

STATE OF WASHINGTON
COURT OF APPEALS
Division II

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STATE OF WASH
COA # 42396-1-11/43021-5-11

Affidavit & Exhibits
To Supplement of Disciplinary
Review / with Exhibits
RAP 16.

STATE of Washington
PLAINTIFF

v

Thomas Leland Floyd
910 Tacoma Ave So.
TACOMA WA 98402
PETITIONER

Comes Now Thomas Leland Floyd, AN INDIGENT
P~~ro~~se litigant in the consolidated cases above
with the offending and attestations process
set out herein to support his claims of errors
which are clear and unmistakable that
reach a magnitude of the complete mis-
carriage of justice, and to correct a manifest
injustice. [STATE V MILLS] 73 W 2d 67 (fair trial)

ON Nov 28 2000 DR COOK INJECTED AN EN-
tire bottle of Lidocaine during HER INJECTION
of cortazone shots to his cervical spine
DISC C2-3, Half of what was prescribed
By DR BLAIR the professional surgeon. That
Amount of Lidocaine, cortazone began flushing the
medications directly into & through the blood
system. This caused 6.00 blood sugar count
seen [S. CLARK emergency response] (B) At-
tached. Vertigo, blindness, severe
migraine and a complete state of Anesthesia
like reaction. [DAVIS V UNITED STATES] 160 US 496
Not knowing what was the immediate problem

WAS IS - THE STRESS FOR THIS CONVICTION AND THE NERVOUS BREAK
DOWN SUFFERED BY ANNE-LE BERTAN ON OVERDOSE OF
PETITIONERS "PARACOLAS" PAIN PILLS OF WHICH SHE
TOOK AN EXCESS OF TEN IN 2-6 HOURS, THE DAY
OF THIS INCIDENT. HERE WE HAVE TWO PEOPLE WHO
WERE PHYSICALLY, EMOTIONALLY AND MENTALLY DEPLETED
BY THE NATURE OF THIS DISTURBING CHRONIC
ILLNESS TO THE POINT WHERE THE POLICE WERE
INVOLVED. AT THIS POINT - NO DEFENDANTS DUE
PROCESS EQUAL ACCESS, LIFE, LIBERTY AND PROPERTY
RIGHTS WERE DENIED AND ABROGATED.

{STARK V MILLS} 73 WN 2d 67 THE FINAL MEASURE
OF TERROR IN A CRIMINAL CASE IS WHETHER OR NOT
THE DEFENDANT RECEIVED A FAIR TRIAL. A TRIAL
IN WHICH IRRELEVANT AND INFLAMMATORY
MATTER WAS INTRODUCED WHICH HAS A NATURAL
TENDENCY TO PREJUDICE THE JURY AGAINST THE
ACCUSED IS NOT A FAIR TRIAL.

Judge John McCarthy, TERRIFIED BY ALLOWING NEIL HARRIS
THE PROSECUTOR TO BEGIN THE FIRST IS SECOND
TRIAL TO THE OPPOSING STATEMENTS BY INFLAMMING
THE JURY WITH "THE DEFENDANT IS A SAVAGE"
WITH NO EVIDENCE. THE JURY WAS
UNCONSTITUTIONALLY COMPARIZED ALL WHITES IN
CASE # 11-1-02908-1 AND ONE BLACK IN CASE
11-1-00019-1 DUE TO RACIAL PROFILING AND
CONDUCT AND PROSECUTION REIGNING BLACK
JURORS ONLY BECAUSE OF THEIR RACE/COLOR.

CLINE V W.F. MALL STORES INC New trial will be granted if verdict (1) is Against the right of guidance (2) Based upon Evidence which is false (3) will result in miscarriage of Justice. LAMA v FORD 16 F3d 473 in context of a Criminal trial, Accumulation of errors can be grounds for New trial.

State v Smith 722 n2d 300 denigrating, obscuring, denigrating statements to jury, jury into, prejudicial to jury, jury when Harris and ARRINGTON called the defendant a 'Savage' upon the public trial, a trial in a '200' trial or more times and 'to a witness' in Ford Guilty of Assault - (3) instead of (2) during opening and closing Arguments. The true facts of the case on record do not substantiate such due process violations. Donnelly v DeCheteford 416 US 637.

