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6 *Plaintiff in Pro Per*

7  
8 **UNITED STATES COURT OF APPEALS**  
9 **FOR THE NINTH CIRCUIT**  
10

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

No. 18-55782  
  
D.C. No. 2:17-cv-04921-MWF-PLA  
U.S. District Court for Central  
California, Los Angeles  
  
**STATEMENT & EXPLANATION:  
THE APPEAL IS NOT FRIVOLOUS;  
JUSTICE IS BEING OBSTRUCTED**  
  
**Requested Order Date: ASAP!**

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21  
22  
23  
24 **TO THE HONORABLE COURT:** This is a STATEMENT under penalty of  
25 perjury that neither the Appeal nor the First Amended Complaint (“FAC”) are by  
26 any means frivolous and that justice is being obstructed; supported by a competent  
27 and logical EXPLANATION that should secure Plaintiff’s real and properly stated  
28 claims. The opposition including Central District Court judges are unable to

1 EXPLAIN their poor decisions to a highly educated pro se litigant, which is the  
2 main indicator that they are wrong.

3  
4 In response to “Docket Text: Filed clerk order (Deputy Clerk: SZ):” and the false  
5 statement that “A review of the record reflects that this Appeal may be frivolous.”  
6 SHAME ON YOU! This is clearly another attempt to trick Plaintiff into giving up  
7 his rights. How dare you? The actual Appeal has not even been filed yet, so to say  
8 that the Appeal may be frivolous is obviously a lie, and that statement was not  
9 even made with certainty because it is not true. The planned Appeal, inclusive to  
10 this document, are not only not frivolous or malicious, but Plaintiff successfully  
11 stated legitimate claims on which relief may be granted; supported by clear and  
12 convincing facts and authentic evidence against Defendants who are not immune  
13 from the relief requested (28 USC § 1915(e)(2)(b)).

14  
15 The allegations of poverty are not only true (28 USC § 1915(e)(2)(a)), but financial  
16 deficiencies are being directly caused by Defendants who have obviously stolen  
17 money from the Plaintiff; not limited to literally from his bank account where there  
18 is a paper trail. Plaintiff is not earning enough to owe taxes but has both filed taxes  
19 with the IRS for years and verifiably reported all income to the DPSS for the past  
20 nine months while surviving on general relief and food stamps in addition to  
21 coerced, constrained, and underpaid work.

22  
23 Defendants, alleged to have tainted the justice system, are trying cut off all  
24 Plaintiff’s resources in attempt to force Plaintiff dependency upon those who are  
25 trying to take the Plaintiff’s life both literally and metaphorically. According to  
26 the law of the land and karma, the people behind the criminal racket deserve the  
27 penalty of life in federal prison or death by self-defense of harmful and felonious  
28 actions against an innocent Plaintiff who has chosen to take the higher path of

1 non-violence while patiently waiting with “GOOD faith” in THE LAW that The  
2 Courts will do the right thing and rule in favor of the HONEST PLAINTIFF.

3  
4 Plaintiff only sees three possible outcomes to the current situation: 1) conflict  
5 resolution; apparently requires court action, 2) inevitable legal victory for Plaintiff  
6 in this case or others; more appeals and new criminal/civil cases against other  
7 Defendants where the current Defendants will inevitably be amended back in some  
8 way or another, or 3) violence resulting in the death of Plaintiff or Defendant(s)  
9 inclusive to John Does/growing number of should not be involved conspirators.  
10 Time and life are most precious; please stop wasting it, or in this life, justice will  
11 “terminate” yours by law or karma.

