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6 *Plaintiff in Pro Per*

7  
8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**  
10

11 RUSSELL ROPE,  
12 PLAINTIFF,  
13 VS.  
14  
15 FACEBOOK, INC., APPLE, INC.,  
16 ALPHABET, INC., TWITTER, INC.,  
17 JPMORGAN CHASE & CO. & JOHN  
18 DOES 1 TO 10,  
19 DEFENDANTS  
20  
21  
22

Case No.: 2:17-cv-04921-MWF-(PLAx)

**EX PARTE APPLICATION &  
MOTION FOR  
RECONSIDERATION OF ORDER  
TO TERMINATE CASE**

**Requested Order Date:** 5/24/2018  
**Time:** ASAP **Courtroom:** 5A  
**Judge:** Michael W. Fitzgerald

23 **I. INTRODUCTION:**  
24

25 Plaintiff hereby applies Ex Parte with a “corrected” Motion for Reconsideration of  
26 the outrageous Order to “Terminate” this case and dismiss Defendants with  
27 prejudice and without leave to amend (Docket No. 246). This “corrected” first and  
28 hopefully only Application & Motion (“AM”) for this purpose is based on Judge

EX PARTE APPLICATION & MOTION FOR RECONSIDERATION OF ORDER TO TERMINATE CASE

1 Michael W. Fitzgerald (“MWF”)’s illegal Order to Terminate this case and both of  
2 Plaintiff’s relevant Requests to Respond & Responses (“RRRs”) to Defendants’  
3 Replies to Plaintiff’s Oppositions to Defendants’ Motions to Dismiss (“MTD”) the  
4 First Amended Complaint (“FAC”). The “Discussion” in MWF’s Order to  
5 Terminate, references incorrect reasoning behind MWF’s very poor decision-  
6 making skills thus far regarding this case, is mostly invalidated by the  
7 unconsidered RRRs and neglect of clear and convincing facts and evidence, which  
8 really appears to be another unfair and intentionally time-wasting stall tactic (for  
9 what, for who, and why?) because no judge can actually be this ignorant where the  
10 rest of MWF’s Discussion is completely invalidated by most logical “Argument”  
11 in this AM.

12 Plaintiff wishes the answers were “because it is a test,” which if it were Plaintiff  
13 would have already passed, but we can still act like it is as an alternative to the  
14 answers to the questions Plaintiff, which knows because he is clairvoyant and there  
15 is a “paper trail” of evidence. “For what” is not legal, “for who” belong(s) in  
16 prison for life, but that is not what Plaintiff is requesting in this case, and “why” is  
17 a lie. Plaintiff alleges that corrupt law enforcement knows the answers, that many  
18 people they have refused to interrogate know, and that Judge(s) also know not  
19 simply because the information is provided under seal. Defendants certainly know,  
20 and their attorneys must also know as well and inclusively to their knowing what  
21 they are defending against and how it is indefensible, which is why everyone other  
22 than the Plaintiff is a lying. What is the new lie as to “why” now that sanity has  
23 been proven through logic as follows? There right answer is to correct yourselves  
24 and grant this AM immediately/before Plaintiff terminates your careers and  
25 freedoms.

26  
27 The only ways to resolve this conflict outside of the court appears to be with  
28 violence on either side, submission to peonage (not going to happen peacefully), or

1 with binding contracts between Plaintiff and criminals who absolutely refuse to  
2 stop attacking or communicate, let alone honestly; therefore, not seemingly  
3 possible without The Court. Plaintiff has no intention of giving up on the civil  
4 pursuit in this lifetime and wholeheartedly believes success will be achieved.  
5 Defendants should be losing, by a lot, but their daily violations not limited to  
6 sending stalkers as reported to LAPD as recently the other day, have been an  
7 incessant creation of new nucleuses of clear and convincing facts supported by  
8 evidence and illegally permitted by The Court through obstruction of justice.

9  
10 Defendants are not only endangering Plaintiff's life, but also those of every should  
11 be innocent conspirator they keep dragging into this. Plaintiff could have easily  
12 terminated the lives of the two wimpy camera stalkers camping out to illegally  
13 capture his image after lunch a few days ago, which would have been legal self-  
14 defense of felonious violations, but hope of the rope for a peaceful resolution  
15 remains strong and an immediate necessity. The intention of these stall tactics  
16 must be dismissed as not going to happen in this lifetime without legal conflict  
17 resolution first because results are bringing and would bring more undesired  
18 violations of Plaintiff's constitutional rights. Free will, the law, and therefore The  
19 People, demand that at least MWF but also Defendants end the lies! Please.

