had directed Mr. Hill to cease this behavior, however, he had not complied. When USPO Burton attempted to address this issue with Mr. Hill, he became visibly upset. He began wringing his hands together and shaking his head. After USPO Burton instructed Mr. Hill to stop sending documents to the Court, he hit a plate off of a table beside a couch sending it to the floor. Mr. Hill began pacing and raised his voice toward USPO Burton. Due to Mr. Hill's escalated behavior, USPO Burton advised that she would be leaving the residence. Mr. Hill responded by indicating that he would be okay. Mr. Hill paced toward the kitchen and he was instructed to remain in the living room and to be seated by USPO Burton. Mr. Hill did sit down and told USPO Burton that she was a "jerk." Mr. Hill's grandparents and mother instructed him to calm down and advised that USPO Burton was only doing her job. USPO Burton and Mr. Hill continued to discuss his issue with sending documents to the Court and spoke about his failure to attend his mental health services at Piedmont Community Services in Martinsville, Virginia. Mr. Hill responded by continuing to hit items off of a side table and calling USPO Burton an "asshole" on two occasions. At this point USPO Burton felt unsafe and left the residence.

RANGE OF IMPRISONMENT APPLICABLE UPON REVOCATION:

Statutory Provisions:

Mr. Hill 's original conviction was a Class C Felony. Therefore, if supervised release is revoked, he may not be required to serve more than 2 years in prison. 18 U.S.C. § 3583(e)(3).

Policy Statements:

The probation officer believes Mr. Hill 's most serious violation is a Grade C in that his violation is technical in nature. Mr. Hill 's original criminal history category was Category I. Pursuant to USSG §7B1.4(a), the range of imprisonment applicable upon revocation is 3 to 9 months.

Pursuant to USSG §7B1.3(c)(1), the minimum term may be satisfied by a sentence of imprisonment; or a sentence of imprisonment that includes a term of supervised release with a condition that substitutes community confinement or home detention according to the schedule in USSG §5C1.1(e) for any portion of the minimum term.

The Chapter 7 policy statements regarding the range of imprisonment applicable upon revocation are not binding on the Court. The Court must consider the policy statements, but may deviate from them for good reason articulated on the record.

Imposition of Supervised Release

The maximum term of supervised release that can be reimposed following revocation is the term of supervised release authorized by statute minus the imprisonment imposed upon revocation.

RE: Brian David Hill

RECOMMENDATION:

It is recommended that Mr. Hill 's supervised release be revoked and that he be sentenced to the high end of the range of the Chapter 7 policy statements. Mr. Hill has displayed troubling behavior toward his supervising U.S. Probation Officer. This behavior escalated to the point that his officer did not feel safe and had to leave his residence. It does not appear that Mr. Hill is able to comply with his conditions of supervision at this time. It is recommended that Mr. Hill be held in custody in an attempt to address his violation behavior and to assist him in receiving mental health assistance.

It is recommended that nine years and three months supervised release be reimposed following a custodial sentence. This amount of supervised release is the original term of supervision less the recommended imprisonment term. An additional term of supervision will give Mr. Hill another opportunity to be monitored in the community and to provide needed assistance.

An additional condition of supervised release is also recommended if a reimposed term of supervised release is ordered, the defendant shall cooperatively participate in a program of the Residential Re-Entry Center (RRC) until discharged by the center director and/or probation officer, but no later than 180 days from admission. This condition is recommended in the event that Mr. Hill does not have a suitable residence for supervision purposes upon release from custody.

Voluntary Surrender/Detention:

Mr. Hill does not appear to be a suitable candidate for voluntary surrender or release at a detention hearing as he is seen as a danger to the community. Mr. Hill has displayed troubling and erratic behavior toward his supervising U.S. Probation Officer. This behavior escalated to the point that his officer did not feel safe in his home and had to leave. Mr. Hill does not appear to be a risk of flight as he has no history of non-appearance noted.