12  
13 Additionally, Plaintiff requested appointment of (assistant) counsel; for purpose of  
14 filing a flawless Appeal that could not possibly be interpreted as frivolous etc.  
15 Anyone including allegedly corrupt judges claiming a frivolous case is more  
16 probably guilty of collusion and obstruction of justice possibly to be held  
17 accountable for all civil and criminal violations in this case or another. Previous  
18 judgements are being appealed due to alleged obstruction of justice by crooked  
19 judges and even a thorough review of the case minus an actual Appeal is not  
20 enough to determine justification for dismissing action. A primary question  
21 Plaintiff was going to ask appointed counsel and is now asking The Court: Did The  
22 (9<sup>th</sup> Circuit) Court receive and review the lodged and sealed exhibits or does  
23 Plaintiff need to do something forward what is not mentioned in the rules? This  
24 case cannot be properly judged without the complete picture, which requires  
25 information contained within all exhibits, more discovery, and leave to amend.  
26 Judge MWF is alleged to have repetitively tried to trick Plaintiff into both not  
27 being able to use and publicizing vital exhibits on the record currently under seal.

1 The order of court rules does state that counsel should be provided, over  
2 dismissing a case, probably because it is more important for a pro se litigant to  
3 have a just and level playing field than possibly being dismissed for pleading  
4 technicalities, lies, or other obstructions. 28 USC § 1915 (e)(1) says “The court  
5 may request an attorney to represent any person unable to afford counsel.” Plaintiff  
6 can not afford counsel, justice has been obstructed in seeking support from the Pro  
7 Se Clinic and representation from many others; therefore, and with good cause,  
8 justice demands pro bono legal support provided by and before The Court takes  
9 any action unfavorable to the Plaintiff In Pro Per.

11 This entire case and Appeal are not only not frivolous, but rather with the greatest  
12 of all time merit. With or without support from law enforcement, Plaintiff  
13 promises to arrest anyone further obstructing justice. Having been in constant  
14 communication with law enforcement and upholding the true plead of innocence,  
15 Plaintiff is expecting full support from the authorities now that two years of  
16 informal probation for something Defendants caused, and Plaintiff did not do, just  
17 ended with papers to expunge the record already filed.

19 The appellees in this case have no honest defense. Their Response to the  
20 Statement & Explanation, at least prior to this statement, will probably be or would  
21 have been similar if not identical to their previous lies with false and unnecessarily  
22 repetitive fluff statements and false claims that the case is frivolous without any  
23 supporting evidence other than statements that corrupt judges lied about it only  
24 “possibly” being frivolous in the unfairly failed first in forma pauperis pro se  
25 filings back in 2014, or because an allegedly crooked, biased, immoral, puppet, lie  
26 of a line regurgitating Judge MWF as proven by Plaintiff in the corrupt Central  
27 District Court docket where it should also be obvious that judges and clerks are  
28 colluding based on the most recent Motion(s) for Recusal and Relief From Orders,

1 which were illegally reassigned by a suspect clerk to another corrupt Judge PA  
2 who was also being motioned against and had no business ruling on the motions,  
3 which are currently and intentionally being neglected by said judge, who according  
4 to both Plaintiff and simple research, has a history of and bad reviews for similarly  
5 dishonorable behavior. Defendants' only arguments against Appeal would be the  
6 same invalid lies they used to get the case illegally dismissed; *res judicata* and  
7 failure to state a claim. The 9<sup>th</sup> Circuit has found that there are exceptions to *res*  
8 *judicata* as previously pled in District Court, and until proven otherwise Plaintiff  
9 realleges that he successfully stated claims, which have motive causing severity for  
10 everyone to lie; unacceptable. The only attempted explanation/excuse Judge MWF  
11 could come up with for failure to state a claim was that Plaintiff did not include the  
12 time, but there is a chronological order to things, some dates mentioned in the  
13 Complaint, a timeline, and evidence attached to all statements including dates.  
14 Most evidence is digitally encoded with the exact time. This non-issue was both  
15 proved wrong and could easily be corrected by redundant amendment, but that  
16 would be a waste everyone's time and energy.