## 20 **II. RELEVANT ATTACHMENTS**

21  
22 By these references, Plaintiff hereby attaches to this AM, all information contained  
23 within the First Amended Complaint ("FAC") filed on February 19, 2018 (Docket  
24 No. 136), all information contained within Exhibits 1 to 69, all statements made in  
25 the Opposition against JPMorgan Chase's MTD filed on April 23, 2018 (Docket  
26 No. 238), and all statements made in the Opposition to Tech. Defendants' MTD  
27 filed on April 23, 2018 (Docket No. 239).

1 Plaintiff sought leave to file RRRs against JPMorgan Chase's and the Tech.  
2 Defendants' dishonest Replies (Docket Nos. 242, 243, 244, 245). Those requests  
3 were not considered and DENIED in the illegal Order to Terminate (Docket No.  
4 246). By this reference, Plaintiff hereby attaches to this AM, all statements made  
5 in the new RRRs, which other than being individually entitled "Responses to  
6 Defendant(s) Reply to Plaintiff's Opposition of MTD FAC" are identical to what  
7 was not considered in the original RRRs. The new RRRs is being filed as two  
8 separate supplements attached to this AM.

9  
10 The new RRRs/sur-replies are being filed as responses/supplements and the  
11 information is necessary for The Court's reconsideration and determination of  
12 Defendants' invalid MTDs; moreover, **FAC does not truly suffer from defects.**

### 13 **III. ARGUMENT**

14  
15 **\*Legal Justification:** Plaintiff Motions under jurisdiction of Local Rule 7-18:  
16 Motion for Reconsideration. "A motion for reconsideration of the decision on any  
17 motion may be made only on the grounds of ... or (c) a manifest showing of a  
18 failure to consider material facts presented to the Court before such decision."  
19 MWF not only failed to consider material facts presented in Plaintiff's RRRs,  
20 Oppositions, FAC, and Exhibits, but Plaintiff clearly demonstrates how MWF has  
21 not been observant or impartial since filing of the original Complaint as follows  
22 and Ex Parte is justified in the corrected Memorandum of Points & Authorities.

#### 23 24 **A. RRRs Invalidate Remainder Arguments Not Covered By Oppositions**

25  
26 MWF's Order to "Terminate" mirrors Defendant lies not limited to identically  
27 quoting the Plaintiff out of context regarding amendment being futile; because it  
28 would be a waste of time stall tactic, not because it is not possible. Plaintiff

1 explained this in the denied RRRs and that very specific misjudgment changes  
2 everything because it proves MWF is lying in the Order to Terminate, is not being  
3 impartial, and amendment was requested as necessary. It would not be futile to  
4 amend if necessary as stated by Plaintiff, and the requests to amend invalidate  
5 bogus case law claims to dismiss without leave to amend. Leave to amend should  
6 be a given upon request, there are more Defendants, and these are valid reasons  
7 enough not to “Terminate” the entire case and to DENY Defendants’ MTDs.

8  
9 Plaintiff not only doubles down, but also triples and quadruples down on the bogus  
10 defense of res judicata as explained in the RRRs and Oppositions mostly because  
11 of new nucleuses of new violations with all Defendants to be held equally liable  
12 through conspiracy and because res judicata case law is being misinterpreted by  
13 the Defendants as a license to crime, which is not the purpose of the doctrine and  
14 where all case law comes from cases possibly including this one and with good  
15 reason: **RES JUDICATA IS NOT A LICENSE TO CRIME!**

## 16 **B. The Following Completely Invalidates The Entire Order’s “Discussion”**

### 17 18 **1. FAC Meets Requirements of Rule 8 of FRCP**

19  
20 MWF is lying in favor of lying Defendant attorneys who have zero honest defense  
21 because their clients are “ALLEGEDLY” guilty AF. Bringing up the length of  
22 the complaint is a redundant and irrelevant misdirection that has nothing to do with  
23 anything. The statements referencing “rambling, unrelated allegations against the  
24 named Defendants as well as his doctors, strangers on the street, law enforcement  
25 officers, doormen at night clubs, his brothers, his landlords, and myriad other  
26 companies and individuals.” (Order re Motions to Dismiss at 7 (Docket No. 114))  
27 are a complete and conclusory lie where all these things are being lumped together  
28 in one sentence is a mis portrayal of how these facts were explained separately in