A conviction obtained by knowing use of false testimony, or evidence is fundamentally unfair and violation of due process Morrison v Litzner 592 F. Supp. 1052 Prosecutorial Overreaching and coercion Alleged in Haynesworth's complaint. It is patently unconstitutional to penalize those who chose to exercise their Constitutional Rights.

Rule 2.3(B) A Judge shall not by words or conduct manifest bias or prejudice and Rule 2.3(C) should require lawyers, in proceedings before the court to refrain from prejudice or bias or engaging in harassment against defendants, parties, lawyers, witnesses and others.

A Indictment will be dismissed if there is a finding of "Actual vindictiveness" or if there is a presumption of VINDICTIVENESS [United States v King] 126 F3d 394, 397 *Mistrial* (That prosecution would not entertain the mitigation package.) Niel Herzog After direction from Judge John McCarry at the defendant's request told the Accused in front of court clerk, court reporter, Lawyer Aaron Talney, Officers Cootney, Burdick and Superior Court clerk Martin Indenture that he was seeking life without parole, NO DEAL OR PLEA NEGOTIATION. "BECAUSE I THINK YOU'RE RIGHT!" (This is where this court must step in to correct a manifest INJUSTICE.

Trial came back into session and the "CLEAR AND UNMISTAKABLE ERRORS" (CURE) unfold as follows:
(1) [United States v DISANI] 773 Fed 397 Judges Behavior (conduct) improperly tipped the balance of the trial against the defendant so prejudicially that it denied the defendant a fair trial, solely because the Recused Judge Frank Cuthbertson kept a daily watch over the trials proceedings. Judge McCarry's visits with Cuthbertson was so BLATANT that the defendant wish Judge Cuthbertson to sit in for Aaron Talney, (Public Defender) and take his place, then he would have a front row seat. (Transcripts March 28, 2011) 11:25 AM Page 3(1-3) COURT: "I HAVE BEEN SENT FROM ORIGINAL PRESIDING JUDGE... (Cuthbertson) THE CASE OF THE STATE OF WASHINGTON V Thomas Lee Floyd.. For trial. MR Floyd: 'The first

Motion I would like to deal with is ONE of the motions I sent to DAC. First of All First TALMAY Pg 4 (114) "Remove him from this case. I've tried time and time again to get him to withdraw."

The Accused told the judge "If you Ask ARKON TALMAY what he knows About the case his Answer will be the same AS mine. = "Nothing" Pg 7 (114) "None of my motions have been made or compromised my case with the prosecution."

(2) [IN Disp. Proc. Against Aluchak] 149 Wash 2d 490 (2000)

(a) Conflict of interest. (b) Conclusions of law (c) (B) failed to take little or no action in Floyd's case. (C) knowingly making false statements of material fact or law to the court and/or the court (D) Violation of (RPC 1.4) Lack of diligence and promptness...

(2) [IN RE Proc. Against Parkinson] 120 Wn 2d 858, 854

(1993) known serious conflict of interest causing serious consequences to Floyd's case and tainting evidence of the entire proceeding.

(2) [IN RE Disp Proc Against JUAREZ] 143 Wn 2d 840 (2000)

[IN RE Disp. Against Borlind] 139 Wn 2d 181, 93, 1999,

(RPC 1.3) failure to keep a client fully informed (RPC 1.4(A) failure to properly, with care, skill, and diligence, representation, to proceed in a pattern of neglect - (REGREOUS ethical violations)

(3) The constitution does not force a lawyer upon a defendant "Id" at 279, 87 LEd 268 (Italian safeguards must be uncoerced. [Moore v Dempsey] 261 US 86 And

It must HAVE NO INTEREST OTHER THAN THE PURSUIT OF JUSTICE. [TUMNEY V OHIO] 273 US 510 THE ACCUSED MUST HAVE AMPLE TIME AND OPPORTUNITY TO MEET THE CASE OF THE PROSECUTION [ADAMS V UNITED STATES] 317 US 269, (Pg 275) EVIDENCE AND TRUTH ARE OF NO AVAIL UNLESS THEY CAN BE ADEQUATELY PRESENTED.

