MEMORANDUM TO SUPPORTERS OF BOYCOTT BRAZIL

TO: Supporters of John Gregory Lambros / Boycott Brazil: www.brazilboycott.org

FROM: Ron Simmat, Public Relations Director, Boycott Brazil


DATE: July 4th, 2004, Independence Day

In Lambros v. Faulkner (see footnote #1) a United States District Court in Minnesota ruled John Gregory Lambros could not sue his Federal court-appointed public defender who allowed Lambros to receive a mandatory life sentence, without parole, in a case, that, had justice been done, would have been dismissed. In fact, a Federal appeals court subsequently dismissed the mandatory life sentence without parole on a motion submitted by Lambros with assistance of a private attorney and a court-appointed attorney to help Lambros (see footnote #2). The original attorney, Charles W. Faulkner, could not be sued despite gross incompetence and complete disregard for the legal welfare of his client, John Lambros, because of a State of Minnesota Supreme Court ruling, Dziubak v. Mott (see footnote #3), giving public defenders in Minnesota complete immunity in malpractice suits, according to the Federal District Court Judge in Lambros v. Faulkner.

If this seems confusing, that's because it is. How can a ruling in a State case apply to a Federal court? How can a protection given to State public defenders protect an attorney in a Federal Court? The long and short of it, of course, is John Lambros is fighting to expose the brain implant control experiments and techniques being used by the United States Government with the help of its pawn, the so-called sovereign nation of Brazil, which now is in twenty-four-hours-per-day control of Lambros through brain implant technology, torturing Lambros at will (see footnote #4). Federal Judge David Doty just up and ruled that any protection given a State public defender also protects a Federal public defender, especially if the guy "defended" (read "screwed") John Lambros. But, let's look further into this and see how solidly the entire establishment, State, Federal, and Bar Association, is arrayed against Lambros.

In suing Attorney Charles Faulkner, his Federal Public "Defender," Lambros assumed the State and Federal Constitutions protected him. Even an

#1 Lambros v. Faulkner, Case Number CV-98-1621-DSD/JMM
#2 United States v. Lambros, 65 F.3d 698 (8th Cir. 1995)
#3 Dziubak v. Mott, 503 N.W.2d 771 (Minnesota 1993)
#4 To review United States Government X-rays of John Lambros, associated reports and supporting documents, go to: www.brazilboycott.org.
Enemy of the State such as Lambros should be able to depend on constitutional protections. And, ridiculous as it sounds, Lambros is considered by the Establishment to be just that -- an Enemy of the State. But, we are told, again and again, by State and Federal Courts that constitutional rights are for everyone, including criminals, if not especially for criminals. Okay, so the Constitution of the State of Minnesota, Article I, Section 8, which is titled REDRESS OF INJURIES OR WRONGS, says:

Every person is entitled to a certain remedy in the laws for ALL injuries or wrongs which he may receive to his person, property or character, and to obtain justice freely and without purchase, completely and without denial, promptly and without delay, conformable to the laws.

(Emphasis added.)

Then, along come the seven judges of the Minnesota Supreme Court in 1993, and ruled in Dziubak v. Mott that somehow the State constitution does not apply to public defenders, because if they injure or wrong you, you've got no remedy at law. They can't be sued. Judges do this sort of thing sometimes, and have to be corrected by the Bar Association, or by a higher court. Lambros looked up the law.

The United States of America has three branches of Government, the Executive Branch, the Legislative Branch, and the Judicial Branch. Each State is set up the same way, including Minnesota. Only the Legislative Branch may write law, or propose changing the Constitution -- again, this applies nationally and in all States -- which means that courts interpret the law, they apply the law, but do not write it, change it, or decide to not follow it. No authority says different, and all authorities agree on these basics (see footnote #5). Thus, the Minnesota Supreme Court was way out of line when it ruled, contrary to Article I, Section 8, of the State Constitution, that if the injury was done by a public defender, you have no remedy at law. In fact, the Constitution says you do have such a remedy -- you can sue the fellow.

Next, Lambros checked American Jurisprudence, a legal encyclopedia used by the Supreme Court of the United States, and found that:

A judge who also is an attorney is subject to discipline as an attorney and as a judge by the bar association of which he or she is a member.