1 the complaint, and inclusively to people and their connections identified in detail  
2 under seal in Exhibit 52. Judges and Defendant attorneys seem to think the  
3 equivalent of childish and disparaging name calling makes them look more  
4 credible than the Plaintiff, but it only proves them to be foolish as they get called  
5 out on it by a most perceptive genius. The complaint is very well organized and  
6 most articulate. Everything is related to an obviously repetitive pattern of  
7 racketeering activity as detailed in Plaintiff's comprehensive presentation of the  
8 facts, evidence, and law.

9  
10 The Court's prior Order granting Defendants' Motions to Dismiss the Complaint  
11 was not only prejudiced, but also wrong and illegal. The Court afforded Plaintiff  
12 opportunity to "remove excessive redundancy, allegations irrelevant to the claims  
13 for relief, and conclusory or excessively argumentative allegations" such that the  
14 amended Complaint conformed to the Rule 8. (Id.), which Plaintiff did, or at the  
15 very least made significant progress in doing given inadequate time and resources  
16 in the face of obstructed justice not limited to in seeking representation and pro se  
17 clinic support during that time. All the statements were pled with purpose and  
18 Plaintiff also addresses this illegitimate issue in the RRRs. Plaintiff complied with  
19 the Court's directives in this regard to the best of his ability, which is probably  
20 more than anyone else on the planet could have accomplished in a similar  
21 situation. Brought up repeatedly by MWF and Defendants not only in the  
22 "Discussion" that Plaintiff is responding to here line by line, the length of the FAC  
23 is once again irrelevant, a fact supported by other RICO complaints of similar  
24 length that were attached as an exhibit by a Plaintiff who prepared for this type of  
25 foreseen nonsense. MWF and Defendant attorneys keep repeating the same  
26 misdirection in their ridiculous lies, which are not going to fool anyone.

27 Plaintiff more than "doubles down" on RICO and all related claims, except  
28 Plaintiff has not previously filed RICO, and nothing is conclusory, which is a

1 directive Plaintiff made great effort to satisfy by changing language and therefore  
2 perception despite the difficulty of stating facts as “allegations;” another point  
3 made in the RRRs. MWF and Defendants are just throwing the word “conclusory”  
4 around without citing specifics because they are fishing with lies. The allegations  
5 in the FAC do a little more to put Defendants on notice of the nature of the claims  
6 against them than did the allegations in the initial Complaint, but that is also  
7 irrelevant because Plaintiff has given so much detail that Defendants and the Judge  
8 are not only lying, but also contradicting themselves by saying there is both too  
9 much and not enough information as they are the alleged liars truly failing to come  
10 up with a misdirecting excuse that appears to be genuine. If more information was  
11 truly needed, it would, could, and should be specifically requested as Plaintiff has  
12 made it clear that he has no problem directly responding and indeed offered to  
13 provide information on demand, but has also not received any direct requests other  
14 than regarding Exhibits further explained in the RRR to Tech. Defendants' Reply to  
15 Plaintiff's Opposition of MTD FAC.

16 Plaintiff's significant attempts to comply, explanations of what was amended in  
17 attempt to comply, and explanations of why more was not done not only invalidate  
18 the false statement by MWF regarding failure to comply itself being reason to  
19 dismiss the FAC, but along with some examples of possible amendments given in  
20 the Oppositions, they also prove that Plaintiff is very much capable of amendment  
21 as truly necessary would not be futile.

22  
23 It is the Court's responsibility not only to “expend time and effort” analyzing  
24 serious complaints supported by clear and convincing facts and evidence, but also  
25 to give extra special consideration to a pro se Plaintiff, especially who has serious  
26 allegations of obstruction of justice. With reference to examples given below,  
27 MWF is either intentionally neglecting obvious information or has not put any  
28 effort into impartial consideration. The most redundant and irrelevant aspects of

1 this case are the regurgitations of things like lengthy pages worth of quoting  
2 elements pled in the FAC. What Defendants and the Judge claim to be excessive  
3 and redundant are truthfully detailed descriptions of repetitive, similar, and  
4 evolving violations committed by various conspiring Defendants and which meet  
5 the heightened pleading requirements in a most innovative, sophisticated, and  
6 simplified statement of too many facts associated with at least ten years of  
7 incessant attacks being criminally neglected by conspiring and justice obstructers.