Respectfully submitted,

Edward R. Cameron

Supervisory U.S. Probation Officer

Approved by:

Lisa P. Palombo

Deputy Chief U.S. Probation Officer

Date

CC:

U.S. Attorney Defense Attorney Brian David Hill

RE: B	rian David Hill			2	
U.S. P	robation Officer Rec	commendation:			
[X]	The term of super [X] revoked. [] extended	vision should be for years, for a total term of			
[]	The conditions of s	supervision should be modified	as follows:		
		I declare under penal	ty of perjury that the forgoing is true ar	nd correct.	
		Executed On	Edward R. Cameron Supervisory U.S. Probation Of	fficer	
Approv	ved by:				
	Palombo Chief U.S. Probation	on Officer	<u>4-29-15</u> Date		
		THE COURT O	RDERS		
	sealed until the W to the U.S. Probat	farrant is executed. The Clerk ion Office, the U.S. Attorney's (Summons. punt of this proceeding to an ordine computer in	easons, this petition and Warrant she shall provide a copy of the petition and Office, and the United States Marshall with inguine altowich. See order, no. 87.	nd Warrant Office.	
		Date			

Plaintiff, United States of America | Counting North CAROLINA |

Plaintiff, United States of America | Cheminal Action No. |

Defendant, Brun David Hill | States Of America | Line of FILED | Line of States of America | Line of States | Line of State

DECLARATION OF STATEMENTS IN SUPPORT OF MOTION FOR CASE DISMISSAL

I Brian D. Hill, on # May 28, 2015, discovered lies or false statements in the PROB 12C, Petition for Warrant or Summons for Offender Under Supervision (Filed April 29, 2015). First lie I discovered right off the bat was that I was allegedly accused of "failed to follow her instructions. The truth is her order/instructions was different then what she claimed on record for the summons. The Court shall be told the true story of what happened before the Probable Cause hearing before the Honorable Magistrate Judge Elizabeth Peake.

She claimed she "visited Mr. Hill's residence to address his sending numerous documents to the Court to be filed in his case. The U.S. District Court Clert's Office had directed Mr. Hill to cease this behavior however, he had not complied." That is a lie or untruthed statement. I missed the first phone call attempt from the Clerk, then when I called the clerk's office she informed me to only file via U.S. Mailing and I agreed not to file documents using my cell phone's MMS. Only time I contacted the clerk's office was to correct a mistiling or filing issue from my mailing and Jay Daniels agreed to correct her mistakes.

Second lie was that when USPO Burton attempted to address this issue with Mr. Hill he became visibly upset. She had this totally mixed up. When she told me to stop sending documents electronically via Multimedia messaging, I told her I agree and was understanding as the clerk will not accept any filings from menso doing such has no benefit. I am still permitted to file through mailings. What Burton is not even reporting was that I got upset after she told me in front of my family members Roberta, Stella, and Kenneth a different Kind of order, that isn't even a condition on court record. She told one I can no longer text message anybody, not even my private lawyer Cynthia Everson while shes working on the 2255 Notion for my tase. She told me I can still mail and make phone calls but not text message anybody even though I committed no crime with SNSWINS text messaging. Also Probation has originally mandated Rastord Courseling as required by the court, NOT Piedmont Community Services as I privately decided to get counseling under my Medicaid for a counsebr From Pledmont. She torced herself into my private counseling matters likely in a attempt to medal with my private courseling. My counselor Kristen Patterson was not helping me at all and took the governments side (bias) so I attempted to seek a new mental health counselor to help me with the mental abuse and promish caused by the Government. Kristy was controlling what mental courselor I could see at Amy Medicaid's expense. Burton is also aware that I have proof of written/typed Proof of my contession statements on Aug 29,2012 were take, then I learned from Radford Zounseling that my PO soft them a copy of my typed paper proving my 2012 in Mayodan (D to be false.

The also did not mention about me being very applicatic. I sent her a fax and left two voicemails apologizing for cussing at her, then told her that I will no longer text message unybody anymore as she ordered and told her I will follower her orders, and that what happened Will never happened again I promise. My nother using robbill Toyahrocom emailed Kristy also apologizing. Then my grandma typed up a letter to Mr. Burton and showed her proof of my Medicaid waiver then sent copies to Riedmont Community Services, Chiet PD Philip Williams, and one to my private lawyer Cynthia Everson. Burton even approved of my faxed "Request to Travel" for visiting my granded Mercer and step-grandman Kow Mann from Snow Camp NC. I recall my mother traveling on her birthday in May, and she also visited Piedmont Comm. Services to attend my appointment the counselor on I think around May 20,2 Patterson can verify that I been attending counseling including in May. Kristen didn't seen too pleased either that Burton is Ercina me to low there and medaling with their affairs. Burton's orders and actions are encreaching beyond just my terms and Iso my blood sugar was high at the time of the incident and to do my Novolag insulin shot, but blue. I got my insulin after she left. One of the Marshals told me how he knew someone who lost it due to his blood swar being sky high so he had to wrestle him to the ground. Burton dan't this in her summons, of my high blood sugar affecting my enerd

