

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA

v.

CASE NO. 96-~~64~~-Cr-T-23 (E)

EMILIO L. IPPOLITO,
SUSAN L. MOKDAD,
JOHN J. GENTZ,
LARRY M. MYERS,
PHILLIP MARSH,
DOUGLAS J. CARPA,
RICHARD A. "Toby" BROWN,
CHARLES P. DUNNIGAN,
JACK W. WARREN,
JACK M. "Marty" FRANZ, and
LAURENT J. MOORE

INDICTMENT

The Grand Jury charges:

COUNT ONE

CONSPIRACY

A. INTRODUCTION

At all times material to the Indictment:

1. "The Constitutional Court of We The People In and For The United States of America" [also known as the "Constitutional Common Law Court"; also known as "The Supreme Court of the Constitutional Court of We the People - In and For the united (sic) States of America"] (hereinafter, "CLC") was a pseudo judicial, non-governmental and unofficial enterprise, which was created and established by EMILIO L. IPPOLITO, SUSAN L. MOKDAD, and certain unindicted co-conspirators, on September 17, 1992, in Tampa, Florida. The CLC evolved from an earlier entity known as "Pro Se Litigants of America, Inc." which, like the CLC, had its

national headquarters co-located with the residence of IPPOLITO and MOKDAD in Tampa, Florida. As members of the CLC, the defendants often used lower case letters, e.g., the united States, when referring to the United States of America.

2. The CLC ideology advanced by IPPOLITO, MOKDAD and others, advocated that there are two separate classes of citizens, who reside within the geographical boundaries of the United States. The CLC doctrine held that the so-called superior class, known to the defendants as "sovereigns" or "preamble citizens," consisted of individuals who claimed to be the descendants and heirs of the "Founding Fathers," who authored and established the Constitution. Consequently, the defendants believed that they, as members of the "sovereign" class, were above the laws of the United States, not subject to the jurisdiction of federal or state courts, and, therefore, not answerable for criminal violations in either federal or state courts. The defendants believed that the inferior class of citizen comprised people who pay federal income taxes, participate in social security programs, and accept "privileges and immunities" from the government under the Fourteenth Amendment to the Constitution. The defendants distinguished "fourteenth amendment citizens" of the so-called inferior class, from their own alleged "sovereign" status, since they believed that they could trace their "rights" as "constituent members of the sovereignty" to the words in the Preamble to the United States Constitution, to wit, "We the People"

3. The defendants maintained that they, as "sovereigns," and on behalf of other "sovereigns," whom they collectively described as "We The People," had the "right," power, and authority to create their own "courts" and separate legal system. They further maintained that their "courts" were superior to all federal and state courts.

4. As part of their ideology, the defendants asserted that, by voluntarily giving jurisdiction to the CLC, "superior" or "sovereign" citizens could ignore the warrants, indictments, orders and other legal process which emanated from the so-called "inferior" federal and state courts. The defendants, and others, held that it was an act of Treason for officials of the so-called "inferior" governmental courts and agencies (judges, law enforcement officers and prosecutors) to attempt to enforce federal or state law upon "sovereign" citizens. The defendants maintained that as "sovereigns" they had the authority to arrest, incarcerate, prosecute, convict and punish any federal or state government officials who attempted to enforce the federal or state law upon them. According to the defendants, the penalty for Treason was, and is, death.

5. The "Constitutional Court of We the People In and For The United States of America for the Central District of Florida, Court #4" (hereinafter, "CLC #4") was another pseudo judicial, non-governmental and unofficial enterprise which Defendants IPPOLITO, MOKDAD, WARREN, FRANZ, MOORE, DUNNIGAN and BROWN, along

with other co-conspirators, established in Orlando. CLC #4 was a separate, but closely related, affiliate of the CLC in Tampa, Florida.

6. "The Constitutional Common Law Militia" (hereinafter, "militia") was established by the defendants, and others, to act as the "Supreme Law Enforcement Authority" of the CLC. The militia was entrusted by the CLC to execute its so-called "arrest warrants," and to enforce its other pseudo judicial "orders." CLC #4 also had a militia with the same mission. Militia members were, in most cases, participants in, or "members" of the CLCs.

7. Both the CLC and CLC #4 generated a multitude of documents that they claimed were enforceable "orders." The CLC and CLC #4 documents were designed to resemble standard, legitimate legal pleadings, orders, and other documents which were commonly used in federal and state courts. Among the documents which the CLC and CLC #4 issued were "orders to cease and desist, constitutional common law criminal complaints of Treason, orders of contempt of court, common law arrest warrants (issued by the militia), and intervenors." The defendants described this last document, the "intervenor," as "the most powerful document in the world," because it emanated from "We the People."

8. The Supreme Court of Florida issued an order, dated July 7, 1994, to Defendants IPPOLITO, MOKDAD and GENTZ, permanently enjoining them ". . . (1) from the unlicensed practice of law; (2) from holding themselves out as lawyers or judges without first being properly licensed, elected or appointed according the laws of Florida; and, (3) from aiding and abetting any other person engaging in such activities."

9. The Honorable F. Dennis Alvarez was the duly elected Chief Judge of the Thirteenth Judicial Circuit Court for Hillsborough County, Florida. As the Chief Judge, F. Dennis Alvarez supervised all of the operational, administrative and security matters regarding the facilities and personnel of Florida's Thirteenth Judicial Circuit.

10. The Honorable Gasper J. Ficarrotta was a duly elected Judge in the Thirteenth Judicial Circuit Court for Hillsborough County, Florida. As a jurist in the Thirteenth Circuit, Judge Ficarrotta presided over litigative matters which were assigned to him in accordance with the laws of the State of Florida.

11. The Honorable Vaughn R. Walker was a United States District Court Judge, appointed by the President of the United States and confirmed by the United States Senate, for the San Francisco Division of the Northern District of California (hereinafter, "NDC"). Judge Walker presided over the trial of Case No. CR 93-0592 VRW, which involved the prosecution of Defendants MARSH, CARPA and others.

12. At the beginning of the trial of Case No. CR 93-0592 VRW, Judge Walker impaneled a petit jury with six alternates.

13. Odile Hanson was the Jury Administrator for the United States District Court in the San Francisco Division of the Northern District of California.

14. During the trial of Case No. CR 93-0592 VRW, Michael J. Yamaguchi was the duly appointed United States Attorney for the Northern District of California, and Sandra Teters was an Assistant United States Attorney (AUSA), assigned to the case as the lead prosecutor.

15. A United States Attorney serves as the chief law enforcement officer in each judicial district. In accordance with Title 28, United States Code, Section 541, each United States Attorney is appointed by the President of the United States with the advice and consent of the United States Senate. Within his district, each United States Attorney has the responsibility, and authority, to prosecute criminal violations of the statutes and laws of the United States.

16. Diane Messer was employed by the Department of Treasury, Internal Revenue Service (IRS), as a Special Agent, and was assigned to Case No. CR 93-0592 VRW as the lead criminal investigator.

17. William Cohan, Esquire, represented Defendant MARSH and Randy Sue Pollack, Esquire, represented Defendant CARPA in Case No. CR 93-0592 VRW.

18. Grand Jury #93-4, and later #95-2 for the United States District Court, San Francisco Division of the Northern District of California, issued subpoenas to Defendants IPPOLITO, MOKDAD, MYERS and GENTZ, concerning their criminal investigation into allegations of acts of obstruction of justice in Case No. CR 93-0592 VRW. Defendants were personally served with these subpoenas by agents of the Federal Bureau of Investigation (FBI) and the IRS.

