

# DENISE NEWSOME

Mailing: Post Office Box 14731  
Cincinnati, Ohio 45250  
Phone: 513/680-2922 or (513) 852-6053(work)

November 12, 2008

**VIA FACSIMILE – (202) 228-4260 and (312) 886-3514**

President-Elect Barack Obama  
Senator Barack Obama  
United States Senate  
713 Hart Senate Office Building  
Washington, D.C. 20510

**RE: UPDATE AND URGENT REQUEST REGARDING: *Emergency Complaint and Request for Legislature/Congress Intervention; Also Request for Investigations, Hearings and Finding***

Dear President-Elect/Senator Obama:

**CONGRATULATIONS** on your November 4, 2008 **PRESIDENTIAL** Victory!!!! Truly history was made on this date and America spoke for CHANGE. Congratulations to you, Michelle, Joe Biden, Jill, your family, friends and the many supporters and citizens (as me) who voted for you and for CHANGE! I pray that you remain *HUMBLE* and seek God for direction in all that you do.

I am going to be brief because those who know me know that I can be long winded. ☺

On or about August 2, 2008, I submitted to your attention a copy of the Complaint I submitted for filing entitled, *Emergency Complaint and Request for Legislature/Congress Intervention; Also Request for Investigations, Hearings and Finding*. The original was mailed on or about July 13, 2008, and sent to the attention of Senator Patrick Leahy; while copies were later mailed to you and a few others in efforts to assure that the ball is not dropped on this Complaint. To date I have heard nothing.

Now that you have been elected as our next President of the United States, I am hoping that, if you do not take this matter with you to the White House to monitor, that you brief your successor in the Senate as to what is taking place. I believe a **SPECIAL COMMITTEE** is going to be needed to handle this because of the magnitude of issues and evidence provided and to be obtained during an investigation of the claims/issues raised. Will you please check with your staff in regards to receipt of this Complaint if you are not familiar with it? Your attention to this matter is greatly appreciated.

The **URGENCY** of this matter is also as a direct and proximate result of an **October 9, 2008**, attack on me which I believe **could have resulted in my death** (*by being shot and killed*) had I been at my residence. An official criminal complaint has been filed in regards to this incident with the FBI; however, still oversight will be needed by your Administration in that I have very strong feelings the FBI will not perform their duties without oversight from your Administration and the perpetrators of such criminal actions will not be punished for such legal



**If you don't hear our RATTLE, then feel the BITE!!**



wrongs if not watched. A copy of the FBI Complaint I filed in regards to this incident is attached for your review.

I believe you will find not only from my July 13, 2008 Complaint filed with the Legislature/Congress, but also with the FBI that I am definitely in the trenches fighting for the little people and have been doing so since leaving Florida A & M University ("FAMU"). However, due to the systematic prejudices and injustices which has plagued African-Americans and/or people of color – justice has been delayed; however, now with the new administration, not denied and believe the laws will be applied equally, just and fair.

I take the fight for Civil Rights and many other protected rights very seriously and believe you will find from the documentation provided you and/or sent you that this is true. Not only that that I was fighting for such causes during the times you were working in the communities – just in different states. I am still fighting and will continue to fight; however, like you advised you are going to need us working with you as President in our communities, *I am going to need you working for me as well as those on whose behalf I am fighting for* while you are our President and believe this can be done (YES WE CAN!!!!). Therefore, please take the time to review the attached documents as well as the July 13, 2008 Complaint sent to your attention and advise or have your Aid(s) contact me regarding the status.

Please find the following documents attached:

1. FBI Criminal Complaint (Brief Only) submitted for filing October 13, 2008 – regarding October 9, 2008 incident;
2. Injunction and Restraining Order that was in place at time of October 9, 2008, criminal invasion/wrongs;
3. Receipt of Payment of October 2008 Rent into Escrow;
4. Letter (Only) of November 8, 2008 to Governor Steve Beshear (Kentucky) – requesting your support for change and efforts to move the State of Kentucky in this direction;
5. An electronic copy of my August 2, 2008 letter to you (Senator Barack Obama);
6. My PowerPoint Slide of you with some of the Rattlers;
7. Picture of you with "Cal" – the one holding the Obama sign. Cal provides security service in the building in which I work and also knows my passion for the causes in which I fight as well as my support and happiness for the November 4, 2008 victory;
8. November 9, 2008 MSNBC article entitled, "Obama' Business Backers Look Ahead – A powerful group of African American executives helped get Obama elected President. Now they hope he can provide solutions to



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the economic crisis. An article I was happy to see feature a Rattler, Lyle Logan.

