

FILED  
SUPREME COURT  
STATE OF WASHINGTON  
11/15/2019  
BY SUSAN L. CARLSON  
CLERK

SUPREME COURT No. 97822-1

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IN THE  
WASHINGTON STATE SUPREME COURT

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JAMES J. O'HAGAN -----PETITIONER

VS

ROUGE PUBLIC OFFICIALS  
OF WASHINGTON STATE, ET ALL-----RESPONDANTS

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

STATEMENT OF FINANCES

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James J. O'Hagan  
2298 Cranberry Rd.  
Grayland WA 98547

The petitioner asks leave to file the attached petition for a Writ of Habeas Corpus without prepayment of costs and to proceed in forma pauperis.

The petitioner has previously been granted leave to proceed in forma pauperis in the following courts: Pacific County Superior Court, Washington State Court of Appeals, Washington State Supreme Court.

The petitioner's supplemental statement of finances declaration in support of this motion is attached hereto.

A copy of the order of appointment(s) are appended hereto.

#### STATEMENT OF FINANCES BY DECLARATION

##### IN SUPPORT OF MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

I, James J. O'Hagan, am the petitioner in the above -entitled case. In support of my motion to proceed in forma pauperis, I stipulate that: I was forced into poverty by Washington State's Governor Jay Inslee's law partner, Gregory Ursich who designed and executed the bankruptcy fraud schemes that were specifically designed to defraud me. The Honorable Paul B. Snyder determined and exposed Gregory Ursich's criminal acts on Thursday March 23, 2002, and the ongoing criminal acts of Gregory Ursich's accomplices, that include U.S. bankruptcy trustees, state and federal attorneys, judges and Washington's Attorney General Robert Ferguson, has enslaved me in poverty since then. Please review the transcript ruling by the Honorable Paul B. Snyder, recorded on Thursday March, 23, 2002, in the U.S. Bankruptcy Court for the Western District of Washington case no. 000-35769, adversary no. A01-04031, attached hereto as exhibit 1.

After Judge Snyder exposed the criminal conspiracy to defraud me of my judgment, and prevent me from recovering litigation costs, I showed the bankruptcy court where the governor's law partner Gregory Ursich bribed Kelley's trustee, Russell Garrett with \$97,327.57 to sabotage the recovery of Kelley's assets. After Judge Snyder denied Kelley's discharge of debts, Kelley's

attorneys filed several serial bankruptcies and bankruptcy Judge Brian D. Lynch and U.S. District Judge Benjamin H. Settle and others joined the criminal conspiracy Judge Snyder exposed. It is this ongoing organized crime ring (RICO) Judge Snyder exposed on March 23, 2002, the costs of litigating Pacific County cause no. 94-2-00298-0 and the criminal acts of Gregory Ursich in soliciting perjury from Washington State Department of Ecology (WDOE) employee Vicky Cline and the aggressive malicious actions of WDOE's employees actions to cover- up the perjury involved, and others that has forced me into poverty. Please allow me to explain: Pacific County cause no. 94-2-00298-0 was a civil action my attorneys filed involving a water rights dispute. My attorneys identified Pacific County and Pacific County Drainage District No. 1 as defendants because they were directly involved in diverting Deer creek away from our cranberry farm. In a conflict of interest, that should've resulted in malpractice claims against Gregory Ursich, Gregory Ursich represented Pacific County Drainage District no. 1, Pacific County Drainage District Commissioner Brian Hulburt and the Kelley's, all of whom were directly involved in illegally diverting Deer Creek away from our cranberry farm. In a fraudulent effort to get clients dismissed from the civil action Gregory Ursich convinced WDOE employee Vicky Cline to commit perjury and testify that the Kelley's Dixon Water right was to Deer Creek (that our water rights were on), when in fact the Dixon water right was on Hanna Creek. In an effort to conceal the perjury involved WDOE employees created a new microfiche that concealed the Dixon Water Right Diversion Map that showed the Dixon Water right was on Hanna creek instead of Deer creek.

When a neighbor provided me a copy of the Dixon water right diversion map that showed it was on Hanna creek, and I provided a copy of it to my attorney Charles Kimbrough, Mr. Kimbrough hired a private investigator to find out who in WDOE had created the new microfiche and concealed the Dixon diversion map. As soon as Mr. Kimbrough's private investigator began

investigating inside WDOE headquarters in Lacey, WDOE employees began attacking the Grayland Cranberry industry in our local and national newspapers in an attempt to intimidate us and make their problem go away. The unwarranted and unjustified attack on the Grayland cranberry industry caused the sales of cranberry products to stall in the market place and resulted in several million barrels of cranberries to be placed in expensive freezer storage facilities. The adverse publicity solicited by WDOE employees caused the commodity price of cranberries paid to growers to plummet from around \$80.00 per barrel to \$17.00 per barrel. After conducting a study the Washington State University concluded: Cranberry growers purchasing their farms needed to receive at least \$35.00 per barrel to break even. Ever since WDOE's employees attack on the Grayland Cranberry industry growers have been struggling to make it to the \$35.00 threshold. Needless to say many small family cranberry farms were forced into bankruptcy.