19. Ms. Karen Horning, a/k/a Karen Hoffman, was a defendant in criminal case number CR 93-0450-TEH in the San Francisco Division, of the Northern District of California. The defendant had been charged with possession with intent to transfer controlled substances, to wit, LSD.

20. The Honorable Anne C. Conway and the Honorable Robert R. Merhige, Jr. were United States District Court Judges, appointed by the President of the United States and confirmed by the United States Senate. Judge Conway normally presided over cases in the Orlando Division of the Middle District of Florida. Judge Merhige was a Senior United States District Judge, specifically assigned to preside over Case No. 95-209-CR-ORL-22, an Orlando Division criminal case, which involved the prosecution of Defendants WARREN, FRANZ and MOORE.

21. The Honorable Donald P. Dietrich and the Honorable David A. Baker were United States Magistrate Judges for the Orlando Division of the Middle District of Florida. Magistrate Judges Dietrich and Baker were assigned by the United States District Court to preside over, and resolve, preliminary issues regarding the defendants in Case No. 95-209-CR-ORL-22.

22. Gerald S. Sheehan was a member, and acting Foreman, of Grand Jury #95-2 for the Orlando Division of the Middle District of Florida. Grand Jury #95-2 returned a True Bill of Indictment against Defendants WARREN, FRANZ and MOORE in Case No. 95-209-CR-ORL-22.

23. During the grand jury investigation and trial of Case No. 95-209-CR-ORL-22, Rick L. Jancha was the Managing Assistant United States Attorney of the Orlando Division, and Thomas W. Turner was the Assistant United States Attorney (AUSA) assigned to act as the lead prosecutor.

24. Inspector Timothy P. Camus of the Internal Security Division of the IRS, and Special Agent Thomas A. Yowell, Florida Department of Law Enforcement (FDLE) were two law enforcement officers assigned by their agencies to the criminal investigation of Defendants WARREN, FRANZ, MOORE, and others.

B. CONSPIRACY TO COMMIT OFFENSES

AGAINST THE UNITED STATES

25. Beginning not later than March 1994, and continuing to March 15, 1996, in the Middle District of Florida, and elsewhere, the defendants,

EMILIO L. IPPOLITO,
SUSAN L. MOKDAD,
JOHN J. GENTZ,
LARRY M. MYERS,
PHILLIP MARSH,
DOUGLAS J. CARPA,
RICHARD A. "Toby" BROWN,
CHARLES P. DUNNIGAN,
JACK W. WARREN,
JACK M. "Marty" FRANZ,
and
LAURENT J. MOORE,

did knowingly and willfully combine, conspire, confederate, and agree with others both known and unknown to the Grand Jury, to commit the following offenses against the United States:

a. to:

(i) knowingly, with the intent to extort a thing of value, cause the delivery by the U.S. Postal Service of any communication which contains a threat to kidnap or injure the addressee, or of another;

(ii) knowingly use the U.S. mails to deliver any communication which contains any threat to kidnap or injure the person of the addressee, or of another;

(iii) knowingly, with intent to extort a thing of value, cause the delivery by the U.S. Postal Service of any communication, which contains any threat (1) to injure the property or reputation of the addressee or of another, or (2) to accuse the addressee or another of a crime, in violation of Title 18, United States Code, Section 876;

b. to corruptly, by threats, or threatening communication, endeavor to influence, intimidate or impede (1) any grand or petit juror, or officer of any court of the United States, in the discharge of his duty, or (2) the due administration of justice, in violation of Title 18, United States Code, Section 1503;

c. to corruptly, by threats, or threatening communication influence, obstruct or impede the administration of any pending proceeding before any department or agency of the United States, in violation of Title 18, United States Code, Section 1505; and,

d. to knowingly use or attempt to use intimidation, threats or corrupt persuasion, with the intent to influence, delay, or prevent the testimony of any person in an official proceeding, in violation of Title 18, United States Code, Section 1512;

C. MANNER AND MEANS

26. It was part of the conspiracy that the defendants, and others, would and did use, and did cause the use of the United States Postal Service for the purpose of mailing threatening communications to state and federal judges, petit jurors, grand jurors, court administrative personnel, prosecutors, law enforcement personnel, and other state and federal employees in order to obtain favorable rulings in criminal cases, dismissals of indictments, reversals of convictions and release from incarceration for individuals who had been lawfully convicted in accordance with state and federal law.

27. It was further part of the conspiracy that the defendants, and others would and did use, and did cause to be used, corrupt persuasion, threats of charges of Treason, force, arrest and incarceration in order to influence, intimidate,

impede and obstruct federal grand and petit jurors, federal and state judicial officers, prosecutors, law enforcement officers and other government employees in the performance of their official duties.

28. It was further part of the conspiracy that the defendants, and others, would and did plan and discuss the use of force and violence in order to obstruct justice, obtain favorable rulings in criminal cases, dismissals of indictments, reversals of convictions and release from incarceration for individuals who had been lawfully convicted in accordance with state and federal law.

29. It was further part of the conspiracy that the defendants, and others, would and did create, and did cause to be created, various and sundry documents which charged federal grand and petit jurors; federal and state judicial officers, prosecutors, law enforcement officers, other government employees, and witnesses in official proceedings with the high crime of Treason in order to obstruct justice and unlawfully obtain favorable results in state and federal criminal cases.

30. It was a part of the conspiracy that the defendants, and others, would and did create, and did cause to be created, scores of "cease and desist orders," which were issued by the CLC and CLC #4, and which were directed to grand and petit jurors, judges, clerks, court employees, prosecutors, other government attorneys, law enforcement officers, attorneys in private practice and witnesses in official proceedings. The "cease and

desist orders" threatened the recipients with being charged with the high crimes of Treason and Sedition, and with liability for criminal penalties, if the recipient failed to comply with the "orders."

31. It was further part of the conspiracy that the defendants, and others, would and did create, and did cause to be created, so-called "criminal complaints of treason" which charged individuals with the high crime of Treason for failing to comply with "cease and desist orders" which were issued by members of the CLC and CLC #4.

32. It was further part of the conspiracy that in order to obstruct the due administration of justice, the defendants, and others, would and did threaten federal grand and petit jurors; federal and state judicial officers, prosecutors, law enforcement officers, other government employees and witnesses with arrest by the "militia" for failure to comply with the CLC and CLC #4 "orders."

33. It was further a part of the conspiracy that the defendants, and others, would and did create, and did cause to be created, "contempt of court orders with orders authorizing arrest," which ordered the "constitutional militia" to execute "common law arrest warrants." The so-called "arrest warrants" were mailed, and otherwise delivered, to those recipients whom the defendants maintained, had failed to comply with the CLC and CLC #4 "cease and desist orders."

34. It was further a part of the conspiracy that the defendants, and others, would and did create, and did cause to be created, a document that they called an "intervenor," which was also known as an "intervenor's order." These "intervenors" charged the recipients, whom they described or identified as "respondents," with the high crime of Treason. "Intervenors" also demanded the release of federal prisoners, commanded the "respondents" to appear for "trial" before the CLC or CLC #4, and made threats of "arrest and incarceration."

35. It was further a part of the conspiracy that the defendants, and others, would and did mail, and did cause to be mailed, the "cease and desist orders, contempt of court orders, arrest warrants, intervenors" and other CLC and CLC #4 documents to the so-called "respondents," at their offices and their homes.