9. Last of all me (an Alumni of FAMU) wearing and supporting the Orange & Green – well you can't tell because its in black and white, so take my word ☺ !.

Your most **URGENT** attention to this matter *prior* to taking the Presidential Office is greatly appreciated. I need your assistance in seeing that the ball is not dropped and that CHANGE happens. ☺ While I would love to attend the Inauguration in January 2009, I am sure you can understand from what has transpired in my life and as recent as October 9, 2008, it makes it financially difficult. Nevertheless, just know that I am in the trenches fighting for you as well as working towards the CHANGE you and so many other Americans seek.

Should you have any questions, please do not hesitate to contact me at the above address or phone number. My direct fax at work is (513) 419-6453.

With Warmest Regards,



Denise Newsome



If you don't hear our RATTLE, then feel the BITE!!



**COMPLAINT AND REQUEST FOR INVESTIGATION FILED BY  
DENISE NEWSOME WITH THE  
FEDERAL BUREAU OF INVESTIGATION – LOUISVILLE, KENTUCKY  
OCTOBER 13, 2008<sup>1</sup>**

COMES NOW, Denise Newsome ("Newsome") and files this **Criminal** Complaint and Request for Investigation with the Federal Bureau of Investigation of and against the following persons:

**Person(s)/Conspirator(s):**

- 1) Gary M. Martin ("Martin")
- 2) Bernice Martin
- 3) Dennis Donnelan
- 4) Betty Donnelan
- 5) GMM Properties - Its owners, shareholders insurer(s) and/or representatives (persons in Nos. 1 - 5 collectively known as "GMM Parties")
- 6) James Moberly West ("West")
- 7) Gailen Wayne Bridges, Jr. ("Bridges")
- 8) Judge Ann Ruttle - In her Individual Capacity ("Judge Ruttle" or "Ruttle")
- 9) Judge Gregory Bartlett - In his Individual Capacity ("Judge Bartlett" or "Bartlett")
- 10) Sheriff/Deputy \_\_\_\_\_ - In his Individual and/or Official Capacity
- 11) Officer Craig (sp?) - Covington Police Department in his Individual and/or Official Capacity
- 12) Locksmith used (name(s) to be determined during this investigation)
- 13) John/Jane Doe(s) – Provide names upon receipt through investigation

for the following criminal acts and/or charges:

**I. CONSPIRACY:<sup>2</sup>**

Conspiracy - An agreement by two or more persons to commit an unlawful act, coupled with an intent to achieve the agreement's objective, and (in most states) action or conduct that furthers the agreement; a combination for an unlawful purpose. 18 USC ~371. . . .

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<sup>1</sup> Boldface, Italics, Underline, etc. added for emphasis.

<sup>2</sup> Definition taken from Blacks Law Dictionary – Eighth Edition.

"When two or more persons combine for the purpose of inflicting upon another person an injury which is unlawful in itself, or which is rendered unlawful by the mode in which it is inflicted, and in either case the other person suffers damage, they commit the tort of conspiracy." P.H. Winfield, *A Textbook of the Law of Tort* ~128, at 434 (5th ed. 1950)

Chain Conspiracy - A single conspiracy in which each person is responsible for a distinct act within the overall plan. . . . \*All participants are interested in the overall scheme and liable for all other participants' acts in furtherance of that scheme. (Conspiracy ~24(3) C.J.S. Conspiracy ~~~117-118.

Conspire - To engage in conspiracy; to join in a conspiracy.

Conspirator - A person who takes part in a conspiracy.

1. Through this instant Complaint, Newsome is requesting an investigation into the claims and allegations set forth herein to determine whether any and/or all of the above referenced person(s)/conspirator(s) engaged in a conspiracy toward Newsome. If so, that the proper prosecution and indictments be rendered and the applicable punish permissible and/or required by statutes/laws be had against any of the person(s)/conspirator(s) found to be guilty of said crime and/or unlawful/illegal action.