Since I farm cranberries in Grayland Washington (on bogs that were cultivated before Washington became a state) I now farm cranberries in the most expensive and restricted place to farm cranberries in the world, because of the corruption involved in WDOE employees collusion with main stream media personnel, that eventually led to the May 23, 1999 arson fires at Washington State Department of Ecology headquarters in Lacey Washington. The cranberry growers in Long Beach Washington do not have the same restrictions we have in Grayland even though they grow their cranberries in the same similar environment.

The fact that the main stream media assisted WDOE employees attack on the Grayland cranberry industry and never investigated or reported anything about the May 23, 1999 WDOE arson fires is creditable evidence of the collusion involved. Even though this collusion between main stream media and deep state public employees, is highly beneficial to the deep state employees it is extremely detrimental to all of the working class private sector.



Needless to say the moment the May 23, 1999 WDOE arson fires occurred all moral and ethical integrity went out the window and an effort to protect the deep state employees was focused on, by the Washington State Bar members running the people's courts in the Bar members best interests. After I received a favorable judgment in Pacific County cause no 94-2-00298-0 many Washington State Bar members concluded it was in their best interests to prevent me from recovering my litigation costs and made an genuine attempt to force me into bankruptcy and poverty, in order to protect the deep state employees and cover-up the corruption involved. The only difference between a corrupt deep state public official and a public official that honors their oath of office, is the moral and ethical integrity of the public official themselves.

To make my personal financial situation worse my cranberry farm is located adjacent to a unique section of the Pacific County drainage ditch no.1. The reason why the section of the drainage ditch my farm is adjacent to is unique is that 1. The waters in the drainage ditch adjacent to my farms on Whiskey creek and Deer creek flow both north and south away from my farms that are only separated by 500 feet. Obviously this means my farms are at the highest point in the entire drainage system. 2. The drainage district has no easement for the drainage ditch through the entire area of my farms located on Whiskey creek and Deer creek, and as such the drainage district has not been able to maintain their drainage ditch through the area I farm. Even though the drainage district has regularly maintained all other sections of the drainage ditch the section between my farms on Whiskey creek and Deer creek and just north of my farm on Deer Creek has not been maintained for over 30 years and has blocked up the drainage to the point my basement is regularly flooded and my farms are continually flooded to the point they are regularly suffering from drowning.

The drowning of my cranberry vines has prevented me from producing the county average production standards. The drowning of my cranberry vines

has also caused an increase in weed infestation and the regular flooding has decreased the effectiveness of herbicides to control the weed infestation, and increased the cost to farm.

Taxing me for drainage district taxes for farming on a section of the drainage ditch that the drainage district has no easement to maintain their drainage ditch on, is a form of taxation without representation that also contributes to my economical poverty. Additionally Pacific County has been taxing my cranberry farm using an assessment based on its ability to produce the county average production, when in reality county agencies have been involved illegal practices that have prevented it from being able to produce county average production, which is also a form of taxation without representation that has contributed to my economical poverty.

I wrote and explained to the county commissioners and Pacific County Prosecutor Mark McClain that as the attorney who is supposed to represent Pacific County Drainage District no. 1, he is obligated to correct the easement problem the drainage district has on their portion of the drainage ditch that runs through the areas I farm. Instead of making an effort to remedy the problem Pacific County prosecutor Mark McClain made a choice to use his official position to again attack me, and attempt to force me out of the family farming business my family has been in, in the Grayland area since the late 1920's.

Pacific county prosecutor Mark McLain's negligence in dealing with the problems associated with Governor Inslees law partner using the peoples courts to execute his fraud and theft crimes, the corruption involved in WDOE arson fires and the drainage district's lack of easements through the area I farm all contributed to Mark McClain's decision to place my picture on his most wanted wall which in turn instigated other individuals and public officials to conjure up witch hunts to attack me. Defending myself from the litigation all of this public corruption caused, also contributed economically to my poverty situation. It is because of the reasons I identified herein that last year I lost about \$15,000.00

associated with my cranberry farming business, and all of my hard earned assets are in extreme financial jeopardy.

The lower state courts determined I was able to proceed in forma pauperis, and I state it is because of these organized fraud crimes that I am unable to pay the costs of this case or give security therefore, and I believe I am entitled to the type of redress associated with this Extraordinary Habeas Corpus Petition. Please see exhibits 2 & 3.

In addition to forcing me into poverty the organized crime involved in the bankruptcy fraud schemes the Honorable Paul B. Snyder exposed on March 23, 2002, it also ruined my family and forced me into divorce, because of the financial hardships involved, and currently I have no significant other, that contributes to my financial situation.

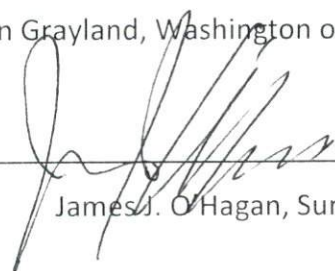
I stipulate as described in the last sentence in WSC Article 1 section 22 Rights of the Accused the Justices cannot reject my petition to proceed in forma pauperis without determining if I am a victim of ongoing criminal fraud and theft crimes of rouge Washington State and U.S officials.

As such I am respectfully asking the Justices to appoint me a public defender that does not have conflict of interest involved and is not beholden to my adversaries, to address these matters.

I declare under penalty of perjury the foregoing is true and correct.

Executed in Grayland, Washington on November 15<sup>th</sup> 2019,

By \_\_\_\_\_



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