If Burton was concerned about safety then why was she accepting my May fax of my monthly Probation report, why take almost a month to have me arrested 277 Why even approve of my Reguest To Travel form for Snow Camp, NC if I am so dangerous? She never asked if my blood sugar was high even though she is fully aware of my medical health issues. Isn't the Probation Officers supposed to Know how to deal with mental health issues and that's why Supervised Release is recommended for people with mental health issues. I believe Probation is as broken as our legal system not allowing people to prove their legal innocence to their charges. USPO Burton claiming to continue to discuss his issue with sending documents to the court is also not true. She just told me not to imms (cell digitally send documents to the court. The Clerk never said I campot mail them as I have a right to file postconviction relief (Notions. Burton is encreaching upon my legal rights to communication with the court by her wording it as it I have no right to file at all with the Elert. Is it a violation to file my 2255 Motion via Mail? It sounds like it the way she worded her testimony on her the summors. I declare underpenalty that the foregoing is true and correct. Executed On May 28,2015.

Subject: Re: 2 trips From: Kristy_Burton@vawp.uscourts.gov (Kristy_Burton@vawp.uscourts.gov) To: rbhill67@yahoo.com; Date: Wednesday, May 13, 2015 7:31 AM

Ms. Hill,

only received a request for the 14th trip to visit his grandfather and that is approved.

Kristy Burton United States Probation Officer Western District of Virginia 700 Main Street Post Office Building, Room 307 Danville, VA 24541 Phone: (434) 792-6397 ext. 8475

Fax: (434) 793-7968

Note: This transmission (and/or the documents accompanying it) may contain confidential information belonging to the sender which is protected by Federal law and local Federal Court policy. This information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please notify us by telephone listed above to arrange for return of the documents.

Roberta Hill <rbhill67@yahoo.com> From

"kristy_burton@vawp.uscourts.gov" < kristy_burton@vawp.uscourts.gov> To:

05/13/2015 07:10 AM Date:

Subject: 2 trips

Hey Kristy,

I am writing to see if the 2 trips that Brian applied for this week and last week have been approved. Tonight is the Bible prophecy class at a Baptist church in Eden and the other trip is to visit his grandfather in North Carolina. Could you please let me know whether these trips have been approved, otherwise we will not go without approval.

Thanks,

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

United States of America V. Brian David Hill



DECLARATION ON PROBATION ISTU

Apparently Kristy Burton the U.S. Probation Officer Joesn't even Know how to deal with Mild Autism, high blood sugars which cause me to be irritable (I am irritable right now,) and intermitant explosive disorder, and Obsessive Compulsive Disorder, for her to go behind my back and have me charged and arrested on a Probation violation which I feel is retaliation for my wroten complaints on faxes and letters, and for my Pro Se Filings. On I think the day was April \$28 or 29, 2015, my PO showed up out of the blue telling me that tuge Osteen called her and it was over my few text messages to Judge Osteen and over my filing with the Clerk of Court via SMS/MMS, at Wileast I assume that is what happened. The told me that day not to text message anybody convoice, even thought she (new I was texting the month before, and any time I get a questionable text message that I voluntarily turn it over to my PO to comply with my conditions. That day I complied with her orders but threw a small fit because I was getting angry so I tried to leave the room but she ordered me not to leave the room. 1 (Hip over to read second page)