36. It was further a part of the conspiracy that, despite the injunction issued by the Supreme Court of Florida in July 1994, Defendants IPPOLITO and MOKDAD would and did attempt to act, as legal counsel, which they referred to as "Constitutional Assistance of Counsel of Choice," for other defendants in state and federal criminal cases. During their attempts to act as counsel, Defendants IPPOLITO and MOKDAD would and did create and sign documents which threatened the recipients with: a) being charged with Treason by a so-called "Constitutional" or "Common Law Court," b) arrest by the militia, and c) incarceration.

37. It was further a part of the conspiracy that Defendants IPPOLITO and MOKDAD, would and did contact and solicit, by wire communication, individuals throughout the United States, to fill out the "intervenor" documents, and thereafter, to send them to the "respondents" and to the CLC and CLC #4, by wire communication and the United States Mail.

38. It was further a part of the conspiracy that the defendants, and others, would and did create, and did cause to be created, documents which they entitled "Solemn Recognition of Mixed War," and which they would and did mail, and otherwise deliver, to public officials.

39. It was further part of the conspiracy that the defendants, and others, would and did explain that the purpose of the "Solemn Recognition of Mixed War" notice was to justify the use of violence, including deadly force, against public officials.

40. It was further a part of the conspiracy that Defendant BROWN, and others, would and did discuss using violence and force to physically seize United States District Judges from the Orlando Division of the Middle District of Florida in order to hold them as hostages, and "prisoners of war."

41. It was further part of the conspiracy that Defendant BROWN, and others, would and did discuss exchanging United States District Judges for Defendants WARREN and FRANZ, who were both detained by the United States District Court pending the verdict in Case No. 95-209-CR-ORL-22.

42. It was further part of the conspiracy that the defendants, and others, would and did unlawfully arm themselves with guns in order to resist duly appointed state and federal law enforcement officers, and to achieve the unlawful objects of the conspiracy.

D. OVERT ACTS

In furtherance of the conspiracy, and to accomplish its objects, designs and purposes, the following overt acts, among others, were committed within the Middle District of Florida, and elsewhere.

(1) On or about March 21, 1994, in Tampa, Florida, Defendants IPPOLITO, MOKDAD, and others, mailed "cease and desist orders" addressed to Chief Judge Dennis F. Alvarez, Judge Gasper J. Ficarrotta, and other judges and officials of Hillsborough County, Florida.

(2) On or about June 9, 1994, in Tampa, Florida, Defendants IPPOLITO, MOKDAD, GENTZ, and others, mailed "contempt of court orders" to Chief Judge Alvarez, Judge Ficarrotta, and other judges and officials of Hillsborough County, Florida, for failure to comply with earlier "cease and desist orders." These "orders" advised the recipients that their conduct was "Prima Facie evidence of an Act of Treason and Sedition" and consequently, they were ". . . subject to . . . criminal penalties and . . . incarceration."

(3) On or about July 15, 1994, Defendant GENTZ signed "common law arrest warrants" as the "common law constitutional officer." The "arrest warrants," with attachments, were issued by the "common law militia" and were mailed to Chief Judge Alvarez and Judge Ficarrota, and other judges and officials of Hillsborough County, Florida. The "warrant" directed the arrest of, and made other threats to, Chief Judge Alvarez, Judge Ficarrota, and other "respondents" for "wilful failure to comply" with earlier orders issued by Defendant IPPOLITO, and other defendants, on behalf of the CLC. The threats included the following statement: "In order to avoid physical arrest at your home or workplace by the Militia, which could result in a dangerous confrontation, it would be advisable for the above named Public Servants and others named to schedule an appointment with [JOHN J. GENTZ], Fugitive Warrants Unit"

(4) On or about July 18, 1994, in Tampa, Florida, Defendants IPPOLITO and MOKDAD, mailed a letter to Defendant MARSH who was being prosecuted in United States District Court, Case No. CR 93-0592 VRW, in the San Francisco Division of the NDC. In the letter, Defendants IPPOLITO and MOKDAD offered the aid of the CLC and the "constitutional militia": (a) to arrest the IRS agents who had investigated the case; (b) challenge the jurisdiction of the United States District Court; and, generally interfere with and obstruct the judicial proceedings.

(5) On or about August 12, 1994, at his home in Tampa, Florida, Defendant IPPOLITO would and did possess a firearm with the serial number obliterated.

(6) On or about August 12, 1994, Defendant CARPA responded to Defendant IPPOLITO by mailing a letter, dated August 10, 1994, to Defendant IPPOLITO concerning: "1) Phillip Marsh Case #CR 93-0592 VRW, Northern District of California; 2) Current appeal in 9th Circuit: #93-50673; 3) District Court NO: 92-484ER; Los Angeles." In the letter, Defendant CARPA stated ". . . this should be enough documentation to get the ball rolling" and "I'm in the battle with you"

(7) On or about August 16, 1994, Defendant MARSH mailed a letter to the CLC. The letter contained a "List of People Involved in Our Case." The list included Judge Walker, United States Attorney Yamaguchi, AUSA Teters, and other public officials.

(8) On or about August 18, 1994, in Tampa, Florida, Defendants IPPOLITO, GENTZ and another, signed a CLC "order . . . to cease and desist . . ." directed to Judge Walker, United States Attorney Yamaguchi, AUSA Teters, and other public officials involved directly in the prosecution of Case No. CR 93-0592 VRW. The "order" informed the "respondents" that they were "subject to Criminal and Civil penalties including Treason and Sedition . . ." and, among other things, "demanded" the immediate release of Defendants MARSH and CARPA.

(9) On or about August 20, 1994, in Tampa, Florida, Defendants IPPOLITO, MOKDAD, GENTZ and others, mailed and caused to be mailed, the "cease and desist orders" of August 18, 1994, to each "respondent."

(10) On or about August 23, 1994, Defendants MARSH and CARPA presented the "order . . . to cease and desist . . ." to Judge Walker in open court.

(11) On or about August 27, 1994, in Tampa, Florida, Defendants IPPOLITO and GENTZ, and another, signed a CLC "Order of Contempt of Court" directed to Judge Walker, United States Attorney Yamaguchi, AUSA Teters, and other public officials "for willfully failing to comply with [the CLC's] Order Demanding Respondents to Cease and Desist" This "contempt order" stated that the "Constitutional Common Law Militia is Ordered to execute a Common Law Arrest Warrant for each and all of the Respondents"

(12) On or about August 27, 1994, in Tampa, Florida, Defendant MYERS signed "Militia . . . Arrest Warrants" in his capacity as a "Militia Volunteer" and "Constitutional Common Law Enforcement Officer." These "arrest warrants" were based on the CLC "contempt order" of the same date, and were directed at Judge Walker and the other "respondents."

(13) On or about August 30, 1994, Defendants IPPOLITO, MOKDAD, GENTZ, and MYERS, and others, mailed and caused to be mailed, the CLC "contempt order" of August 27, 1994, together with the "arrest warrant" of that date, to Judge Walker and the other "respondents."

(14) On or about September 12, 1994, in Tampa, Florida, Defendants IPPOLITO and GENTZ, and another, signed a CLC "order" which demanded that Judge Walker inform the petit jury in Case No. CR 93-0592 that it had no right to deliberate or render a verdict in that case. This "order" was also directed to United States Attorney Yamaguchi, AUSA Teters, and the other "respondents." It further "ordered" Judge Walker to release Defendants MARSH and CARPA from federal custody. The "order" warned that if jurors participated in deliberations in that case, they would be committing acts of Treason and Sedition.

(15) In or about September 1994, Defendant MARSH, without the Court's permission, addressed the jurors in his trial. Marsh advised them that Judge Walker was holding important mail for them which they had a right to see, and which would help them make a decision regarding the outcome of the trial.

