

Supplement 1

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QANON // DRAIN THE SWAMP



UNITED STATES DISTRICT COURT CASE NO. 1:13-CR-435-1
UNITED STATES DISTRICT COURT CASE NO. 1:17-CV-1036
MIDDLE DISTRICT OF NORTH CAROLINA

Exhibit in attachment to “ADDENDUM TO DECLARATION OF BRIAN DAVID
HILL AND NEW EVIDENCE IN SUPPORT OF PENDING MOTION UNDER
DOCUMENT # 206 REQUESTING SANCTIONS”

VIRGINIA: IN THE CIRCUIT COURT OF THE CITY OF MARTINSVILLE

Commonwealth of Virginia,)	
)	
Plaintiff,)	Civil Action No. CR19000009-00
)	
v.)	
)	
Brian David Hill,)	NOTICE OF FRAUD UPON THE
)	COURT
Defendant,)	

NOTICE OF FRAUD UPON THE COURT

COMES NOW civil Writ of Habeas Corpus Petitioner Brian David Hill (“Brian”, “Hill”, “Petitioner”) respectfully files this NOTICE OF FRAUD UPON THE COURT.

The Defendant attaches the evidence of what he is filing with the U.S. District Court concerning the incident on September 21, 2018, in relevance to this exact case.

ATTACHES: “DECLARATION OF BRIAN DAVID HILL AND NEW EVIDENCE IN SUPPORT OF PENDING MOTION UNDER DOCUMENT # 206 REQUESTING SANCTIONS” – 24 PAGES

WHEREFORE, the undersigned Defendant files further evidence showing FRAUD UPON THE COURT as follows:

1. That the original charge on September 21, 2018, and the trial on December 21, 2018, prosecutor Glen Andrew Hall, Esq., prosecuted the element of guilt that Brian David Hill was medically cleared as if Hill had a clean bill of health when evidence of medical neglect and lies show otherwise. They

knowingly discharged a patient when showing symptoms of tachycardia on record for about approximately a full hour and never checked his blood sugar not knowing what his diabetic blood glucose was as there is no evidence in the Sovah Hospital Medical record on September 21, 2018, that Brian's blood sugar was ever checked before Brian David Hill was arrested. This is evidence of MEDICAL NEGLECT, INCOMPETENCE, MAYBE EVEN CORRUPTION, who knows;

2. That Martinsville Police Department failed and refused to open up an envelope full of evidence of carbon monoxide gas poisoning and threatening greeting card and turned it over to the Commonwealth Attorney Glen Andrew Hall, Esq., on August 7, 2019 who also refused to open up the envelope and investigate its contents, turned it over to court appointed lawyer Matthew Clark who never informed Brian David Hill that he had taken possession of the envelope that was signed for by Martinsville Police Chief G. E. Cassady on August 7, 2019;
3. That it is Brian David Hill's right as a citizen of Martinsville to report evidence of a crime or report evidence to an investigator pursuant to a crime investigation, that by refusing to open the envelope when they didn't exactly knew what was in it is dereliction of duty and failure to fulfill the duties of the Office of Martinsville Police Department to investigate the evidence, and any and all evidence mailed to them, phone called to them, or even emailed to them;
4. That Martinsville Police Department and Commonwealth Attorney Glen Andrew Hall prosecuted a case where the elements of guilt, elements of the charge were proven wrong beyond a reasonable doubt. Elements such as Brian David Hill being medically cleared when there was evidence of tachycardia on September 21, 2018, medical record. Two times did it show

results for that similar to Brian's fall and blood pouring out of a part of his head on November 19, 2017. Brian also exhibited tachycardia with sinus tachycardia. On September 21, 2018, Brian reportedly fell into a creek from a steep slope which again exhibits a fall risk. In the creek was where Brian was arrested. Brian showed signs of tachycardia but the Hospital staff did nothing about it. The Hospital staff did not reportedly check his diabetic blood glucose. Brian should not have been medically cleared as it is quite clear that Sovah Hospital of Martinsville, Virginia, had clearly demonstrated incompetence, medical neglect, and did not investigate the known issues of tachycardia and Brian's diabetic glucose prior to discharging him to Police/Jail. They probably knew that Jails have the worst medical care and Jails across the United States have poor medical care. The Hospital refused to complete the laboratory tests which would have proven the levels of Carbon Monoxide Poisoning and likely the Commonwealth Attorney would never had charged him if that evidence had surfaced but instead, they are allowing evidence to be destroyed that clearly would have been in Brian Hill's favor. Usually when the prosecutor of a case lets evidence be repeatedly destroyed, that is spoliation of evidence and is usually a sign of frauds upon the court as it shows that the case was weak from the very beginning. Glen Andrew Hall, Esq. allowed evidence to be destroyed and Matthew Clark allowed evidence to be destroyed, and Scott Albrecht allowed evidence to be destroyed. Then Matthew Clark tells Brian and his family in 2019 that it doesn't matter, that they don't have to do laboratory tests. That is a bunch of garbage and they know it. It is the lawyer's job to prevent spoliation of any and all evidence favorable to the defense, they failed in that regard. A lot of evidence was destroyed and Glen Andrew Hall and Matthew Clark and Lauren McGarry and Scott Albrecht all let it happen

on their watch. They allowed the police body-camera footage to conveniently be destroyed, they allowed the blood vial or vials to be destroyed of blood that was drawn on September 21, 2018, that would have proven the levels of Carbon Monoxide poisoning after Brian was apprehended by Martinsville Police Department. They allowed any important to be destroyed, it is all a fraud upon the court.