## 8 **2. Res Judicata Defense Fails**

9  
10 Res judicata is a lie of a defense and MWF is obstructing justice where he cannot  
11 even confidently state that specific claims are barred whereas Plaintiff has  
12 provided a multitude of legitimate reasons, all of which void the doctrine on their  
13 own merits. Please stop lying and neglecting the facts; specifically, everything  
14 new, recent, and ongoing.

15  
16 In the FAC, Plaintiff himself refers to and incorporates by reference his multiple  
17 prior actions in federal and state court against some of the same but different  
18 Defendants because they are all relevant to the understanding of this new case,  
19 with unidentical parties, new claims, and new evidence; all explained by Plaintiff  
20 since the first MTDs. Plaintiff never acknowledged that claims are based on  
21 identical facts and issues as both MWF and Defendants wrongfully assert because  
22 Defendants' relentless attacks have been creating new facts, issues, evidence, and  
23 instances/counts of claims almost daily, which has been thoroughly explained by  
24 Plaintiff who went so far as to present a scenario of how cutting the old complaints  
25 would still leave enough new problems to cover the same claims, but said  
26 information is still relevant as no less than "background" as re-entitled in the FAC.  
27 Plaintiff also went so far as to explain how each Defendant allegedly violated his  
28 rights and in conspiracy since after filing previous federal and state court actions.



1 The “true inquiry” for res judicata purposes being whether “claims arose from the  
2 same transactional nucleus of facts” is irrelevant as explained above, elsewhere,  
3 and because there are new claims, the elements are not met, and this case is an  
4 exception. Plaintiff has provided additional reasons, specifics, and still has  
5 unconsidered RRRs invalidating the phony defense, which is being misinterpreted  
6 regarding the true intention of the doctrine. Plaintiff is not even sure as to an exact  
7 root transactional nucleus of facts if there is only one, or how long this conspiracy  
8 has been going on, but has more than suspicions and believes well beyond a  
9 reasonable doubt that the successfully stated claims are concrete enough to win.  
10 Plaintiff is confident in stating all the allegations are connected through  
11 conspiracy, what each Defendant did, how things are connected, how he can prove  
12 it, and how the law is to be applied, but he never pled a specific nucleus because  
13 there are multiple with more to arise in Discovery. Plaintiff can identify the  
14 biggest problems being where the RICO/Conspiracy was first and definitively  
15 noticed as Tech. Defendant violations, and he did and can explain how things are  
16 connected through a recognizable pattern of racketeering activity; however,  
17 subpoenas could positively reveal more/detailed information, so technically no  
18 action in relation to this RICO case has been filed based on a specific nucleus of  
19 facts, but rather on the offspring, cloning, and evolution of various different but  
20 connected crimes where all Defendants are alleged to continuously be violating  
21 Plaintiff's rights and therefore all that should be barred is dishonorable deceit.

22 MWF and Defendants are literally pretending that all good points, relevant facts,  
23 and amendments do not exist as they continue to lie and neglect responsibility. It  
24 can be argued that this is the same strategy Defendants have taken towards the  
25 denying acknowledgement of Plaintiff's life and innovative work in alleged to be  
26 evil intention of Defendants attempting to steal and write/rewrite a fictional and  
27 self-serving history. According to MWF, prior Order dismissing the Complaint  
28 ordered Plaintiff to amend his Complaint to ensure that it raised “only claims that

1 have not already been dismissed on the merits” in Plaintiff’s prior actions against  
2 Defendants (Order re Motions to Dismiss at 10), which is an inappropriate Order  
3 because none of the claims have been dismissed on the merits. MWF claimed "the  
4 Court does not conclusively determine which claims are barred by res judicata"  
5 because no claims are truly barred by res judicata; furthermore, the FAC succeeds  
6 under Rule 8 and it should be apparent to any literate and educated adult that  
7 Plaintiff has made every effort possible to comply even where he does not agree  
8 with MWF/The Court’s instructions with respect to amending the Complaint,  
9 which could be further amended if granted more time and as truly necessary.

### 10 **3. Plaintiff’s Claims Do Not Fail Under Rule 12(b)(6)**

11  
12 Defendants incorrectly argue that Plaintiff’s claims are not properly stated, and  
13 MWF is not impartially considering the entirety of Plaintiff’s statements inclusive  
14 to information contained within exhibits and relevant RRRs, which were already  
15 filed but allegedly not considered because they do not serve the defense.