(16) On or about September 12, 1994, Defendant MARSH addressed Judge Walker in Court, and stated to him that: "I have some questions. I am going to get them or I will taint your jury so bad that you will have to start all over again." He further addressed the jury, stating: "You have the power to stop this

proceeding, and if you don't do it -- this Court has no jurisdiction. And if you don't do it -- you are going under an arrest warrant."

(17) On or about September 12, 1994, in Tampa, Florida, Defendants IPPOLITO, MOKDAD, and GENTZ, and others, mailed and caused to be mailed, a CLC "order" to the Clerk of the United States District Court, NDC.

(18) On or about September 13, 1994, Defendant CARPA mailed a letter, dated August 31, 1994, to Defendants IPPOLITO and MOKDAD in Tampa, Florida. The letter included a complete list of petit jurors and alternates, together with their badge identification numbers in Case No. CR 93-0592 VRW. CARPA'S letter encouraged Defendants IPPOLITO and MOKDAD to, "Keep after the rascals!!"

(19) On or about September 20, 1994, Defendants IPPOLITO, MOKDAD, and GENTZ signed a CLC "contempt of court order." This "order" warned the jurors and alternates in Case No. CR 93-0592 VRW that failure to act as directed in earlier "orders," constituted acts of Treason. It further directed the "militia" to execute "arrest warrants" for the jurors and alternates, and identified the alternate jurors by name and badge number. Additionally, the "order" stated that Judge Walker had committed further acts of Treason.

(20) On or about September 20, 1994, in Tampa, Florida, Defendant MYERS signed "arrest warrants" for the petit jury members, alternates and the defense attorneys who represented Defendants CARPA and MARSH in Case No. CR 93-0592 VRW. The "arrest warrants" identified the alternate jurors by name and badge number.

(21) On or about September 20, 1994, Defendants IPPOLITO, MOKDAD, GENTZ, and MYERS mailed and caused to be mailed from Tampa, Florida, CLC "contempt orders" and "arrest warrants" to Judge Walker, the jurors, alternate jurors, and other "respondents."

(22) On or about September 21, 1994, Defendants IPPOLITO, MOKDAD, and GENTZ signed a "Corrected Order of Contempt of Court"

(23) On or about September 22, 1994, Defendants MOKDAD and MARSH communicated telephonically regarding the effects of the CLC "orders" on Case No. CR 93-0592 VRW.

(24) On or about September 26, 1994, Defendants IPPOLITO and CARPA communicated telephonically regarding the impact of the CLC orders on MARSH and CARPA's trial. Defendant CARPA informed Defendant IPPOLITO that the Jury Commissioner had "advised Jury Tampering."

(25) On or about September 29, 1994, in Tampa, Florida, Defendants MOKDAD and IPPOLITO filed a complaint with the United States Postal Inspection Service and Postmaster General regarding Judge Walker's official action, which prevented the petit jurors and alternates from receiving the CLC "orders" and "warrants".

(26) On or about October 1994, Defendant MOKDAD communicated telephonically with representatives of the United States Postal Service with regard to the complaint that she and Defendant IPPOLITO had filed.

(27) In or about October 1994, Defendants IPPOLITO and CARPA communicated telephonically with regard to the complaint filed with the United States Postal Service, and charges of Treason which they planned to make against the Postal Inspectors.

(28) On or about October 15, 1994, Defendants MARSH and MOKDAD communicated telephonically and discussed both the use of force by the militia, and jury tampering, in their bid to obtain a favorable result for the defendants in Case No. CR 93-0592 VRW.

(29) On or about October 20, 1994, defendants IPPOLITO, MOKDAD and GENTZ signed, mailed, and caused to be mailed from Tampa, Florida, a CLC "cease and desist order" with an "order" which demanded the immediate release of Karen Horning, and return of all her property in Case No. CR 93-0450-TEH. Other CLC "orders" and "militia arrest warrants" accompanied the "cease and desist orders." These CLC orders were addressed to the Clerk of the Court, and other recipients, in the San Francisco Division of the NDC.

(30) On or about October 26, 1994, Defendant IPPOLITO spoke with Postal Inspectors who had gone to his home in response to his complaint concerning Judge Walker. He informed the inspectors that he had already issued an arrest warrant for the judge, and that if the jurors did not abate the charges against Defendant MARSH and his co-defendants, IPPOLITO intended to issue warrants for them as well. He also told the inspectors that the MARSH case was a matter of "life or death" and that "If you come for me, be prepared to lock and load. If I get the drop on you, I will blow you away."

(31) On or about February 1995, Defendants WARREN, MOORE and another created, and caused to be created, a document which they labeled "Solemn Recognition of Mixed War."

(32) On or about May 17, 1995, at Tampa, Florida, Defendants IPPOLITO, MOKDAD, MYERS and GENTZ mailed, and did cause the mailing of a "notice and demand", an "order to quash" and a "final order" to Grand Jury #95-2 in the San Francisco Division of the Northern District of California. The "final order" threatened the grand jurors with arrest by the "militia" if they did not comply with the "order" and abate their investigation.

(33) In or about September 1995, Defendants WARREN, MOORE, FRANZ, DUNNIGAN, BROWN, IPPOLITO and MOKDAD established CLC #4 at Post Office Box 764, Orlando, Florida, 32802, for the purpose of impeding, impairing and obstructing Case No. 95-209-CR-ORL-22.

(34) On or about September 21, 1995, in Orlando, Florida, Defendants WARREN and FRANZ executed a "notice and demand" which purported to challenge the jurisdiction of the United States District Court for the Middle District of Florida, and which professed to provide jurisdiction to CLC #4.

(35) On or about September 22, 1995, Defendants WARREN, MOORE and FRANZ filed a petition demanding that the United States "cease and desist" the investigation and prosecution of the defendants in Case No. 95-209-CR-ORL-22.

(36) On or about September 25, 1995, Defendant MOORE, and others, executed, and caused the execution of, an "intervenor" document, which was addressed to the United States District Court for the Middle District of Florida, and other respondents. This intervenor demanded the immediate release of Defendants WARREN and FRANZ, and threatened arrest and incarceration of the respondents for failure to comply with the order.

(37) On or about September 25, 1995, Defendants IPPOLITO and MOKDAD issued an "urgent bulletin" requesting that others complete attached "intervenor" documents and file them with the Orlando Division of the United States District Court for the Middle District of Florida.

(38) On or about September 25, 1995, in Orlando, Florida, Defendant MOORE, and others, sent a "complaint" to Inspector Timothy P. Camus of the IRS. In the so-called "complaint" MOORE accused Inspector Camus of the high crime of Treason, and threatened arrest and incarceration unless Inspector Camus ceased

his investigation and prosecution. Similar "complaints" were delivered and caused to be delivered, to the United States Attorney's Office, United States Magistrate Judge Dietrich, and other public officials on or about the same date.

(39) On or about September 28, 1995, Defendants MOKDAD and BROWN discussed convening CLC #4 in Kissimmee, Florida.

(40) On or about September 29, 1995, Defendants IPPOLITO, MOKDAD, MOORE, BROWN, DUNNIGAN and others attended a meeting of CLC #4 in Kissimmee, Florida. During the meeting, IPPOLITO and MOKDAD explained that they had been obstructing federal and state judicial proceedings for many years. Specifically, they described their efforts to obstruct and impede the MARSH and CARPA trial (Case No. CR 93-0592) VRW, in California.