2. Newsome believes that an investigation into allegations and claims against the above referenced person(s)/conspirator(s) will support that two or more of said person(s)/conspirator(s) agreed to commit unlawful/illegal acts coupled with the intent to achieve the agreements' objectives: (a) to discriminate against Newsome in housing; (b) subject Newsome to harassment, threats, hostile treatments, intimidation, discrimination, malicious prosecution, corruption, hatred, hostility, etc.; (c) interfere with Civil Rights of Newsome through the obstruction of justice; (d) subject Newsome to unlawful entries, theft, burglary, larceny, invasion/invasion of privacy, etc.; (e) conspiracy against rights; (f) and any such unlawful/illegal acts found during the handling of this investigation.

3. The above referenced person(s)/conspirator(s) conspired for the purpose of inflicting upon Newsome intentional and deliberate injury/harm which they knew was unlawful/illegal and inflicted in a manner known to said person(s)/conspirator(s) to be unlawful/illegal and prohibited by statutes/laws. Such actions which resulted in criminal wrong doing of and against Newsome by person(s)/conspirator(s) as a direct and proximate result of the conspiracy leveled against her.

4. Each of the above referenced person(s)/conspirator(s) were responsible for a distinct act within the overall plan of the conspiracy in which they were willing participants. Said person(s)/conspirator(s) having an interest in the overall scheme and the outcome of said scheme/conspiracy and is therefore, liable for their action and/or those of other's in the carrying

out of their role in the illegal/unlawful actions against Newsome in furtherance of the conspiracy alleged.

## II. BURGLARY:

Burglary - (2) The modern statutory offense of breaking and entering any building - not just a dwelling, and not only at night - with the intent to commit a felony.

Burglar - One who commits burglary.

Burglarized - To commit burglary.

Breaking - (Criminal Law): In the law of burglary, the act of entering a building without permission.

"[T]o constitute a breaking at common law, there had to be the creation of a breach or opening; a mere trespass at law was insufficient. If the occupant of the dwelling had created the opening, it was felt that he had not entitled himself to the protection of the law, as he had not properly secured his dwelling . . . In the modern American criminal codes, only seldom is there a requirement of breaking. This is not to suggest, however, that elimination of this requirement has left the 'entry' element unadorned, so that any type of entry will suffice. Rather, at least some of what was encompassed within the common law 'breaking' element is reflected by other terms describing what kind of entry is necessary. The most common statutory term is 'unlawfully,' but some jurisdictions use other language, such as 'unauthorized,' by 'trespass,' 'without authority,' 'without consent,' or 'without privilege.' Wayne R. LaFare & Austin W. Scott Jr., *Criminal Law* ~8.13 at 793-94 (2d ed. 1986).

1. As a matter of law, certain of the person(s)/conspirator(s) (i.e. Martin, Sheriff/Deputy, Locksmith, John/Jane Does) - to be determined through the investigation of this Complaint, acted as burglars in the burglarizing of Newsome's residence located at 128 East 5th Street - Apartment 5, Covington, Kentucky 41011. Therefore, Newsome is requesting through this instant Complaint that an investigation into the claims and allegations set forth herein and that those found to have acted in such unlawful/illegal manner be prosecuted and indicted for said legal wrongs.

2. Newsome learned of the criminal actions of person(s)/conspirator(s) upon being contacted at her place of employment by Gailen Bridges, attorney for GMM parties.

3. Newsome on **October 9, 2008**, contacted the Covington Police Department; wherein, said department dispatched Officer Craig (sp?) - correct spelling of name to be determined through investigation. Said Officer refused to take Newsome's Criminal Complaint. Advising Newsome that the Kenton County Police Department was contacted by another individual and they were provided with information which authorized the unlawful/illegal action taken against Newsome. Newsome requested production of the documentation relied upon in that she did not have any legal document to support the actions taken by certain person(s)/conspirator(s) was legally authorized by statutes/laws. Newsome request through this instant investigation that the Kenton County Police Department be required to identify who contacted them and provided them with information which led to Officer Craig's refusal to take Newsome's Complaint. Newsome made it clear that she wanted to press charges; however, Officer Craig refused to take her Complaint. Newsome made it clear to Officer Craig that she believed him to be engaging in a *conspiracy* to deprive her of said rights. Newsome making it known to Officer Craig that she is college educated, work for a law firm in Cincinnati and a member of the NAACP. Even with such concerns being made to Officer Craig, said Officer **refused** to take Newsome's Complaint and left the scene of the crime. Officer Craig making a willful and conscious decision to deprive Newsome the right of filing criminal charges. **IT IS IMPORTANT TO NOTE** - Officer Craig advised Newsome that there was a hearing held on September 18, 2008. Newsome advise Officer Craig that she was not aware of any such hearing neither did she receive notice of such. Thus, supporting a conspiracy and meeting of the mind by certain person(s)/conspirator(s) as they laid the groundwork for the crime committed against Newsome.