16  
17 Several of Plaintiff’s claims are brought pursuant to the California Penal Code or  
18 federal criminal statutes that do not create private rights of action, but Plaintiff  
19 explained where and how he is seeking liability pursuant to these claims, and not  
20 limited to pleading them as “prerequisite[s]” for the alleged RICO conspiracy. In  
21 another example, Plaintiff’s various fraud claims succeed to meet the heightened  
22 pleading standards of Rule 9(b) through description of the circumstances  
23 constituting the alleged fraud specific enough to give Defendants notice of the  
24 misconduct so that they can defend against the charge(s). Defendants have failed  
25 to specify what is lacking or to request more specific information, which has been  
26 offered by Plaintiff, because the information is there. True conclusory statements  
27 are those made in the defense without being specific, which should be against the  
28 rules because it does not give Plaintiff opportunity to provide information alleged

1 to be missing opposed to the opposite being the claim of Plaintiff not providing  
2 notice of misconduct to Defendant against what Defendants know they did or can  
3 easily discover through their own systems. Additionally, and once again still  
4 responding line by line to the Order without trying to be too repetitive, Plaintiff has  
5 pled that Discovery is necessary and that more details can easily be amended.

6  
7 Another very straightforward example of this is how allegedly corrupt MWF  
8 wrongfully states that Plaintiff is not providing details regarding Rule 9(b) and  
9 how fraud allegations must include “time, place, and specific content of the false  
10 representations as well as the identities of the parties to the misrepresentations.”  
11 Swartz v. KPMG LLP, 476 F.3d 756, 764 (9th Cir. 2007) (citing Edwards v. Marin  
12 Park, Inc., 356 F.3d 1058, 1066 (9th Cir. 2004)). In the Opposition to Tech.  
13 Defendants’ MTD, Plaintiff points to the timeline in Exhibit 39 and the “broad  
14 factual allegations stated throughout the body of the complaint” as satisfying the  
15 heightened standard (Opp. at 27), which it does in part and is not a "long list of  
16 vague, cryptic line items" as it is only one page with very clear and simple  
17 references to easily identifiable allegations detailed in the body of the FAC.  
18 MWF specifically references what the timeline briefly described as “Loan Fraud”  
19 and “Continuous Housing Fraud++ @ Hollywood” in MWF’s failure to support  
20 MWF’s bad decisions. MWF says that "neither Exhibit 39 nor the allegations in  
21 the FAC state the necessary time, place, specific content, or specific parties  
22 involved in any misrepresentations." This is a lie. Exhibit 39 explains the order of  
23 allegations in comparison to each other and using MWF’s selection of "Loan  
24 Fraud" as an example, the corresponding Loan Fraud Exhibit 34, referenced in the  
25 FAC, and similar to most exhibits, contains the date "3-3-2016" a statement that  
26 the location was "interstate" with screen shots and photographs displaying online  
27 locations and phone numbers used, photographs of time-stamped receipts with  
28 another self-explanatory location printed at the top of the receipts, proof of a  
misrepresentative "loan application approval" and screen shots containing

1 identities and the FAC states how all "All Defendants" are liable and connected  
2 through conspiracy. It may have taken genius to present the required information,  
3 but unbiased fools can easily find the organized data if they read everything and  
4 attempt to follow the map.

5  
6 The other example given by MWF is regarding what is labeled "Continuous  
7 Housing Fraud++ @ Hollywood." The FAC specifically labels each of several  
8 places by street name, identified all of the individuals under seal in reference to  
9 specific location, explained the recognizable pattern of racketeering activity and  
10 how "All Defendants" are connected through conspiracy, provided dates/time in  
11 the FAC and Exhibits, and regarding this example, provided details and allegations  
12 of a lot of violations falling under several claims where all of the housing was  
13 connected through abuse over/hacked real estate websites and communications  
14 technology misrepresenting more than untainted communications, which Plaintiff  
15 had reliance upon. Plaintiff can further elaborate on both examples or any other  
16 claim etc., but that would be redundant as all the required details were provided in  
17 the FAC, it only takes one the possibility or qualifying for court action to deny an  
18 MTD, and because unless more specifics are requested, Defendants and MWF are  
19 unfairly contradicting themselves in claims regarding amount of information  
20 provided being both too much and not enough where the amount is just right.