ARON TALNEY, WE WILL FIND, SHOWED OBVIOUS AND BLATANT DISREGARD FOR ESSENTIAL FAIRNESS, BY DELIBERATELY OBSTRUCTING, HAMPERING, DELAYING, UNLAWFULLY SUPPRESSING EXCULPATORY EVIDENCE AND LACKING IN ALLOWING ACCUSED TO EFFECTIVELY PUT HIS CASE BEFORE THIS COURT.

THE CONSTITUTION DOES NOT FORCE A LAWYER UPON A DEFENDANT [JOHNSON V ZEBBY] 304 US 8 THE ACCUSED WAS DENIED HIS CONSTITUTIONAL RIGHT. [28 USC § 1654] FED CRIM 44 EXPRESSLY GUARANTEES SELF REPRESENTATION TO CONDUCT HIS OWN DEFENSE.

[FARRAHAN V CALIFORNIA] A SIXTH AMENDMENT RIGHT TO A FULL DEFENSE. HERE PLEASE OBSERVE HOW VERY CLEAR AND CONVINCING ERRORS UNFOLD:

(4) [TRANSCRIPTS, 3/28/11 PG 13(L1)] OBJECTIONS NOT SINGLED OUT. AND PG 13(L16) THE COURT: "JUDGE CUTBERTSON SENT ME A CASE FOR TRIAL..." HE KNOWS I'M A TRIAL DR. (JUDGE) "I TRY CASES" THAT'S WHAT I DO." HERE WE HAVE HIS AFFIRMATION CONCERNING THE ACCUSED'S QUESTIONING, WHY CUTBERTSON THE RECUSED JUDGE, FIRED IN THIS JURISDICTION CASE # 10-1-000196 KEPT SHOWING UP DURING HEARINGS AND HANGING AROUND IN

The 14 ways with victim Amos Parker and hanging out in the country Amos's estate (commutation) About the case Snyder v Mass. (524 US 475) 1998 US 97, 54 S.Ct 300 The confrontation clause gives accused the right to be present in the course of his prosecution

(5) Bastin v Kentucky, 106 S.Ct 1712 Primafacie case - Negroes - Racial prejudice - Jury composition All white. Must consider the unlawfulness of, and the application of the habeas statute to use of such a practice where (1) A judge solicits the proposed finding "EX PARTE" (2) does not provide the opposing party an opportunity to criticize the findings or submit his own, OR Adopts findings that contain INTERNAL EVIDENCE suggesting that the judge may not have read them - As in "EX PARTE" communications via fraudulent divorce Judge Frank Cuthbertson who was precluded on a declaration of pre-judice prohibiting him from all activities in this case. (SEE "PARCIE") 395 US 475 to punish his contempt for his successful (Appointed) "pre-suit" in violation of his due process right, [to be free of apprehension of such retaliatory motivation on the part of the sentencing judge. [Hostile and discriminating] - formation of defendant on folds is follows:

(6) Black Lodge v Perry 417 US 21, 91 S.Ct 2098 1972 His right - Supreme court Law under "PARCIE" (7)

Conduct violated due process. [North Carolina v Pearce] 395 US 711 double jeopardy clause prohibits the denial of credit already served [Consecutive sentences was 10/10] * SAME conduct * Vindictive Judge imposed higher sentence following a new trial. RESENTING ORDER. THIS IMMEDIATE PERSON. Thomas Inland said suffers the WORST SORT of VINDICTIVE prosecution. [105 S. 1504] Code of Judicial Conduct 3(A) 4 (1993) prohibiting "ex parte" communication. (7) [California v Green] 399 US 149, 42 US 821. "unwanted counsel" Representing the defendant only through tenuous and unacceptable legal fictions... "There fore the defense presented is [NOT] the defense guaranteed him by the constitution for in a very real sense it is not his defense." State v Metcalfe 73 Wn. App. 57, 857 counsel failed to function in any meaningful sense as a government adversary. [408 (2) 8-49] [State v HARPER] 64 Wn App. 235

(8) [State v Miles] 73 Wn 2d 67 The final measure of error in a criminal case is whether the defendant received a fair trial in which irrelevant and inflammatory matter was introduced. [We have established that the opening statement by the prosecution "SAVAGE with blood on his hand" was exploited and joined in by ARLO TRINIS denigration during the closing argument "Floyd is a JERK" don't find him guilty BECAUSE he's a JERK" "If I work you I'd find

Guilty of 3rd degree Assault Not 2nd degree Assault."