(41) On or about September 29, 1995, in Orlando, Florida, Defendant IPPOLITO informed the CLC #4 members, that if he was allowed to address a jury, he would not be convicted. The jurors would have to arrest the judge and prosecutor, or else he would tell them that he would charge the jury with Treason and have the "militia" serve them on the spot. He advised that, "I want to be arrested for participating with the Common Law Court. We've tried everything -- interfered with the federal court jury. How many in here would have the guts to tamper with a federal court jury?" He further explained, ". . . when I get through with you and you're sitting on a jury, you will think that I have brow beat

you, I have intimidated, I've coerced you, I've threatened you. I will do everything in the world to you because you're gonna fear me more than the judge"

(42) On or about September 29, 1995, at the CLC #4 meeting, Defendants IPPOLITO and MOKDAD described the various methods that they had used in the past, and would use in the future, to obstruct the investigation and criminal proceedings involving Defendants WARREN, FRANZ and MOORE. IPPOLITO explained that when he filed a "complaint of Treason," against a judge, its purpose was to disqualify him from hearing the case. Defendants IPPOLITO and MOKDAD strongly encouraged those present, who had not already joined the scheme, to join and fully participate in their on-going efforts to obstruct, impair and impede the United States District Courts and State Courts.

(43) On or about September 29, 1995, outside of the CLC #4 meeting in Kissimmee, Florida, Defendant BROWN stated to others that, "personally, I think that as long as they've (IPPOLITO and MOKDAD) been in operation, it's time that they had a trial -- that they try one of the judges, or whoever, and we hang him." "I think that you're gonna (sic) get a bunch of respect in a hurry."

(44) On or about October 11, 1995, Defendant WARREN executed and signed a "notice and warning to the world."

(45) On or about October 12, 1995, in Orlando, Florida, Defendants MOORE, DUNNIGAN, and others, delivered a "complaint of Treason" against the federal Grand Jury, and a demand for the release of the Defendants WARREN and FRANZ to Magistrate Judge Dietrich, the United States Marshals Service, and the United States Attorney's Office.

(46) On or about October 15, 1995, in Tampa, Florida, Defendant IPPOLITO mailed, and did cause to be mailed, a series of CLC and CLC #4 documents to the home address of Gerald Sheehan, a member, and acting foreman, of Grand Jury #95-2 for the Orlando Division of the Middle District of Florida. In these documents the defendants threatened that the "militia" would arrest, incarcerate and hold Sheehan in custody, so that he would answer charges of Treason for participating in the grand jury proceeding which resulted in the True Bills of Indictment in Case No. 95-209-CR-ORL-22.

(47) On or about October 16, 1995, Defendant IPPOLITO attended a meeting of CLC #4. During the meeting IPPOLITO informed the CLC members that he had mailed a "criminal complaint of Treason" to the home address of the grand jury foreman, and this would result in Ippolito's arrest.

(48) On or about October 17, 1995, Defendant DUNNIGAN, and others, mailed, and did cause to be mailed, a CLC #4 "order" and "common law arrest warrant" to Grand Juror Sheehan, and others. The so-called "order" cited Sheehan for contempt for failure to

comply with the previous "cease and desist orders." The "arrest warrant" threatened Juror Sheehan with arrest and trial for Treason.

(49) On or about October 17, 1995, Defendants DUNNIGAN, IPPOLITO and MOKDAD, and others, mailed and did cause to be mailed, a CLC #4 "contempt of court order with order authorizing arrest" and a "common law arrest warrant" to the Justices of the Supreme Court of the United States, Judge Alvarez and other public officials.

(50) On or about October 17, 1995, Defendant DUNNIGAN attempted to impede and interfere with a court proceeding held before Magistrate Judge David A. Baker.

(51) On or about October 23, 1995, Defendants IPPOLITO and MOKDAD communicated telephonically with Grand Juror Sheehan, during which time IPPOLITO told Grand Juror Sheehan that unless he read the documents provided by IPPOLITO, followed their directives and complied with their orders, Grand Juror Sheehan would "put [himself] in harms's way."

(52) On or about October 23, 1995, Defendant IPPOLITO, with the assistance of Defendant BROWN, conducted a practice session, at a meeting of CLC #4, in order to hone his presentation to Federal Grand Jury #95-2. After the practice session he informed those present that Treason was a capital offense. IPPOLITO warned that if convicted of Treason, after trial in a "common law court," the "penalty was death" and the traitor could be "shot at high noon."

(53) On or about October 27, 1995, Defendants IPPOLITO and MOKDAD had a subsequent telephonic conversation with Grand Juror Sheehan. During this discussion Defendant IPPOLITO informed Juror Sheehan that if he continued to "support the government," Sheehan might have to answer to "charges." Later in the conversation Defendant IPPOLITO acknowledged that the penalty for Treason was "death."

(54) In or about November 1995, in Tampa, Florida, Defendant IPPOLITO, and others, mailed, and did cause to be mailed, a "petition" for a "final order" and a "final order" to Grand Juror Sheehan, and other public officials, including Judge Rom W. Powell, Ninth Judicial Circuit, Orange County, Florida and Barbara A. Ard, Assistant Attorney General, State of Florida.

(55) In or about November 1995, the defendants and others, delivered and did cause to be delivered a "common law summons" to the Office of the United States Attorney, Orlando, Florida, and the Office of the Attorney General, State of Florida, Tampa, Florida. The "summons" commanded the respondents "to appear in court to respond and be prepared for trial Monday evening, December 11, 1995, at 7:00 PM at Common Law Court #4 . . . on charges of complaints of Treason previously served upon all of the respondents." The "summons" stated that CLC #4 "will execute a default Judgement of Guilt for any Respondent that fails to appear for trial."

(56) On or about November 7, 1995, an unindicted co-conspirator, who was a member of CLC #4, and who resides in Orlando, Florida, traveled to Tampa, Florida to attempt personal service of the "Common Law Summons" on respondents.

(57) On or about November 13, 1995, Defendant BROWN asserted to others that they should assemble a group of armed "deputies" under the authority of CLC #4 in order to enter the federal building in Orlando, Florida, which housed the United States District Court. Brown said that the assault on the federal building would be for the purpose of confronting and forcibly arresting a federal judge. BROWN also expressed the opinion that the members of CLC #4 were "at war" with the federal government, and this made prisoner exchanges an option. He also stated that "desperate times call for desperate measures. And the times are getting pretty damn desperate."

(58) On or about November 13, 1995 at a meeting of CLC #4 in Orlando, Florida, Defendant BROWN would and did unlawfully carry a concealed weapon.

(59) On or about December 11, 1995, Defendants BROWN, DUNNIGAN and MOORE, and others, attended a meeting of CLC #4 in Orlando, Florida. The purpose of the meeting was to convene a CLC #4 trial of Treason for state and federal judges, grand jurors, court administrative personnel, prosecutors, law enforcement personnel, and other government employees.

(60) On or about December 11, 1995, Defendant BROWN arranged for an armed "militia" group of 40 members from Brevard County, Florida, to come to CLC #4 in Orlando, Florida for the purpose of providing: (1) perimeter security to the CLC Treason trials; and (2) counter surveillance against legitimate state and federal law enforcement personnel.

(61) On or about January 5, 1996, Defendant WARREN informed members of the petit jury impaneled in Case No. 95-209-CR-ORL-22 that, because he believed that the United States District Court had no jurisdiction over the defendants as "sovereign citizens," the members of the petit jury would be charged with the offense of Treason, and suffer the consequences, if they did not dismiss the charges against him and his co-defendants, and order the judge to release them from custody.

(62) On or about January 9, 1996, Defendants WARREN, MOORE and FRANZ signed, delivered and caused to be delivered a letter to Judge Merhige requesting the names and addresses of the members of the jury, including alternates, in their case.