21 In response to the Court's grant of leave to amend the initial Complaint, Plaintiff  
22 did not ignore any of the Court's directives, but rather seriously did the best he  
23 could to comply with as many of the alleged defects as possible in the allotted time  
24 and as explained by Plaintiff in detail in both the FAC and Oppositions to MTDs.  
25 It is apparent that permitting Plaintiff opportunity to amend as necessary is  
26 mandatory but requiring it at this point would be futile because EVERYTHING IS  
27 SUCCESSFULLY PLED AGAINST ALL DEFENDANTS, and it would be a  
28 redundant waste of time to amend now as more information could be acquired

1 through Discovery first. “The dismissed claims [can] be cured by [] amendment”  
2 but do not really require curing because the reality of the situation is intentional  
3 neglect not limited to by justice obstructing attorneys and judges. Plaintiff does  
4 not acknowledge anything that would hurt his case in Opposition to the Tech.  
5 Defendants’ MTD, stating, “Further amendment of the FAC at this point would  
6 mostly be a waste of time” (Opp. at 53) and MWF is quoting the things out of  
7 context in the same fashion as lying Defendant attorneys despite having read  
8 Plaintiff’s rebuttal to the quotes taken out of context in the RRRs, which only  
9 serves to validate allegations of corrupt obstructions of justice.

### 10 **C. Judge(s) Have Not Been Impartial**

11  
12 Corrupt Judges are worse than lying attorneys. MWF that information contained  
13 within the RRRs was read but not considered, but Plaintiff alleges the  
14 inconsideration was because of prejudiced attempt to cheat the Plaintiff, or  
15 additionally to prolong things where The Court is alleged to have been both  
16 intentionally stalling as if by Defendants’ will through private conspiracy  
17 notwithstanding knowledge of Plaintiff’s indomitable will, and more explicitly  
18 because the combination of facts are grounds to DENY Defendants’ Motions to  
19 Dismiss where Judge(s) have been dishonorably and unlawfully ruling in favor of  
20 criminal Defendants since before this case was filed. It is fair to assume that the  
21 RRRs would have been considered if they did not change the case based on  
22 Plaintiff’s rationale not limited to what is already referenced in this Argument  
23 regarding the RRRs. Surprisingly, MWF was smart to cover his rear by not  
24 considering the RRRs and leaving the case open to correction upon an inevitable,  
25 based on Plaintiff’s true character, filing of this wise Motion for Reconsideration.

26  
27 Plaintiff really “feels” like, which requires cranial confirmation, therefore believes  
28 more than suspects, and alleges that ALL JUDGES mentioned anywhere in this

1 case, including several identified under seal, have been corrupted on some level  
2 and this can surely be verified. The four judges who have touched this specific  
3 case appear to have been cast like actors by Defendants selecting a jury of one  
4 sided conspirators acting on behalf of Defendants almost like they are the  
5 Defendants' lying attorneys. Plaintiff can, but does not want to, file for recusal  
6 again, or criminal RICO against other Defendants not limited to judges, other law  
7 enforcement, most should be innocent conspirators, or several major wannabe  
8 players who belong behind bars. The Complaint and FAC were clearly designed  
9 and written to protect not only the Plaintiff's interests, but also the freedoms of  
10 individual John Does while simultaneously stopping their criminal activities; at  
11 least for the first round(s) of case filing, which should be recognized as a peace  
12 offering by a Plaintiff worthy of total knockout victory for best possible resolution.

13 Saluting the only proposed solution promises no criminal charges, privacy for a lot  
14 of people who could and deserve to lose their dignities and freedoms, and not  
15 much more than monetary, injunctive and similar relief not being in the same  
16 league as possibly long federal prison sentences, and transfer of a domain name  
17 that until impossibly proven otherwise, Plaintiff has an equitable intellectual  
18 property claim regardless of civil remedies afforded through the combination of  
19 RICO, Conspiracy, and Fraud. Plaintiff can now file new RICO cases against other  
20 Defendants very simply and with this entire case attached as a single Exhibit, in  
21 much less pages than this motion written, and as quickly as in a matter of hours.  
22 Plaintiff could use his ethical hacker mentality to easily file so many separate cases  
23 that one of them will eventually end up in the hands of an honorable Judge who  
24 would inevitably permit Plaintiff to join the original Defendants. Where there is a  
25 will in the name of justice there is a way, so please let us cut to the chase. All  
26 things considered, Plaintiff is most wise, thoughtful, articulate, diplomatic, has  
27 serious integrity, and is risking his life for what he believes to be just is the truth.  
28 That demands no less than impartial respect.