(9) This is the total sowing of a star actor deliberately following through with Travis's pre-trial conviction of this otherwise innocent defendant. [Rule 2.4(c)] under prejudice or bias - epithets, slurs, demeaning nicknames, negative stereotyping, intimidating or hostile acts, race, ethnicity or nationality and crime and IR-RELEVANT REFERENCES to personal characteristics, EVEN FACIAL EXPRESSIONS AND BODY LANGUAGE CAN CONVEY BIAS AND PREJUDICE TO THE JURY, THE COURT AND OTHERS. [Rule 2.34] Conduct that denigrates or shows hostility toward a person. [ENR DISC PROC. AGAINST BUCHANAN] 100 WN 2d 396 Canons (1), (2)

(A) And 3A(3) High standards of personal conduct is expected from judiciary to uphold the integrity and impartiality of the jurisdiction and law, staff, prosecution and the service of the direction. Under [Wash. Const. Art. 4 § 31 (Amend 71)] [Wash. Jud Qualifications Comm. Rep. 14d] the possible disciplinary MEASURES WITH CENSURE, SUSPENSION AND REMOVAL. Ninth Circuit, Adams v. Jones John McCarty, Judge Frank (Circuit Judge) MAY BE BARRED FOR MAKING DEROGATORY, INFLAMMATORY STATEMENTS WHILE ACTING IN JUDICIAL CAPACITY. [ENR Simmons] 71 WN 2d 316, 65 WN 2d 88 [CONSTITUTIONAL LAW 746] DUE PROCESS to the courts trial process provisions is a right founded in the DUE PROCESS CLAUSE AND ASSURES

THAT NO PERSON WILL BE DENIED THE OPPORTUNITY
TO PRESENT TO THE JUDICIARY ALLEGATIONS (MOTION)
CONCERNING VIOLATIONS OF FUNDAMENTAL RIGHTS.

THE USE OF A "THRU STRIKING" SAVAGE/
TRIAL, TRIAL UNFAIRLY PREJUDICED HIS PROSECUTOR.
MR FLOYD IS NONE OF THE ABOVE AND NO MATH
TRIAL... IS
PLACED BEFORE A JURY... THE
INSUFFICIENT FABRICATED MISSTATEMENTS
STATEMENTS OF FACTS OF LAW, THE CIRCUMSTANCES
EVIDENCES ADMITTED WOULD HAVE NEVER PRODUCED
MISLEADING... TRUST... REBUTAL...
HIS DUE PROCESS GUARANTEES NOT HAD BEEN
DENIED, BUT FOR ARRON'S DEFICIENT PERFORMANCE.

(10) [STATE V CRAWFORD] 128 WASH 2D 376, 384 THE
COURT OF APPEALS CONCLUDES THAT DEFENSE COUNSEL'S
PERFORMANCE WAS DEFICIENT FOR FAILING TO IN-
VESTIGATE CRAWFORD'S CRIMINAL HISTORY [STRICKLAND V
WASHINGTON] 466 US 688 BUT FOR COUNSEL'S "ERRORS"
THE RESULTS WOULD HAVE BEEN DIFFERENT. A REA-
SONABLE (POSSIBILITY) PROBABILITY IS A POSSIBILITY
SUFFICIENT TO UNDERMINE CONFIDENCE IN THE
OUTCOME IS ALL THAT IS NEEDED FOR A TRIAL.
STRICKLAND AT 104 S. CT 2052 [STATE V EMMANUEL]
42 WASH 2D 799 DEFENSE COUNSEL TOOK NO EXCEPTION
NO DEFENSE SUPPORT TRUTH - OBSTRUCTING JUSTICE.