(63) On or about January 16, 1996, Defendants IPPOLITO, WARREN, MOORE and FRANZ delivered, and caused to be delivered, a "Constitutional Common Law Demand . . ." to Judge Merhige, and other public officials. The "demand" alleged that Judge Merhige and the [petit] jury had committed Treason during the trial of Defendants WARREN and MOORE and FRANZ.

(64) On or about January 25, 1996, Defendants IPPOLITO, WARREN, FRANZ and MOORE did deliver, and did cause to be delivered, (1) complaints of Treason, (2) objections to governments' motions to seal; demand to vacate sentencing to United States District Judge Merhige in Orlando, Florida.

(65) On or about February 2, 1996, in Tampa, Florida, Defendant IPPOLITO, allegedly acting as "counsel" for, and on behalf of, Defendants WARREN and MOORE and FRANZ, signed, mailed and caused to be mailed, a "complaint of Treason" to the Clerk of the Court for the Middle District of Florida, Orlando Division, for Judge Merhige; Chief United States District Judge Elizabeth A. Kovachevich, Middle District of Florida; and other public officials. Among other things, the "complaint" alleged that Judge Merhige's Order protecting the identities of the petit jurors in Case No. 95-209-CR-ORL-22 was a further act of Treason.

(66) On or about February 20, 1996, in Tampa, Florida, Defendant IPPOLITO signed, delivered, and did cause to be delivered, to the Clerk, United States District Court for the Middle District of Florida, a "notice" to Chief United States District Judge Elizabeth A. Kovachevich, which advised that if Judge Kovachevich failed to "protect" IPPOLITO's "rights," she would be committing an "Act of Treason."

(67) On or about February 20, 1996, in Tampa, Florida, Defendant IPPOLITO delivered, and did cause to be delivered, nineteen "intervenors" to the Clerk's Office. These "intervenors" commanded all "respondents" to cease and desist all

prosecution, and release WARREN, FRANZ and MOORE. The "intervenors" all stated that if Judge Kovachevich "fail[ed] to properly respond to the many Complaints of Treason . . . [that failure would] constitute . . . an Act of Treason" The "intervenors" further stated that "the action taken by The Federal District Judges . . . constitutes the Highest Criminal Action that can be taken Treason against the Constitution, the Country, and It's People."

(68) On or about March 7, 1996, Defendants IPPOLITO and MOKDAD did deliver and file, and did attempt to deliver and file a "complaint of Treason against Chief Federal Judge Elizabeth A. Kovachevich," which threatened to hold Judge Kovachevich accountable for acts of alleged Treason.

(69) The Grand Jury incorporates by reference in their entirety, Counts three through eighteen as overt acts in furtherance of the conspiracy.

All in violation of Title 18, United States Code, Section 371.

COUNT TWO

CONSPIRACY

A. INTRODUCTION

At all times material to the Indictment:

1. The substance of the conspiracy, and its manner and means, are described in those paragraphs contained in part A of Count One of this indictment, and the Grand Jury realleges and

incorporates by reference those paragraphs in their entirety, as though fully set forth herein.

B. CONSPIRACY TO IMPEDE OR INJURE OFFICER

2. Beginning in or about March, 1994, and continuing to March 15, 1996, in the Middle District of Florida, and elsewhere, the defendants,

EMILIO L. IPPOLITO,
SUSAN L. MOKDAD,
JOHN J. GENTZ,
LARRY M. MYERS,
PHILLIP MARSH,
DOUGLAS J. CARPA,
RICHARD A. "Toby" BROWN,
CHARLES P. DUNNIGAN,
JACK W. WARREN,
JACK M. "Marty" FRANZ,
and
LAURENT J. MOORE,

did knowingly and willfully combine, conspire, confederate, and agree with others, both known and unknown to the Grand Jury, to prevent, by intimidation and threats, the following persons from discharging the duties of an office, trust or place of confidence under the United States, to wit,

Michael J. Yamaguchi, United States Attorney;
Charles B. Burch, Assistant United States Attorney;
Sandra Teters, Assistant United States Attorney;
Thomas Carlucci, Assistant United States Attorney;
Rick L. Jancha, Assistant United States Attorney;
Thomas Turner, Assistant United States Attorney;
Lester Smith, Deputy United States Marshal;
and
Timothy P. Camus, Inspector, Internal Revenue Service

C. MANNER AND MEANS

3. The Grand Jury incorporates by reference, in their entirety, those paragraphs contained in Part C of Count One of this Indictment as the manner and means.

D. OVERT ACTS

4. In furtherance of the conspiracy, and to accomplish its objects, designs and purposes, the Grand Jury realleges, and incorporates by reference, those paragraphs contained in Part D of Count One of this Indictment, in their entirety, as the Overt Acts which were committed within the Middle District of Florida, and elsewhere.

5. The Grand Jury incorporates by reference in their entirety Counts Eleven, Seventeen and Eighteen as Overt Acts in furtherance of the conspiracy.

In violation of Title 18, United States Code, Section 372.

COUNTS THREE THROUGH ELEVEN

THE THREATENING COMMUNICATION COUNTS

1. The substance of the conspiracy, and its manner and means, are described in those paragraphs contained in Parts A and C of Count One of this Indictment, and the Grand Jury realleges and incorporates by reference those paragraphs in their entirety as though fully set forth herein.

2. Beginning in or about June 1994 and continuing until in or about January 1996, in Tampa, Florida, in the Middle District of Florida, and elsewhere,

EMILIO L. IPPOLITO,
SUSAN L. MOKDAD,
JOHN J. GENTZ,
LARRY M. MYERS,
PHILLIP MARSH,
DOUGLAS J. CARPA,
RICHARD A. "Toby" BROWN,
CHARLES P. DUNNIGAN,
JACK W. WARREN,
JACK M. "Marty" FRANZ
and
LAURENT J. MOORE

defendants herein, aiding and abetting each other, did knowingly, and with intent to extort a thing of value, cause to be delivered by the United States Postal Service, according to the directions thereon, letters, packages and other correspondence, which contained threats of: dangerous confrontations at home or workplace, arrest by the "militia", incarceration, prosecution for Treason and other crimes, injury to property and injury to reputation for failure to comply with the directions and "orders" of the defendants.

3. On or about the dates specified in each Count below, for the purpose of mailing and transmitting threatening communications by and through the United States Postal Service, the described defendants set forth in each count below did knowingly, and with intent to extort a thing of value, cause to be delivered the items described below, containing the threatening language described below, on the dates indicated in each count below:

COUNT THREE

DEFENDANTS: EMILIO L. IPPOLITO,
SUSAN L. MOKDAD,
JOHN J. GENTZ

DATE: On or about June 9, 1994

MAILING: Order of contempt of court, from the
Constitutional court of "We the People
in and for the United States of
America." Mailed from Tampa, Florida to
Hillsborough County Courthouse.

ADDRESSEE: Chief Judge F. Dennis Alvarez
Judge Gasper J. Ficarrotta.

THREAT: Incarceration of Chief Judge Alvarez,
and others, accusation of Treason,
criminal penalties for Treason and
Sedition.

THING OF VALUE: Cessation of all judicial actions
against petitioners named in the
mailing.

COUNT FOUR

DEFENDANTS: EMILIO L. IPPOLITO,
SUSAN L. MOKDAD,
JOHN J. GENTZ,
LARRY M. MYERS

DATE: On or about July 15, 1994

MAILING: Constitutional common law militia common
law arrest warrant. Mailed from Tampa,
Florida to Hillsborough County
Courthouse.