(Emphasis added.)
46 Am Jur 2d, JUDGES, §7

That being the case, Lambros filed a complaint on April 29, 2004, with the Office of Lawyers Professional Responsibility of the Minnesota State Bar Association.

#5 Regarding inability of a court to change the Constitution, see 16 Am Jur 2d § 19, a copy of which is attached to this memorandum. For those who need legal details, this attachment will provide them, along with case cites.
asking to have the seven judges of the Minnesota Supreme Court, who ruled against their own State Constitution, which they have given a sworn oath to uphold, asking to have the decision in Dziubak v. Mott investigated by the Bar (see footnote #6). This is a common and standard preliminary step in seeking disciplinary action against a lawyer or judge, and is seldom, almost never, turned down in a blatant case such as this.

In a letter dated May 6th, 2004 (see footnote #6), Thomas P. Ascher, Assistant Director of the Office of Lawyers Professional Responsibility, told John Lambros: "this Office has no jurisdiction to consider complaints against judges." Without any investigation, or research, Director Ascher went on to say:

Your dissatisfaction with a 1993 decision of the Minnesota Supreme Court does not provide a basis for believing misconduct occurred.

How could he know that without research, without determing the nature of the decision in question, and how it affected Lambros? Obviously, the Bar in Minnesota is a pawn of the State court system, not a watchdog agency, and not an equal player.

Director Ascher's letter of dismissal to Lambros exhibited a great deal of finality, and ended with:

No investigation will be initiated and we will be taking no further action concerning your correspondence.

The Office of Lawyers Professional Responsibility is right out front about it: it is the water boy for the State court system, and proud to be a boy, and you'd better never forget it. Obviously the Bar in Minnesota has a political agenda, and is submissive to those who set that agenda.

This explains why things like the Baghdad prison scandal has grown to such gigantic proportions before being attended to -- those who should be watching the hen house are foxes, and like to eat chickens. Beyond that, they have neither morals, ethics, nor responsibility. For young boys that would not be shocking. We will just have to take Director Ascher and the Minnesota bar for the stupid little boys they are.

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www.brazilboycott.org

cc: file
attachment

§ 19. Generally

Because it is a power inherent in the people, the existence of the power to amend and change state constitutions appears never to have been doubted. The word “amendment” is employed to show its relationship to some particular article or some section of a constitution, and it is then used to indicate an addition to, the striking out of, or some change in, that particular section. In some states, a “local amendment” must be differentiated from a “general amendment,” since only the latter must be submitted to the entire state in order to be properly ratified.

A constitution cannot be changed by any legislative definition, or other provision, in a mere statute, nor may it be amended by either case law or rules of court, because only the people of the state are vested with the power to amend their constitution, and that power is plenary.

Constitutions may not be amended by violence. Any attempt to revise a constitution or adopt a new one in any manner other than that provided in the existing instrument is almost invariably treated as extraconstitutional and revolutionary.

94. Bolin v. Nebraska, 176 U.S. 83, 20 S. Ct. 287, 44 L. Ed. 382 (1900); Gatwood v. Matthews, 403 S.W.2d 716 (Ky. 1966); Board of Sup'rs of Elections for Amarillo (Kt. 1966); Board of Sup'rs of Elections for Amarillo County v. Attorney General, 216 Md. 417, 220 A.2d 388 (1967); Hoffman v. Knollman, 135 Ohio St. 170, 14 Ohio Op. 7, 20 N.E.2d 221 (1939).

The people have the power to amend the Constitution. Duggan v. Brennan, 249 Neb. 411, 454 N.W.2d 68 (1990).


An “amendment” of a constitution repeals or changes some provision in, or adds something to, the instrument amended, Wilson v. Crews, 166 Fla. 169, 34 So. 2d 114 (1948).


98. Sims v. Town of Baldwin, 249 Ga. 293, 290 S.E.2d 439, 9 Ed. Law Rep. 1151 (1982), appeal dismissed, 459 U.S. 802, 103 S. Ct. 25, 74 L. Ed. 2d 40 (1982) (a proposed amendment authorizing the board of education of one county to direct the governing authority of the county to impose certain excise taxes on alcoholic beverages sold within the county was a local amendment rather than a general amendment, and therefore it was not required to be submitted to the entire state in order to be properly ratified).