(11) UNITED STATES V WASHINGTON 794 F2D 1416 (RELEASE)
[IS IMMUNANT.] SUCH CONSTRUCTION OF JURY [SECTION 8641]

is wholly In Admissible. A defendant may establish a prima facie case of purposeful racial discrimination in selection of the venire, Relying solely on the facts concerning it in Jury Selection in his case [797 f2d 1416] Denied his Right to An Impartial Jury. "Reveries and Reveries" [Bush v Kentucky] 107 US 110 where citizens of African descent have been wrongfully excluded from the Jury and Indictment found by it on the side. Equal Protection of the laws is involved in the Ruling of a State Court upon a motion to Quash An Indictment. [Reason is Impermanent.]

for All intents and purposes the very first time Any type of Humanic conversation or legal interaction between Accused Mr Floyd and state actor Arnon Talney this unwanted public defender who fails to withdraw for his own vendetta of racial profiling reasons, had issued as he sat beside accused in his Jury selection. [Due to Appeal Attorney's failure to order complete transcripts: we offer the following facts] ① Judge McCarthy began trial after meeting defendant for only 35 minutes pg 33 (L6) "obstruction" ② Remark Arnon Talney, ③ would not grant a continuance to the accused forcing him to trial without discovery disclosures, or witnesses. pg 37 (L15) "press him out for court!"

Again there were only two Negroes on the selection panel, Arnon Talney suggested to the Accused

EXCLUDE (ONE) OUT OF (TWO) BLACKS IN CASE # 10-1-00019.6
BECAUSE HILL JURY WAS IN SOCIAL SERVICE AND
THE SMC CASE NUMBER KNOWN AS JAY
SIMPSON CASE. THE DEFENDANT WENT THROUGH ONLY
BECAUSE THIS LITIGANT HAS EXPERIENCED
HATRED AGAINST HIS RACE BEFORE. TALNEY
COULD NOT BE TRUSTED. pg 34 (24) [FORCED TALNEY ON ME]

THE OTHER NEGRO'S WERE INVOLVED ONLY FOR
THE COLOR OF HIS SKIN AND HIS POSITIVE
RESPONSE TO FLOYD'S QUESTIONS ON FORENSIC
AND THE TV SHOWS THEY SHOW ABOUT CRIME
SCENES. [PATTON V MISSISSIPPI] 92 LHD 74, 332 US
463 JUDGMENT SUSTAINING A CONVICTION OF A
NEGRO IN CIRCUIT COURT LAUDERDALE COUNTY BY AN
ALL WHITE JURY [EVIDENCE § 904.5] SUFFICIENCY
SYSTEMATIC EXCLUSION OF NEGRO'S FROM JURY
DUTY [THIS COURT MAY STAY THE EXECUTION OF
ANY PROCEEDINGS TO ENFORCE A JUDGMENT PENDING
THE DISPOSITION OF A MOTION FOR A NEW TRIAL,
OR A VERDICT, OR A REVERSAL OR A REVERSAL MADE PUR-
SUANT TO [RULE 59] OR A MOTION FOR RELIEF FROM
JUDGMENT [RULE 60].

IN CASE # 11-1-02808-1 NEIL HORNER MANAGED
TO OBTAIN AN ALL WHITE JURY. THE DEFENDANT'S
COMPLAINTS, MOTION FOR CHANGE OF VENUE, LAWSUIT
AGAINST ARRON TALNEY REVERSHED BAR ASSOCIATION
TO FURTHER SUE ARRON TALNEY AND STERN COURT
FOR RACIAL PROFILING THE DEFENDANT AND HIS

SEVERAL petitions to the court Attestingly
Attempting to gain Due Process Found Deans
Rights can easily be shown that a circumstantial
prejudice and preconceived bias with clear
expressions of guilt were procured by the
state and its state forces to DRIVE MY
Constitutional Rights. pg 37 (L-15) COURT: DRESS
Him out for court! IF HE DOESN'T HAVE HIM IN
"JAIL" THE DAC HAS SOME clothes." pg 37 (L-22) TALNEY:
"I'm going to get them AS SOON AS I get out of
HERE" pg 34 (L-24) former TALNEY ON THE STAND.
EVER AFTER THE ACCUSED BEGGED TO HAVE HIS
NO conflict counsel MARTIN DUENTHER who fought
on the dismissed LAKWOOD MUNICIPAL COURT
CASE OF WHICH A COLLATERAL IS STOPPING Double Jeo-
pardy violation should have prohibited the
MAYORS prosecution of the Lakewood MUNI
COURT CASE in the Superior Court TRIAL of
CRIME in chief pg 37 (L-24) COURT: MR FLOYD did you
want to say something? pg 38 (L-1) MR FLOYD: "IN MY
OBJECTION to MR TALNEY bring co-counsel, you'll see
that I pointed out that Martin Duenther was
Appointed co-counsel Attorney in Lakewood on this
violation of a No Contact Order." HE HAS WORKED
diligently on this case to get the Ruling, in fact,
I ASK that he would be Appointed a No-
Conflict Counsel because he HAS WORKED
with me for six months." THE COURT: "HERE'S