4. Certain person(s)/conspirator(s) - to be determined through investigation; beginning with Gary Martin, Bridges - committed a criminal offense and/or modern statutory offense of burglary wherein they used, participated and/or unlawfully authorized excessive force and breaking force in entering Newsome's residence with deliberate, willful and malicious intent to commit a felony. Said person(s)/conspirator(s) knowingly and deliberately with malicious intent entered the residence of Newsome without her permission. Prior to such unlawful/excessive use of force by certain person(s)/conspirator(s), they were put on notice from the **posting** Newsome left on the doors entering her apartment that there was a Court Ordered Injunction and Restraining Order in place against the unlawful/illegal removal/eviction of Newsome from her residence. Newsome's residence was properly secured upon her leaving on October 9, 2008, to prevent the unlawful/illegal entry by GMM Parties and/or person(s)/conspirator(s) engaging in the unlawful/illegal eviction/removal. Newsome taking the necessary steps to secure her privacy, protect her property, life, liberties and pursuit of happiness. To no avail.

5. On October 9, 2008, despite Newsome's efforts to protect her residence and property/possession, she was subjected to burglary, theft, larceny, unauthorized entry, illegal/unlawful warrant of possession, unlawful/illegal seizure of her property/possession and residence; trespassing, and an unlawful/illegal Warrant of Possession executed by Judge Ruttle who lacked jurisdiction in the matter and neither had authority and/or jurisdiction to execute such action, etc. taken against Newsome - all being done **without prior notice to Newsome** and **without Newsome's consent** and **without privilege** afforded under the statutes/laws governing said matters.

6. Newsome through the filing of this instant Complaint seeks the prosecution and indictment of person(s)/conspirator(s) found through an investigation to be guilty of the crime of burglary, conspiracy to commit burglary, and/or their participation in such burglary set forth herein against Newsome's residence/property. Moreover, all person(s)/conspirator(s) that knew and/or had knowledge that said burglary was about to be committed and/or being committed and did nothing to prevent - having knowledge that any of the wrongs conspired to be done was about to be committed, and having the power to prevent or aid in the preventing of such criminal acts; however, neglects or refuses to do so.

### III. THEFT:

*Theft* - (1) The felonious taking and removing of another's personal property with the intent of depriving the true owner of it; larceny [Cases: Larceny ~1. C.J.S. Larceny ~1(1,2), 9.] (2) Broadly, any act or instance of stealing, including larceny, burglary, embezzlement, and false pretenses.

Under such a statute it is not necessary for the indictment charging theft to specify whether the offense is larceny, embezzlement or false pretenses." Rollin M. Perkins & Ronald N. Boyce, Criminal Law 389-90 (3d ed. 1982).

*Theft by Deception* - The use of trickery to obtain another's property, esp. by (1) creating or reinforcing a false impression . . . (2) preventing one from obtaining information that would affect one's judgment about a transaction, or (3) failing to disclose, in a property transfer, a known lien or other legal impediment.

*Theft by Extortion* - Larceny in which the perpetrator obtains property by threatening to (1) inflict bodily harm on anyone or commit any other criminal offense. . . (4) take or withhold action as an official, or cause an official to take or withhold action, (5) bring about . . . collective unofficial action, if the property is not demanded or received for the benefit of the group in whose interest the actor purports to act, (6) testify or provide information or withhold testimony or information with respect to another's legal claim or defense, or (7) inflict any other harm that would not benefit the actor.

*Theft of Services* - The act of obtaining services from another by deception, threat, coercion, stealth, mechanical tampering, or using a false token or device.