17  
18 Moreover, the briefing schedule must not remain stayed not only because Plaintiff  
19 filed a Motion for Appointment of Counsel, which according to The Clerk is  
20 supposed to change the schedule, but also because Plaintiff filed a separate Request  
21 for a Time Extension to file the Appeal/Opening Brief. Noteworthy is the fact that  
22 The Clerk appears to have intentionally created their harassing docket text at a time  
23 corresponding to the contents of the Complaint, similar to suspect case number  
24 assignment, and a most perceptive Plaintiff knows that a Clerk can be both sued  
25 and indicted. Plaintiff has deep roots in the hood but is technically a highly  
26 educated white man from an upper middle-class family comprised of lawyers and  
27 doctors where a chain of fools is treating him how uneducated minorities and poor  
28 people have been abused. No justice for this Plaintiff means there is no hope for

1 the intellectually helpless masses; granted this case is more complex than others,  
2 the same type of thinking behind the obstructions and reported behavior surely  
3 affect many and one man can change the world to make it a better place. You are  
4 messing with the wrong educated black man so to speak and meaning that the  
5 Plaintiff will not tolerate violations of our rights. People fought and died to protect  
6 our freedom. What do you believe in? Why are you working for the Department  
7 of Justice? Our country was founded upon the principle that it is good to revolt  
8 against unjust authority. The power abusing losers are welcome to move to  
9 another country where obsolete and unfounded beliefs may have substance, but in  
10 the land of the free home of the brave, cowardly human trafficking criminal rackets  
11 must die. This is serious; violations of our constitutional rights are not ok.

12  
13 Plaintiff is not only not frivolous or malicious but has given thoughtful extroverted  
14 consideration to all parties who may possibly be affected by this legal action. The  
15 requested relief is most civil, does not currently require any incarcerations,  
16 deportations, probation, or time-consuming community service, and Plaintiff has  
17 offered to settle for monetary relief in the form of distributed over time equity  
18 capital investment, so Defendants' stock holders do not take a loss. The individual  
19 people who would be affected by injunctions or other relief such as transfer of a  
20 domain name for which they have no legal claim, etc. deserve to serve hard time in  
21 federal prison, or to be exiled because some of them are aliens accused of felonies,  
22 but Plaintiff only intends to secure his intellectual property while blocking illegally  
23 unfair competition and defamation. Plaintiff seeks retribution, which is a main  
24 purpose of the justice system, and he truly believes success is the best revenge.  
25 Who is worthier than the most qualified person being the Plaintiff seeking it  
26 legally? One of the most evil and prominent Defendant John Does, who is first in  
27 line to profit from attempted Plaintiff peonage and false imprisonment, once but  
28 with conviction stated a belief that the only way to the top of the hill is to steal it.

1 Plaintiff and The Court must agree to disagree with Defendants, allegedly tainted  
2 by obsolete culture, for purpose of sustaining a national belief in the reality of what  
3 is more than an American dream of reaping what we sow, but also that all native  
4 citizens are born with equal rights with guaranteed equal protections under the law.

5  
6 Plaintiff is hereby making a “statement that appeal should go forward,” has  
7 explained the undeniable logic behind that declaration, and therefore demands  
8 progress on the rise to success and justice, approval of the fee waiver, refund of the  
9 district court filing fee, exemption from pacer fees, appointment of (assistant)  
10 counsel, an extension to file with legal support, and as much of the requested ex  
11 parte relief as possible. Any number of lawyers including judges saying the world  
12 is flat because they do not want someone to discover the land of opportunity does  
13 not change the fact that Earth is round, and the Plaintiff is right on more than the  
14 money here in the United States of America.

15  
16 Finally, Plaintiff has one further request, which is for this document to also be  
17 considered the Opening Brief, by Order of The Court, only if The Court for some  
18 illegitimate reason should decide to deny the Requests for Counsel and a first Time  
19 Extension; both of which should have been granted by now. Plaintiff’s main  
20 points are proved in what was filed and ignored recently in District Court, but  
21 unless The Court is prepared to rule in favor of Plaintiff, should not excuse The  
22 Court from granting requested pro bono legal support where there is alleged  
23 obstruction of justice in seeking any representation or legitimate help from the Pro  
24 Se Clinic. Most importantly, Plaintiff has serious and lawful complaints, which  
25 can be amended if truly deficient, certainly with support from a more qualified and  
26 licensed attorney. Please do the right thing and order this case to move forward.

27 *Russell Rope*

28 Dated this 13<sup>th</sup> of August, 2018.

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Russell Rope