Case 1:13-cr-00435-TDS Document 98 Filed 05/29/15 Page 1 of 2

The doesn't understand my mental health issues and she doesn't understand that text messaging, and online email. are two totally seperate things. Email uses internet but text messaging SMSMMS dre simular to taxes but both to not give internet access to the end user. When you hit send the message goes from the cell phone to the cell phone company through the provider's smalmens gateway number, with no internet usage from the end user. I also asked farmer N.C. State Representative Oten Bradley and he disagreed with Judge Osteen's opinion on MINS claiming that it uses online services. I have no intent on violating Probation and texting does not use the internet for the End user of a cell phone. GO ahead and subjection my family Osteen, and get the whole story. Roberta Hill only mother my grandparents Stella and Kennoth Formash, and even Glen Bradley, Call every one of them up to the stand for my hearing before you wrongfully imprison me. My small fit dight even harm her at all and she acted children over my small fit by walking out saying she is done. I apolinated to her on her voicemail and in my fax to her. Faxes DO NOT use internet. Cell phones using SMS/MMS so not give internet access to the enduser of cell phones. I feel that It almost seems like this new charge is to shut Me and silence me, to scare me into not overturning my conviction and to scare me from filing complaints out of tear attretaliation. I declare underpensalty of perjury that the foregoing is true and connect. Brian D. Hill U.S.W.GO. Brian David Hill (Aro Se)

June 13, 2015 Page U.S. Department Of Justice
Office of The Inspector General CONFLAINT Imperfect HAND
WRITTEN
950 Pennsylvania Ave., NW, Washington, D.C. 20510 COPY
Dear Office of The Inspector General,

I, Brian D. Hill, hereby tiles a complaint with your Office on United States Probation Officer Kristy L. Burton, under the Western District of Virginia, Danville Division. I also extend this Complaint to U.S. Attorney Ripley Rand of the Middle District of North Carolina, Greensboro Division, for prosecutorial misconduct which includes malicious prosecution of a person with mental and/or physical disabilities, whom is on a Virginia Medicaid waiver and SSI disability, violated no condition of Supervised Release, and thus violates my civil rights. So please forward copies of this complaint to the Executive Office for U.S. Attorney's and the Office of Professional Responsibility. USPO Burton lied on the filed Petition for Warrant or Summons for Offender Under Supervision, on Docket for the U.S. District Court for the Middle District of N.C., Greensboro Division, case #1:13CRAB5-1. The lies by USPO Burton May be construed as perjured testimony since Page 2 of the Petition is declared under penalty of perjury that the foregoing is true and correct." I request that the Petition for Warrant be withdrawn, that I am released immediately, and that my Supervised Release be reinstated during an investigation/inquiry of my complaint. I also ask for a change of Probation Officer since this complaint proceeding creates a conflict of interest between me and USPO Burton. All statements in this letter are under Cath or Affirmation that what I am writing to you is true and correct to the best of my abilities. Yes I did call her a jerk and a "asshole", yes I did get upset but I did comply with her instructions and I apologized for my behavior the day before the Petition was even filed saying that it will not happen again. USPO is in the wrong here, Kristy Burton is in the wrong and I'll explain herein as to

(1) USPO Burton spoke about my failure to attend mental health services at Piedmont Community Services in Martinsville, VA. In tact I scheduled an appointment with Kristen Patterson at Piedmont Community Services after I left a voicemail on both her cell phone and her office answering machine on April 28, 2015 with an apology for my behavior, that it will never happen, and that will follow her orders including scheduling an appointment with Piedmont Comm. Services. I went for counseling there at May 20, 2015. Originally I was required by the Probation Officer to attend counseling services at Radford Counseling in Roanotte, dmont was obtained by me and paid for by my Medicaid and was never started as a requirement of my Supervised Release After she heard me planning to sue Government or U.S. Attorney, she retaliated by encroaching upon my private counseling by getting involved in my private courseling to be what evidence of mental health anguish, pro-false-conviction. USPO Burton attempted to control my counseling deciding who I can get as a counselor to protect the corrupt U.S. Attorney in Greensboro, NC Motions and filings that I did attempted attend counseling yet Burton never asked to withdraw her Petition. Why would I be manuated to attend my private counselor when I was already required to attend Rafford Counseling? Because she knew that I was wrongfully convicted and attempted to overturn my conviction (Appeal 15-4057, 4th Circuit) so she attempted to protect the U.S. Attorney's wrongful and malicious prosecution when I am Innocent of the charge.