1. As a matter of law, certain of the person(s)/conspirator(s) (i.e. Martin, Sheriff/Deputy, Locksmith, John/Jane Does) - to be determined through the investigation of this Complaint, acted as thieves in the theft of Newsome's property/possessions located at 128 East 5th Street - Apartment 5, Covington, Kentucky 41011. Therefore, Newsome is requesting through this instant Complaint that an investigation into the claims and allegations set forth



herein and that those found to have acted in such unlawful/illegal manner be prosecuted and indicted for said legal wrongs.

2. Certain person(s)/conspirator(s) - to be determined through investigation (i.e. beginning with Martin, Bridges, etc.) - unlawfully/illegally feloniously stole Newsome's property/possessions and took her residence away from her. Upon committing such theft, dumped Newsome's property/possession on the street in efforts to rid themselves of the criminal activities committed against Newsome. Deliberate actions done to destroy and get rid of the evidence. Certain person(s)/conspirator(s) having foresight and knowledge that they were committing a crime and that theft of Newsome's property/possession was prohibited by statutes/laws. In an effort to prevent from getting caught with Newsome's property/possession, they tossed it out on the street. Certain person(s)/conspirator(s) committed such criminal acts of theft with the purpose of depriving Newsome of her property/possession and residence. Certain person(s)/conspirator(s) changing the locks of the apartment building and on Newsome's residence and then advising Newsome not to return to her residence nor to try and enter the building.

3. Newsome's residence and property/possessions were unlawfully/illegally seized through false pretenses.

4. While certain person(s)/conspirator(s) relied upon "theft by deception" to burglarize Newsome's residence and steal her residence and property/possession from her, said acts were done for purposes of (a) creating or reinforcing a false impression; (b) obstruct, prevent and/or withhold information from one that would affect one's judgment about the action and services requested - however, it is important to note that such a one may or may not have had knowledge that Newsome had an Injunction and Restraining Order against such unlawful/illegal activity, they had a duty to inquire and obtain information as to whether the action they were about to take was legal and/or in compliance with the laws; (c) failed to reveal or disclose that they were acting in violation of a Court Order entered prohibiting the removal/eviction of Newsome from her residence.

5. Certain person(s)/conspirator(s) committed "theft by extortion" by larceny to obtain Newsome's residence/property: (a) to subject her to further injury/harm, harassment, humiliation, duress, oppression, discrimination, prejudices, threats, coercion - all which were foreseeable; (b) coerced other officials/persons to engage and/or participate in the theft of Newsome's property/possessions and to help themselves to same; (c) brought about unwarranted/unauthorized action by distorting and/or ignoring the laws/statutes prohibiting such criminal actions; (d) deliberately withholding information to obtain unlawful/illegal entry of Newsome's residence and to steal and/or commit burglary and theft of her residence and property/possession.

6. Newsome through the filing of this instant Complaint seeks an investigation and the prosecution and indictment of person(s)/conspirator(s) found through said investigation to be guilty of the crime of theft, conspiracy to commit theft, and/or their participation in such theft set forth herein against Newsome's property/possessions. Moreover, all person(s)/conspirator(s) that knew and/or had knowledge that said theft was about to be committed and/or being committed and did nothing to prevent - having knowledge that any of the wrongs conspired to be done was about to be committed, and having the power to prevent or aid in the preventing of such criminal acts; however, neglected or refused to do so.

#### IV. LARCENY:

Larceny - The unlawful taking and carrying away of someone else's personal property with the intent to deprive the possessor of it permanently. \*Common-law larceny has been broadened by some statutes to include embezzlement and false pretense, all three of which are often subsumed under the statutory crime of "theft."

"The criminal offence of larceny or theft in the Common Law was intimately connected with the civil wrong of trespass. 'Where there has been no trespass,' said Lord Coleridge, 'there can at law be no larceny.' Larceny, in other words, is merely a particular kind of trespass to goods which, by virtue of the trespasser's intent, is converted into a crime. Trespass is a wrong, not to ownership but to *possession*, and theft, therefore, is not the violation of a person's right to ownership, but the infringement of his possession, accompanied with a particular criminal intent."

Aggravated Larceny - Larceny accompanied by some aggravating factor (as when the theft is from a person).