the deal; "you don't HAVE to go to pick your lawyer if they are assigned by the department." Floyd: "But I do have the right to due process." Court: "Understand, but that doesn't carry forward to your ability to choose which conflict counsel is appointed by DAC. You don't have it right now - not." Floyd: "Well, I've shown you it has as much infrastructure, I have shown that." Court: "I haven't seen it yet." Floyd: "No, no, you haven't because I just got here today." THE COURT: Right. (PAGE 39 IN IT ENTIRETY - PROOF POSITIVE)

(14) What HAPPENED is sufficient to award a new trial or a acquittal. [California v GREEN 399 US 149 [422 US 821]] "FARRER" An unwanted counsel "REPRESENTS" the defendant only through fear and an acceptable legal fiction" THEREFORE the defense presented is NOT the defense guaranteed by the Constitution, for in a VERY REAL SENSE it is not "his" defense. [Justice STEPHEN] THERE IS A HISTORY OF CRIMINAL LAW OF ENGLAND 340-341 (1883) THERE IS SOMETHING SPECIALLY REPUGNANT TO JUSTICE IN USING RULES OF PRACTICE SUCH MANNER AS TO DISBARR A PRISONER FROM DEFENDING HIMSELF, ESPECIALLY WHEN THE PROPOSED OBJECT OF THE RULES SO USED IS TO PROVIDE FOR THE DEFENSE.

ARRON TALNEY will BE SHOWN to FACILITATE THE
(14)

Prosecution in spoliation, withholding exculpatory
evidence favorable to the defense, discovery
loss, suppression of alibi evidence, as the
Mugshot, photographs, witnesses, affidavits, coroner's
motions, exhibits and others. [THE COURT
DOES NOT FORCE A LAWYER UPON A (PROSE) DEFEN-
DANT. ('Id.' at 279, 87 Lhd 268)] CERTAIN SAFE-
GUARDS ARE ESSENTIAL TO CRIMINAL JUSTICE. THE
COURT MUST BE UNCONCERNED. MODERNDRAWING
261 US 86 IT MUST HAVE NO INTEREST OTHER THAN
THE PURSUIT OF JUSTICE. PAGE 39 (3) COURT: "SO I'M
DENYING YOUR REQUEST - AGAIN - MR. DONNOR FOR
TO BE YOUR LAWYER. FLOYD" 39 (2) GRUNGS.
THE COURT: "I'M NOT GOING TO BE FOR MYSELF; MR.
TALMAY, IS THERE, DOES THE DEFENSE HAVE
ANY WITNESS LIST OR OTHER WITNESSES THAT HE
INTENDS TO CALL?" MR. TALMAY: "NOT THAT I KNOW
OF, YOUR HONOR" MR. FLOYD: "I HAVE PUT IN A
WITNESS LIST, AND IT'S IN THE FILE." "IT'S GOT
IT RIGHT HERE, I HAVE GOT ONE NOW." THE
COURT, WILL WE ARE GOING TO ADDRESS THAT
AFTERNOON, THEN" PAGE 39 (22) MR. FLOYD: "THIS
IS WHAT I'M SAYING. HE DOESN'T EVEN KNOW THAT
I HAVE GOT SUBPOENAS IN FOR WITNESSES IN."
HE DOESN'T EVEN KNOW I HAVE MOTIONS IN LIMINE
IN "THEY HAVE NOT EVEN ADDRESSED MY WITNESS."
AND ALL THIS STUFF I'VE HAD SINCE JUNE"

THE SUPERIOR COURT OF THE STATE OF WASH-
(15)

ington County of Pierce, City of Tacoma has deprived this litigant of his very basic rights to be heard. The Judge presiding violated Judicial Canons with a series of threats, demeaning, obviously racially profiled preconceived prejudice and afforded the defendant no trial at all. This following is so hard for this indigent litigant to go through again in efforts to apply to the Courts of competent jurisdiction where I can - in my own memory of the injuries, suffering and several near death experiences in the past four years of illegal confinement should not ever be forced on any other man.