June 13, 2015





(2) USPO Burton claimed that "The U.S. District Court Clerk's Office had directed Mr. Hill to cease this behavior, however, he had not complied. "She was referring to the sending of documents to the Court through my Cellular Phone using Multimedia Messaging Service (MMS) (See Doc #87). I agreed with the Clerk to stop filing documents with my Cell Phone but I still have the right to file documents through U.S. Postal Service mailings. Burton lied on material fact since the Clerk directed me to file documents properly which I had agreed to already before I even saw USPO Burton on April 28, 2015. I even agreed with USPO Burton that I wouldn't send text messages with the court. Then she told me outside of my Release conditions that I cannot text message my friends nor my lawyer. I was told that I cannot text message anybody anymore. I DID comply with her order not to text message anybody anymore. My Mother sent a text through my phone to Stewart Rhodes of OathKeepers.org, however I still sent no text message since USPO Burton ordered me so. I complied with the Clerk's Office, I complied with USPO Burtons orders not to text the court and not to text message anybody. (3) USPO Burton claimed that I am a danger to the community yet she approved of my faxed "Request To Travel" in May 2015 to visit granded James Mercer and Kay Mann in Snow Lamp, NC for my Mother's birthday. I continued my counseling at fiedmont Comm. Services. I am not a danger to the community. Burton even admitted on June 11, 2015 at the Probable Cause hearing that she didn't understand Autism, nor did she understand my mental health issues otherwise she would not go as far as a Arrest Warrant, and revocation. Autism is not the same as non-compliant criminal behavior and should not be treated as such, yet Burton Treated me as a regular non-compliant L31 criminal without Autism.

Emperfect HAND WRITTEN COPY June 13 2015

So the Court recommends that I be placed on Supervised Release due to my mental and physical health conditions, yet one little outburst where nobadis injured and she is ready to revoke my Supervision up to two years in prison when she knows I have mental health issues which are neurological. She does not know what she is doing. She does not know how to deal with menta health issues then treats it as non-compliant criminal misconduct warrants a prison sentence. The Probation Officers apparently need need Autism training, sensitivity training, and need to Supervize the mentally ill and disabled, me and my family for how she treated me I had over-anxiety and high amounts of stress over case, worrying about it, and still do my insulin shot and calm myself down bstit. I never tried to harm anybody Burton wouldn't let me. When I in the room. I made sure to not attempt to harm anyone. objects can be replaced. I only hurted myself in that tantrum. It would been more appropriate for Burton to have me temporary temporarily committed to a mental hespital instead of trying to imprison me. Burton doesn't care about my physical and mental health problems, she only cares about herself. violated no condition of Supervised Release. Text messaging and the same as internet email. Texting does not require a server and client as with email, it is simular to tax machines. You can send and receive messages but no server is needed. USPO Burton allowed my texting for months and taxing then after the dishonorable Judge William indsey Osteen Junior called Burton and complained about my texting, then boom I was not allowed to text message anybody anymore. Texting is not the same as using the internet, I know they L41 are both different

June 13, 2015

Page 5/6 Emperted HAND | WRITTEN COPY

(5.) Evidence of USPO Burton lying is based on testimony me and three witnesses can provide. Records from Rastord Counseling (Roanotte, VA), Piedmont Community Services (Martinsville, VA), my records (which I'll be happy to provide to your Agency) including Fox records, my Mother's email records, and any other records that I can fax to your Office upon my release. I am attempting to request Transcripts of both Probable Cause and Arraignment hearings. My Mother's testimony under Oath along with my testimony under Oath (Declaration) proves that I did got upset because USPO Burton told me to not text message anybody anymore outside of my Release conditions I had agreed to, after allowing me to text message for months. However I still complied and haven't sent a text message since I was ordered by USPO Burton, even though my only crime was calling her a jerk, a "asshole", and having a fontrum where nobody got hurt while she already Knows I have Autism but doesn't understand Autism, and for being diagnosed with Intermitent Explosive Disorder. My Counsclor at Piedmont comm. Services wasn't really helping me so I sought another counselor but USPO Burton saw to that, and made sure that I pay for only fiedmont and not allowed independant counseling which documents my over-arriety and mental anguishlabuse caused by the U.S. Attorney in Greensboro, NC. USPO Burton doesn't want to let my conviction go, she doesn't want me text messaging anybody anymore after crooked Judge Osteen was through with her, then she covers that up in her testimony by claiming it was only a issue with sending documents to the Court when mailing the Court is my legal right. Agents of the DOT need to investigate USPO Burton, then charge her with false witness testimony and covering up her order/instruction of not being allowed to text message anybody anymore, L5. I which I complied