Grand Larceny - Larceny of property worth more than a statutory cutoff amount, usu. \$100.

Mixed Larceny - (1) Larceny accompanied by aggravation or violence to the person. (2) Larceny involving a taking from a house.

1. As a matter of law, certain of the person(s)/conspirator(s) (i.e. Martin, Sheriff/Deputy, Locksmith, John/Jane Does) - to be determined through the investigation of this Complaint, whether said person(s)/conspirator(s) committed larceny by unlawfully/illegally carrying away Newsome's property/possessions located at 128 East 5th Street - Apartment 5, Covington, Kentucky 41011 and the taking away of her residence with full intent to deprive her permanently of said residence. Certain person(s)/conspirator(s) knew and/or should have known that they were trespassing. By committing such legal wrongs person(s)/conspirator(s) infringed upon the Constitutional and Civil Rights of Newsome. Therefore, Newsome is requesting through this instant Complaint that an investigation into the claims and allegations set forth herein and that those found to have acted in such unlawful/illegal manner be prosecuted and indicted for said legal wrongs.

2. Newsome files the instant Complaint and request investigation of and against certain person(s)/conspirator(s) for aggravated larceny. Said criminal actions being committed for purposes of (a) unlawfully/illegally depriving Newsome of her residence and property/possession; (b) for the theft and/or unlawful/illegal action to take monies to which they are not entitled to in excess of \$5,000.00; (c) the value of property stolen from Newsome exceeds

\$100.00; (d) for the unlawful/illegal taking of Newsome's residence; (e) to commit aggravated larceny, grand larceny and/or mixed larceny against Newsome.

3. Newsome through the filing of this instant Complaint seeks an investigation and the prosecution and indictment of person(s)/conspirator(s) found through said investigation to be guilty of the crime of larceny, conspiracy to commit larceny, and/or their participation in such larceny set forth herein against Newsome. Moreover, all person(s)/conspirator(s) that knew and/or had knowledge that said larceny was about to be committed and/or being committed and did nothing to prevent - having knowledge that any of the wrongs conspired to be done was about to be committed, and having the power to prevent or aid in the preventing of such criminal acts; however, neglected or refused to do so. Certain person(s)/conspirator(s) - to be determined through investigation - allowed said crime to committed for their own personal and financial gain.

#### V. INVASION:

*Invasion* - (1) A hostile or forcible encroachment on the rights of another.

*Intentional Invasion* - A hostile or forcible encroachment on another's interest in the use or enjoyment of property, esp. real property, though not necessarily inspired by malice or ill will.

*Invasion of Privacy* - An unjustified exploitation of one's personality or intrusion into one's personal activities, actionable under tort law and sometimes under constitutional law.

*Invasion of Privacy by Intrusion* - An offensive, intentional interference with a person's seclusion or private affairs.

*Intrusion* - (1) A person entering without permission. (2) In an action for invasion of privacy, a highly offensive invasion of another person's seclusion or private life.

*Intruder* - A person who enters, remains on, uses, or touches land or chattels in another's possession without the possessor's consent.

1. As a matter of law, certain of the person(s)/conspirator(s) (i.e. Martin, Sheriff/Deputy, Locksmith, John/Jane Does) - for (a) Invasion; (b) Invasion of Privacy; (c) Invasion of Privacy by Intrusion in that (i) certain person(s)/conspirator(s) acted with hostile intent as well as forcible encroachment and/or allowed others to forcibly encroach upon the protected rights of Newsome. Rights secured under the Constitution (Kentucky and United States), Civil Rights Act, Fair Housing Act and other statutes/laws governing said matters; (ii) said invasion was "intentionally" done with hostility, anger, envy, jealousy, prejudice, discrimination, ill intent, malice, corruption, etc. and/or forcible encroachment on Newsome's interest in the use of enjoyment of her property/residence; (iii) said crime was an invasion of

Newsome's privacy and was an unlawful/illegal and unjustified exploitation of Newsome's life, intrusion into Newsome's personal life, liberties and pursuit of happiness, as well as other rights secured/guaranteed under the Constitution, Civil Rights Act and other statutes/laws governing said matters; (iv) said criminal acts being an invasion of privacy by intrusion which being offensive and an intentional interference with Newsome's seclusion and/or private life/affairs; (v) certain person(s)/conspirator(s) intruding and/or unlawfully taking and/or participated in the unlawful taking of Newsome's residence and property/possessions and continue to use her residence to destroy evidence, and cover up their crime.