ADDRESSEE: Chief Judge F. Dennis Alvarez.

THREAT: Physical arrest, dangerous
confrontation, formal charges of acts of
Treason and Sedition, incarceration,
criminal and civil penalties.

THING OF VALUE: Cessation of judicial actions against
petitioners, compliance with earlier
orders, surrender to CLC "Fugitive
Warrants Unit."

COUNT FIVE

DEFENDANTS:

EMILIO L. IPPOLITO,
SUSAN L. MOKDAD,
JOHN J. GENTZ,
PHILLIP MARSH,
DOUGLAS J. CARPA

DATE:

On or about September 12, 1994

MAILING:

CLC order demanding that Judge Vaughn Walker fully inform the jury that they do not have jurisdiction on the case of the petitioners before them in the United States District Court. Mailed from Tampa, Florida to San Francisco, California.

ADDRESSEE:

United States District Judge Vaughn R. Walker

THREAT:

Arrest of the impaneled petit jury, sanctions against Judge Walker for Treason and Sedition.

THING OF VALUE:

To take favorable judicial action, informing the petit jury with regard to information which the Court had previously deemed improper cessation of judicial proceedings.

COUNT SIX

DEFENDANTS:

EMILIO L. IPPOLITO,
SUSAN L. MOKDAD,
JACK W. WARREN,
LAURENT J. MOORE,
RICHARD A. "Toby" BROWN,
JACK M. "Marty" FRANZ

MAILING:

October 13, 1995

MAILING:

Constitutional common law criminal complaint of Treason against the Federal Grand Jury, GJ #95-2-31 and others, and common law demand for immediate release of complainants/defendants. Mailed from Kissimmee, Florida to Orlando, Florida.

ADDRESSEE:

Gerald S. Sheehan, Grand Jury Foreman, and Jurors of the Entire Grand Jury impaneled in Grand Jury #95-2.

THREAT: Arrest, incarceration, charges of Treason.

THING OF VALUE: Favorable judicial action; Order granting immediate release of the defendants; Order for arrest of United States district judge, magistrate judges, state judges, federal prosecutors, law enforcement officers, and others.

COUNT SEVEN

DEFENDANTS: EMILIO L. IPPOLITO,
SUSAN L. MOKDAD,
RICHARD A. "Toby" BROWN,
CHARLES P. DUNNIGAN
JACK W. WARREN,
JACK M. "Marty" FRANZ,
LAURENT J. MOORE,

DATE: On or about October 17, 1995

MAILING: (1) Order of contempt of court with an order authorizing the common law arrest of all respondents, including the grand jury, and order demanding the immediate release of petitioners from incarceration; (2) constitutional common law militia, common law arrest warrant of the grand jury and all other respondents. Mailed from Tampa, Florida to Cocoa, Florida.

ADDRESSEE: Gerald D. (Sic) Sheehan, Grand Jury
Foreman for United States Grand Jury

THREAT: Arrest and trial by the common law court for acts of Treason and other criminal charges.

THING OF VALUE: Cessation of all prosecution against named individuals, immediate release of individuals detained by Magistrate Judge.

COUNT EIGHT

DEFENDANTS:

EMILIO L. IPPOLITO,
SUSAN L. MOKDAD,
RICHARD A. "Toby" BROWN,
CHARLES P. DUNNIGAN,
JACK W. WARREN,
JACK M. "Marty" FRANZ,
LAURENT J. MOORE,

DATE:

On or about October 17, 1995

MAILING:

(1) Order of contempt of court with an order authorizing the common law arrest of all respondents, including the grand jury, and order demanding the immediate release of petitioners from incarceration; (2) constitutional common law militia common law arrest warrant of the grand jury and all other respondents. Mailed from Tampa, Florida to Orlando, Florida.

ADDRESSEE:

United States District Judge Anne C. Conway

THREAT:

Arrest and trial by the common law court for acts of Treason and other criminal charges.

THING OF VALUE:

Cessation of all prosecution against named individuals, immediate release of individuals detained by Magistrate Judge.

COUNT NINE

DEFENDANTS:

EMILIO L. IPPOLITO,
SUSAN L. MOKDAD,
RICHARD A. "Toby" BROWN,
CHARLES P. DUNNIGAN,
JACK W. WARREN,
JACK M. "Marty" FRANZ,
LAURENT J. MOORE

DATE:

On or about October 17, 1995

MAILING: Constitutional common law militia, common law arrest warrant for the Chief Justice and all Associate Justices and all other common law respondents for violations of their sworn oath of office. Mailed from Tampa, Florida to Hillsborough County Courthouse.

ADDRESSEE: Chief Judge F. Dennis Alvarez

THREAT: Arrest by "militia"

THING OF VALUE: Return of property seized by Tampa Police pursuant to a search warrant.

COUNT TEN

DEFENDANTS: EMILIO L. IPPOLITO,
SUSAN L. MOKDAD,
RICHARD A. "Toby" BROWN,
CHARLES P. DUNNIGAN,
JACK W. WARREN,
JACK M. "Marty" FRANZ,
LAURENT J. MOORE

DATE: On or about October 17, 1995

MAILING: Constitutional common law militia, common law arrest warrant of the Grand Jury, and all other respondents. Mailed from Tampa, Florida to Orlando, Florida.

ADDRESSEE: Sheriff Kevin Beary, Orange County, Florida.

THREAT: Arrest, contempt of the common law court, trial by the common law court for Treason.

THING OF VALUE: Arrest of United States district judge, magistrate judges, federal prosecutors, law enforcement agents; Release of defendants from pre-trial detention.

COUNT ELEVEN

DEFENDANTS: EMILIO L. IPPOLITO,
SUSAN L. MOKDAD,
JACK W. WARREN,
JACK M. "Marty" FRANZ,
LAURENT J. MOORE

DATE: On or about October 31, 1995

MAILING: Final order for prosecution on charge of
Treason. Mailed from Tampa, Florida to
Orlando, Florida.

ADDRESSEE: Rick L. Jancha, Managing Assistant U.S.
Attorney, Orlando Division

THREAT: Prosecution for Treason.

THING OF VALUE: Release of Defendants WARREN and FRANZ,
abatement of prosecution.

All in violation of Title 18, United States Code, Sections
876 and 2.

COUNTS TWELVE THROUGH SIXTEEN
OBSTRUCTION OF JUSTICE COUNTS

1. The substance of the conspiracy, and its manner and
means, are described in those paragraphs contained in Parts A and
C of Count One of this Indictment, and the Grand Jury realleges
and incorporates by reference those paragraphs in their entirety
as though fully set forth herein.

2. Beginning in or about August 1994, to in or about
February 1996, in the Middle District of Florida, and elsewhere,

EMILIO L. IPPOLITO,
SUSAN L. MOKDAD,
JOHN J. GENTZ,
LARRY M. MYERS,
PHILLIP MARSH,
DOUGLAS J. CARPA,
RICHARD A. "Toby" BROWN,
CHARLES P. DUNNIGAN,
JACK W. WARREN,
JACK M. "Marty" FRANZ
and
LAURENT J. MOORE,

defendants herein, aiding and abetting each other, did corruptly,
by threats and threatening communication endeavor to influence,

intimidate, obstruct and impede grand and petit jurors and officers, in and of Courts of the United States, in the discharge of their duties, and did endeavor to corruptly, by threats and threatening communication influence, obstruct, and impede the due administration of justice.