Case law in support of this NOTICE:

Where falsification occurs in the midst of ongoing judicial proceedings, and is specifically directed at affecting those proceedings, it often is termed “fraud on the court.” A court, as an exercise of this inherent authority, may sanction fraud on the court through dismissal (if the falsifier is the plaintiff) or default (if the falsifier is the defendant).

Some examples are: *Breezevale Ltd. v. Dickinson*, 879 A.2d 957, 964 (D.C. 2005) (affirming sanction of dismissal where top executives of plaintiff company engaged in scheme to forge documents and subsequently denied the forgery in pleadings and sworn testimony); *Synanon Found., Inc. v. Bernstein*, 503 A.2d 1254, 1263 (D.C. 1986) (affirming sanction of dismissal where plaintiff, inter alia, destroyed audiotapes and made false statements to the court “that no responsive documents could be found” in order “to deceive the court, and to improperly influence the court in its decision on the defendants’ motions to compel, with the ultimate aim of preventing the judicial process from operating in an impartial fashion”); *Cox v. Burke*, 706 So. 2d 43 (Fla. Dist. Ct. App. 1998) (affirming sanction of dismissal where plaintiff gave false answers to interrogatories and deceptive deposition testimony); *Pope v. Fed. Express Corp.*, 974 F.2d 982, 984 (8th Cir. 1992) (affirming sanction of dismissal for plaintiff’s forgery of, and reliance on, a single document); *Aoude v. Mobil Oil Corp.*, 892 F.2d 1115 (1st Cir.

1989) (affirming dismissal where plaintiff concocted a single document); *Tramel v. Bass*, 672 So. 2d 78, 82 (Fla. Dist. Ct. App. 1996) (affirming default judgment against defendant who excised damaging six-second portion of videotape before producing it during discovery). See 501 U.S. at 56–57; see also *Synanon Found., Inc. v. Bernstein*, 517 A.2d 28, 43 (D.C. 1986) (once a party embarks on a “pattern of fraud,” and “[r]egardless of the relevance of these [fraudulent] materials to the substantive legal issue in the case,” this is enough to “completely taint [the party’s] entire litigation strategy from the date on which the abuse actually began”).

It has always been understood—the inference, indeed, is one of the simplest in human experience—that a party’s falsehood or other fraud in the preparation and presentation of his cause, his fabrication or suppression of evidence by bribery or spoliation, and all similar conduct is receivable against him as an indication of his consciousness that his case is a weak or unfounded one; and from that consciousness may be inferred the fact itself of the cause’s lack of truth and merit. The inference thus does not necessarily apply to any specific fact in the cause, but operates, indefinitely though strongly, against the whole mass of alleged facts constituting his cause.

The arguments cited from Attorney report titled "Responding to Falsification of Evidence" by Jonathan K. Tycko. Jonathan K. Tycko is a partner with Tycko Zavareei & Spiva LLP in Washington, D.C. He can be reached at (202) 973-0900 or by email at jtycko@tzslaw.com.

Hill respectfully files this NOTICE with this honorable Court, this the 2nd day of November, 2020.

Respectfully submitted,

Ally of Qanon
We Are Change

Brian D. Hill
Signed

Signed
Brian D. Hill (Pro Se)
310 Forest Street, Apartment 1
Martinsville, Virginia 24112
Phone #: (276) 790-3505



Former U.S.W.G.O. Alternative News reporter
I stand with QANON/Donald-Trump – Drain the Swamp
I ask Qanon and Donald John Trump for Assistance (S.O.S.)
Make America Great Again

JusticeForUSWGO.wordpress.com/Pardon

JusticeForUSWGO.wordpress.com

Amazon: The Frame Up of Journalist Brian D. Hill

This pleading had been transmitted by facsimile to the Office of the Hon. Ashby Pritchett, Clerk's office at the Martinsville Circuit Court on November 2, 2020, at the address of 55 West Church Street, Martinsville, Virginia 24112 and at Fax: (276) 403-5232.

CERTIFICATE OF SERVICE

I hereby certify that on this the 2nd day of November, 2020, a true copy of the foregoing NOTICE/Pleading was transmitted by facsimile to Glen Andrew Hall, Esq., at the office of the Commonwealth Attorney of Martinsville, at 55 West Church Street, Martinsville, Virginia 24112, counsel for Plaintiff of the Commonwealth of Virginia, Fax: 276-403-5478.

Brian D. Hill
Signed

Signed
Brian D. Hill (Pro Se)
310 Forest Street, Apartment 1

Martinsville, Virginia 24112

Phone #: (276) 790-3505



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