1 MWF is either extremely lazy, incompetent, or lying in much of his one-sided  
2 Discussion. Plaintiff verifiably alleges all three against the biased judges must  
3 have been fooled by Defendant John Doe influence giving MWF the insane idea  
4 that Plaintiff is not a most capable intellectual, which is a stated fact that must be  
5 accepted as true. MWF and Defendants must be blinded by obsolete stoner  
6 stereotypes and slanderous character framing of non-existent mental health issues  
7 to think this brilliant Plaintiff would tolerate being treated like an uneducated and  
8 helpless slave or peon, similarly to how white courts have surely oppressed African  
9 Americans throughout history. Who the F do you think you are, how do you not  
10 recognize the powerful spirit you are messing with, and what on Earth makes you  
11 think you will get away with your gobbledygook? Plaintiff and The People know  
12 the pieces fit.

13 For the record, Plaintiff is just honestly calling it likes he sees it and respectfully  
14 does not believe MWF is incompetent, lazy, or illiterate, but rather the opposite.  
15 Judge Fitzgerald must be a very intelligent, educated, ambitious man who is  
16 respected in his field and unconventional sexuality. Plaintiff can respect the fact  
17 that MWF is one of the first brave to be openly gay District Judges in the country  
18 who was also probably very competent and honest prior to this case, but these  
19 powerful Defendants with billions of dollars to spare can allegedly turn almost  
20 anyone including good judges to bad. Unfortunately, MWF has proven to be a  
21 biased liar hardly competent if even to stand or rule on this specific case or trial, at  
22 least not until he reconsiders, changes his path, does the right thing, and reverses  
23 his illegal Order.

24  
25 The GOOD Plaintiff, speaking from the experience of being a falsely imprisoned  
26 Defendant fraudulently found incompetent to stand trial, competence can allegedly  
27 be a case to case scenario that can even change over the course of a single case  
28 similarly to how Plaintiff had his competency to stand trial restored after

1 Defendants succeeded in their objectives of attempting to render Plaintiff  
2 physically defenseless through use of poison pharmaceuticals to deteriorate  
3 Plaintiff's hard body, defaming and framing the character, stealing Plaintiff's  
4 money and home, using corrupt public defenders to force a wrongful no contest  
5 plea/bargain. Plaintiff sincerely hopes MWF regains his competency after or while  
6 reading this for purpose of reconsideration, that he chooses to terminate the  
7 dishonorable hate, and Defendants could take the equivalent of a no contest plea  
8 bargain offer preferably sooner than in ADR.

9  
10 **D. Plaintiff is Most Healthy Both Mentally & Physically**

11 This is very relevant because Plaintiff does not believe he is only being judged by  
12 the law, but more so by alleged to be tainted by third party character framing.  
13 Plaintiff is most healthy, strong, and fit. Healthy body, healthier mind over all  
14 matters; he has not been sick with so much as a common cold in many years.  
15 Plaintiff does not have, nor has he ever had a mental illness or any real mental  
16 health issue. Admittedly an 80's born Los Angeles native, Plaintiff was one of the  
17 many over-diagnosed children in a fad designed to bill rich and over-protective  
18 parents. If anything about that was legit: multiple thorough psychiatric evaluations  
19 and long reports proving genius at the time validate current intellectual claims.  
20 Plaintiff is not only still in possession of these reports, but criminal public  
21 defenders and court doctors intentionally neglected more than said reports when  
22 Plaintiff was falsely imprisoned, and both the court and state hospital have been  
23 illegally denying patient rights in not allowing Plaintiff to review his own medical  
24 records, certainly false records, despite multiple formal requests and which should  
25 have been acquired through two of the unfairly quashed subpoenas. Years later,  
26 Plaintiff scored something like 21 points higher on his first online IQ test than the  
27 previous level of genius and then after more time something like 21 points higher  
28 than that on the second online test. Information technology is now tainted by



1 egotistical frauds, so Plaintiff has not tested recently, nor is he willing to do so, and  
2 therefore decided to stick with his average score of 143, but it is higher.