3. On or about the dates specified in each Count below for the purpose of obstructing justice, the described defendants, set forth in each Count below, did corruptly, by threats and threatening communications, as described below, obstruct and endeavor to obstruct, as described below, grand and petit jurors, described below, and the due administration of justice, as described in each count below:

COUNT TWELVE

DEFENDANTS:

EMILIO L. IPPOLITO,
SUSAN L. MOKDAD,
JOHN J. GENTZ,
LARRY M. MYERS,
PHILLIP MARSH,
DOUGLAS CARPA

DATE:

On or about August 27, 1994

JUDGE:

United States District Judge
Vaughn R. Walker
Northern District of California

PROCEEDING:

Case No. CR 93-0592 VRW

**THREATENING
COMMUNICATION:**

CLC order of contempt of court and
"militia" common law arrest warrant.

OBSTRUCTION:

Defendants sought unlawful termination
of judicial proceedings and government's
prosecution in Case No. CR 93-0592 VRW,
and release from custody of all
defendants.

COUNT THIRTEEN

DEFENDANTS:

EMILIO L. IPPOLITO,
SUSAN L. MOKDAD,
JOHN J. GENTZ,
LARRY M. MYERS,
PHILLIP MARSH,
DOUGLAS CARPA

DATE:

On or about September 20, 1994

PETIT JURORS:

Entire petit jury panel, with alternates for
Case No. CR 93-0592 VRW

PROCEEDING:

Trial of Case No. CR 93-0592 VRW

**THREATENING
COMMUNICATION:**

CLC "contempt of court order" which
threatened arrest by "militia" for
alleged acts of Treason.

OBSTRUCTION:

Defendants endeavored (1) to corruptly
influence, impair, and impede, and (2)
to threaten jurors, and alternates, to
preclude impartial deliberations and
achieve a favorable result in Case No.
CR 93-0592 VRW.

COUNT FOURTEEN

DEFENDANTS:

EMILIO L. IPPOLITO,
SUSAN L. MOKDAD,
RICHARD A. "Toby" BROWN,
CHARLES P. DUNNIGAN,
JACK W. WARREN,
JACK M. "Marty" FRANZ,
LAURENT J. MOORE

DATE:

On or about October 16, 1995

JUDGE:

Magistrate Judge Donald P. Dietrich
Orlando Division
Middle District of Florida.

PROCEEDING:

Detention Hearings in
Case No. 95-209-CR-ORL-22.

**THREATENING
COMMUNICATION:**

"Militia" common law arrest warrant for
the Grand Jury and other respondents.

OBSTRUCTION: Defendants sought obstruction of due administration of justice by unlawful termination of judicial proceedings and government's prosecution in Case No. 95-209-CR-ORL-22, and release from custody of all defendants.

COUNT FIFTEEN

DEFENDANTS: EMILIO IPPOLITO,
JACK W. WARREN,
JACK M. "Marty" FRANZ,
LAURENT J. MOORE

DATE: On or about January 5, 1996

PETIT JURORS: Entire petit jury panel for
Case No. 95-209-CR-ORL-22

PROCEEDING: Trial of Case No. 95-209-CR-ORL-22

THREAT: Oral statement to the jury panel by Defendant WARREN, on behalf of other defendants, in which he corruptly stated to the petit jurors that if the jurors continued to participate in the trial proceedings, they would be co-conspirators in criminal acts of Treason.

OBSTRUCTION: Defendants sought to obstruct the due administration of justice by the unlawful termination of judicial proceedings and government's prosecution, and to corruptly influence, impede and impair the petit jury's deliberation in Case No. 95-209-CR-ORL-22.

COUNT SIXTEEN

DEFENDANTS: EMILIO L. IPPOLITO,
JACK W. WARREN,
JACK M. "Marty" FRANZ,
LAURENT J. MOORE

DATE: On or about February 20, 1996

JUDGE: Chief United States District Judge
Elizabeth A. Kovachevich
Middle District of Florida.

PROCEEDING: Post-trial litigation and appeal of Case No. 95-209-CR-ORL-22.

THREATENING COMMUNICATION CLC notice of filing private oath of office; criminal complaint of Treason; objections to government's motion to seal; objections to government's motion to strike defendant's pleading; judicial notice and demand for a hearing; demand to vacate sentence guideline order.

OBSTRUCTION: Defendants sought to obstruct the due administration of justice by the unlawful termination of judicial proceedings and government's prosecution, and to corruptly influence, impede and impair the proper resolution of post trial issues and the appeal in Case No. 95-209-CR-ORL-22.

All in violation of Title 18, United States Code, Sections 1503 and 2.

COUNT SEVENTEEN

OBSTRUCTION OF AGENCY PROCEEDINGS COUNT

On or about September 30, 1995, in Kissimmee, Florida, in the Middle District of Florida,

EMILIO L. IPPOLITO,
SUSAN L. MOKDAD,
JACK W. WARREN,
JACK M. "Marty" FRANZ,
and
LAURENT J. MOORE,

the defendants herein, did corruptly, and by threats and threatening communications, influence, obstruct, and impede, and did endeavor to corruptly, and by threats and threatening communications, influence, obstruct and impede the due administration of justice in the investigation and inquiry of the defendants by the Department of Treasury, Internal Revenue

Service, in that defendants transmitted, and caused to be transmitted to an IRS Inspector, a document entitled: Constitutional common law criminal complaint of Treason against public servants and common law demand for immediate release of complainants/defendants.

1. At the time and place aforesaid, IRS inspectors were conducting an investigation and inquiry into the potential for the use of violence by individuals who advocated unlawful non-compliance with the United States Tax Code. The defendants were subjects of that investigation.

2. It was material to the investigation for the IRS to determine whether the defendants actually advocated unlawful non-compliance with the United States Tax Code, and if so, whether any of the defendants also advocated the use of violence to achieve an unlawful goal.

3. Defendants MOORE, WARREN and FRANZ, obstructed, impeded and impaired IRS Inspector Timothy P. Camus, by providing the Inspector with the criminal complaint of Treason against public servants, by which they endeavored to corruptly influence, threaten and intimidate Inspector Camus into terminating his investigation with threats of arrest, incarceration and further complaints of Treason.

In violation of Title 18, United States Code, Section 1505 and 2.

COUNT EIGHTEEN

On or about August 12, 1994, at Tampa, in the Middle District of Florida,

EMILIO L. IPPOLITO

the defendant herein, did knowingly possess a firearm, as defined in Title 18, United States Code, Section 921(a)(3), that is, one (1) Taurus, .357 caliber revolver, blue in color, with a six inch barrel, serial number obliterated, which had its serial number removed, obliterated, and altered and which had been shipped and transported in interstate and international commerce.

In violation of Title 18, United States Code, Section 922(k).

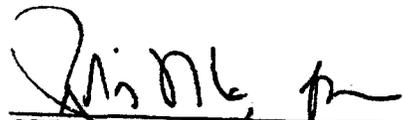
A TRUE BILL,


FOREMAN

CHARLES R. WILSON
United States Attorney

By:


ERNEST F. PELUSO
Assistant United States Attorney


STEPHEN M. KUNZ
Assistant United States Attorney
Deputy Chief, Criminal Division

No. -----

UNITED STATES DISTRICT COURT

MIDDLE District of FLORIDA

TAMPA Division

THE UNITED STATES OF AMERICA

vs.

EMILIO IRRIGUITO, et al.

INDICTMENT

In violation of Title 18, United States Code, Sections 371, 372, 876, 1503, 1505, and 922(x).

Conspiracy to commit offenses against the United States, making threatening communications, obstruction of justice, obstruction of agency proceedings, witness tampering and possession of a handgun.

A true bill.

[Signature] Foreman.

Filed in open court this ... day of ... A.D. 19

Clk

Bail, \$ -----