(15) (RULE 60 b) (Ritter v Smith) default judgment may also be open a Habeas Judgment granting the writ. "Smith" (811 f2d 1398) 1400 (ca. 11-1987) "Fulminante" 499 US 309-10 Noting that the deprivation of the right to counsel, to a impartial Judge, unlawful exclusion of members of members of the defendant's race on jury selection, and the right to self representation at trial. [REVERSABLE ERRORS]

The Sixth Amendment requires that the jury, rather than the judge reach the requisite findings of guilt. Judge McCarthy first due process violation was his ex parte communications with Judge Frank Cuthbertson

daily in the Hallway of Justice, Mingling with
the victim, Jurors, Officers. After his Recusal
off this immediate case is CRIMINAL IN ITS
SELF. The distractions Judge Cuthbertson made
and the pitiful excuses (I'm just saying if John
wants lunch) was to ruin Hurdle for the distraction
to take that always expressions of guilt
to my JURORS, EXPANDED REMAINS AND SUCH
PLAGUE this trial for ever. John Judge's
McCarthy's explanation for Cuthbertson Hang
ing around was to ruin.

ANNALIS BROWN smothered Thomas Lloyd ON JAN 3, 2010
while he laid unconscious/comatose, 660 Blood Sugar.
Evidence supporting this was offered up as an
exhibit. But the court manipulated the "TERRA
Striker Tag" as a threat of life without parole
to keep the Accused from complaining to a certain
degree. Judge read the information on the
St Claire Medical Report (A.D.B.) establishing the
symptoms of "Automatism" for a defense, then
suppressed it, over obtain information and discuss
(16) [Sofir / Firebrand Corp] [112 WN 2d 636, 656] claiming
that the Accused is a "therapist" or that the
complaining witness is the victim. I advise the
prevalence of this jury by preventing an
proper opinion on fair credibility and independent
opinion of the Accused guilt. [Stark v Smith]
56 WN.App. 909 Assault on Accused character were so

the prosecution and the victim do not have a chance to
Jury and the court. p. 729 (L-13) HORIBE: "You
ARE going to get these pictures Okay? (Mr. Floyd)
talked about -- this is plain #13. Talked
About HER getting a razor blade and cutting
HER rear. He said you could see her do it, like
was a pit shaped wedge." [CERTAINLY THIS FACT CAN
BE PROVED BY NEW EVIDENCE OF THE TYPE
WITNESS IN FORENSIC. THAT CUT IS THERE, FOREVER, THE
ACCUSED HAS A SIMILAR CUT ON HIS LEFT HAND!
A FINGER CUT 45 YEARS AGO AND YOU CAN SEE
SEE [] p. 729 Look. No pit in dirt. Okay. THE
Blood on her rear is dry blood, PROBABLY
FROM THE MASSIVE FLOW OF BLOOD THAT WAS
COMING OUT OF HER (L-14) ORNAMENTAL. AND
NOT THERE." [IT IS TRUE, JUDGE McLANE DID
REMOVE ANY PRESSURE IN THE FIRST FEW
SENTENCES ON PHOTOS THAT HE USED TO STOP
THE JURY FROM "ENDING THE TRUTH." p. 730
(L-13) Floyd: MAY I SEE WHAT YOU'RE SHOWING THEM?"
THE COURT: "DO WE HAVE ONE OF THE EXHIBITS OUT
THERE?" Talway: "I put it on the table, your Honor."
COURT: PLEASE give your attention to the closing
Argument of Mr. Thomas Lee Floyd "on his behalf"
"CAN I call for a recess?" (Granted)
ON THE AIR LABOR OFFICER Burdick PASSED
GAS AND SOILED HIMSELF. HE TOOK AT LEAST
TWENTY FIVE MINUTES TO CLEAN HIS SHORTS