3  
4 Plaintiff certainly grew out of any behavior falsely justifying the prescribed  
5 ADD/ADHD medication he rarely took and eventually ended up trading for  
6 medical cannabis. Plaintiff's respected neurologist even stated that low doses of  
7 medical cannabis had been proven to help with said ADD/ADHD something like  
8 10 years ago. Additionally, Plaintiff took Psychology in both high school and  
9 college, several Sociology courses in college, and received the grade of A on  
10 almost every paper he has ever written. Plaintiff was accepted to every college he  
11 applied to because of a revered essay more than his good grades and high SAT  
12 score. Plaintiff wrote all his grade A papers on medical cannabis, they all made  
13 sense, and so did the complaint and does the FAC. Furthermore, Plaintiff was a  
14 professionally recognized publisher in college; an editor, technical and creative  
15 director for the major university newspaper, and has continued his career as daily  
16 publisher, specifically regarding cannabis news where he has posted a significant  
17 number of stories about medical studies proving there is absolutely no correlation  
18 between cannabis use and psychosis, bipolar/schizophrenia or other false  
19 diagnosis, which have been used to, and in attempt to, falsely imprison Plaintiff  
20 and deny his rights; probably not the first person attacked like this, but the  
21 technology attacks are allegedly unique and customized towards the Plaintiff's  
22 personal psychology and should be private life. Plaintiff knows, without a spec of  
23 a doubt, that his mind is not only most healthy, but also sharper than ever.

24 Plaintiff highly suspects he was poisoned in 1995 with the result being an  
25 ulcerative colitis diagnosis cured by two major surgeries to basically remove and  
26 reconstruct his digestive system in 1996 after being poisoned by pharmaceuticals  
27 causing much worse problems at the age of fourteen, and for this main reason  
28 Plaintiff has been a legitimate medical cannabis patient since around the time

1 California Proposition 215 was passed in 1997. Plaintiff is smarter than you and  
2 while on (medical) weed. This is easily proven by the fact that Plaintiff does not  
3 lie whereas Defendants and MWF have repetitively lied in a most incontestable  
4 way; this document clearly calls all of them out on their bull poop with proof.  
5 Plaintiff has not only spent many years physically rehabilitating his body since it  
6 was destroyed by the ulcerative colitis drugs, but history needs to stop repeating  
7 itself not limited to these examples and minus the fact that after a year of hitting  
8 the gym daily Plaintiff also physically rehabilitated himself from side effects of six  
9 weeks of force fed poison pharmaceuticals while falsely imprisoned. FYI  
10 Plaintiff's skin is almost completely cleared up again thanks to a combination of  
11 self-treatment, private and public health care, but Plaintiff still believes, based on  
12 years of observation and experiments, that this is being controlled by Defendants  
13 through on and off food poisoning. Plaintiff currently feels so healthy that all this  
14 text is coming from a good, real, and factual place; opposed to making excuses or  
15 simply trying to force his will. The real sick in the head people are those who  
16 think it is ok to do this to someone, or to stand by idly acting like it is not  
17 happening, and it is a shame that this is mostly happening because people who  
18 were born first cannot legally compete, nor will any of them ever be half the man  
19 that is the honorable Plaintiff. Health is true wealth, Plaintiff feels like a hundred  
20 billion dollars today, and All Defendants being equally liable for everything in the  
21 complaints need to pay the bill for what they have allegedly done and stolen from  
22 Plaintiff not limited to health, business and precious time.

#### 23 **IV. CONCLUSION**

24  
25 Accordingly, the MTDs were illegally granted and the order must be reversed by  
26 MWF or Plaintiff will press criminal charges against more than all corrupt Judges  
27 identified in Exhibit 52 plus MWF. For the foregoing reasons, plus combination of  
28 all information contained within everything filed, Plaintiff straight up but

1 respectfully requests that MWF/The Court reconsider the Order to Terminate this  
2 case, for it to be reopened, with leave to amend as necessary, MTDs retroactively  
3 denied, all Defendants reinstated, and for all parties to be referred to Alternative  
4 Dispute Resolution, with Discovery commencing, and a trial date set for TBD.  
5 Finally, the proposed by Plaintiff solutions including alternative offers mentioned  
6 in private email to Defendant attorneys, currently provide the only legal, and best  
7 possible outcome for all; therefore, this case must be permitted to progress.

8 Dated this 22<sup>nd</sup> of May, 2018.

*Russell Rope*

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Russell Rope