While Officer Cooley guarded the Accused.
Upon Return to the Courtroom, the Judge was
livid. He assumed that the Accused was the
person that look so long in the tube. The
Court: "MR Floyd your Closing Argument (L-22) Floyd
Yes sir, I don't want to confuse the exhibits...
with the other papers you have on the desk
there, Allright? I just want to keep them
separate." Arnon Talney intentionally mixed
up the exhibits shuffling them out of order.
The Judge ruled that the Handic Allegations
and publish all exhibits that Mr Floyd wants
to pass to the court. That position was a set
up as Talney told the defendant some the
witnesses that Judge Melville was going to
be removing my prose status during Argument.
[For want of] pg 732 L-3 "Anything not marked
exhibits, please on your desk would you
turn up? pg 733 Accused mentioned the police
reports used by officers on the stand to re-
fresh their memory. But when Floyd tried
to use some police reports Horibe objected.
then when exhibit 51 was next put up on
the screen the Judge fired Mr and thrust
Floyd out of the courtroom. No
exhibits, recordings or witness were allowed
for my use. [Removal and Removal of]
True to my knowledge: Thomas Floyd
Dated 3-16-17 (20) Thomas Floyd

11/29/2008

IV Date: 0330	18 18 20 22 24	Site: LW	Initials: JAO	Flow Rate: 150ml/hr	B/C #1 (mmol/L):	
IV Date: 14 16 18 20 22 24	Site: #Admits:	Initials:	Time: 0735	by: JAO	B/C #2 (mmol/L):	
START	END	IV SOLUTION / DRIPS	SITE	RATE / DOSE	AMOUNT INFUSED	INITIALS
0730	0800	1500ml NS	LW	150ml/hr	1050	JAO

IV Date: Time: Site: WNL Red Swollen Catheter Top Intact: Yes No Total Amount Infused:

MEDICATIONS				PAIN SCALE = 0-10				REASSESSMENT			
TIME	DOS	MEDICATION / DOSE	ROUTE	INITIALS	TIME	PAIN	RESPONSE	INITIALS			
0750		Regular 10.5 mg	Sub	JAO							
0810		Humalog 1mg	Sub	JAO	0840	10	"went down a little"	JAO			
0815		Insulin 15 unit	Sub	JAO							
0830		Metformin 500mg	PO	JAO			BG = 399	JAO			

Safety: Band Siderails up Bed low Call light IC Precautions Type: _____ Time: _____

TIME	T	P	R	BP	Q:30	PAIN	ECG	TELE	NARRATIVE
0820									PT AD + 3 @ wife @ bedside. Resp open & unlabored.
0830									PT AD CT.
0830									Critical lab value to MD
0840									Glucose 530
0845				98/70	46	8/15			Diap = 20/30, eye = 20/30, both eyes = 20/30
0850									Ref = 399.
0900									Dr. Yarnell @ bedside.
0900									PT resting quietly - lights dimmed

DISPOSITION: Home Admit Transfer AMA LIVES Eased Death

ACCOMPANIED BY: Self Family Other Other

MODE: Ambulatory Wheelchair Gait Other

ADMIT BED: _____ TRANSPORTED BY: _____

TRANSFER TO: _____

VERBAL HANDOFF TO: _____ TIME: _____ INITIALS: _____

DIC INSTRUCTIONS GIVEN TO: Patient Family Family Only Only

Verbal Understanding Patient Teaching: **meds/diabetes**

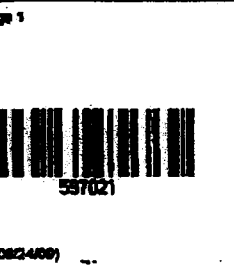
DISCHARGE PLAN: 01 23 45 67 89 10 Home Home FLACCAPS NPPS

PROVIDER NOTIFIED OF ABNORMAL VITAL SIGNS: Yes No

TIME PATIENT LEFT THE R.D.: 0648

DISCHARGE RC: *[Signature]*

530 →
 Blood Sugar
 (0.9)



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† CATHOLIC HEALTH INITIATIVES

Franciscan Health System

St. Joseph Medical Center, Tacoma, WA
 St. Francis Hospital, Federal Way, WA - St. Clare Hospital, Lakewood, WA
 Emancipation Regional Hospital, Enumclaw, WA
 St. Anthony Hospital, Gig Harbor, WA

**NURSING CARE RECORD
 EMERGENCY DEPARTMENT**

PATIENT INFORMATION

FLOYD, THOMAS LEE

MRN 537-54-0005

DOB 06/07/1953

ADMIT 11/27/08

EMERGENCY PHYSICIAN

C 0033100087

M 50Y

WTR - CTRT T800W - P1007