Said invasion/intrusion took place at Newsome's residence located at 128 East 5th Street - Apartment 5, Covington, Kentucky 41011. Therefore, Newsome is requesting through this instant Complaint that an investigation into the claims and allegations set forth herein and that those found to have acted in such unlawful/illegal manner be prosecuted and indicted for said legal wrongs.

2. Newsome through the filing of this instant Complaint seeks an investigation and the prosecution and indictment of person(s)/conspirator(s) found through said investigation to be guilty of the intrusion/invasion, conspiracy to commit intrusion/invasion, and/or their participation in such acts set forth herein against Newsome. Moreover, all person(s)/conspirator(s) that knew and/or had knowledge that said invasion/intrusion was about to be committed and/or being committed and did nothing to prevent - having knowledge that any of the wrongs conspired to be done was about to be committed, and having the power to prevent or aid in the preventing of such criminal acts; however, neglected or refused to do so.

#### **VI. UNLAWFUL ENTRY/FORCIBLE ACTIONS:**

*Unlawful Entry* - (1) The crime of entering another's real property, by fraud or other illegal means, without the owner's consent.

*Forcible* - Effected by force or threat of force against opposition or resistance.

*Forcible Detainer* - (1) The wrongful retention of possession of property by one originally in lawful possession, often with threats or actual use of violence.

*Forcible Entry and Detainer* - (1) The act of violently taking and keeping possession of lands and tenements without legal authority. (2) A quick and simple legal proceeding for regaining possession of real property from someone who has wrongfully taken, or refused to surrender, possession.

*Forcible Entry* - (1) The act or an instance of violently and unlawfully taking possession of lands and tenements against the will of those in lawful possession. (2) The act of entering land in another's possession by the use of force against another or by breaking into the premises.

1. As a matter of law, certain of the person(s)/conspirator(s) (i.e. Martin, Sheriff/Deputy, Locksmith, John/Jane Does) - to be determined through the investigation of this Complaint, unlawfully entered Newsome's residence located at 128 East 5th Street - Apartment 5, Covington, Kentucky 41011. Therefore, Newsome is requesting through this instant Complaint that an investigation into the claims and allegations set forth herein and that those found to have acted in such unlawful/illegal manner be prosecuted and indicted for said legal wrongs.

2. Certain person(s)/conspirator(s) committed crime of entering Newsome's residence by fraud, other illegal means and without Newsome's consent. Prior to entering, certain person(s)/conspirator(s) knew and/or should have known that were committing a crime/felony; however, elected to participate in the actual crime itself and/or the allowance of the crime in which they could have prevented.

3. The taking of Newsome's residence being by force and excelled to the vandalizing of Newsome's residence to obtain access and destroy her property/possession and evidence.

4. Newsome was subjected to the violent taking and keeping of certain property/possessions without legal authority.

5. Newsome was subjected to the unlawful entry of her residence by the use of excessive force and the breaking into her residence.

6. GMM parties, their attorneys, Judges knew that such acts were criminal, nevertheless, they made a conscious, deliberate and willful decision to allow said crimes to be committed of and against Newsome.

7. Newsome through the filing of this instant Complaint seeks an investigation and the prosecution and indictment of person(s)/conspirator(s) found through said investigation to be guilty of the crime of theft, conspiracy to commit theft, and/or their participation in such theft set forth herein against Newsome's property/possessions. Moreover, all person(s)/conspirator(s) that knew and/or had knowledge that said theft was about to be committed and/or being committed and did nothing to prevent - having knowledge that any of the wrongs conspired to be done was about to be committed, and having the power to prevent or aid in the preventing of such criminal acts; however, neglected or refused to do so.

## **VII. OBSTRUCTION OF JUSTICE/PROCESS:**

Obstruction of Justice - Interference with the orderly administration of law and justice, as by giving false information to or withholding evidence from a police officer or prosecutor, or by harming or intimidating a witness or juror. \*Obstruction of justice is a crime in most jurisdictions.

Obstruction of Process - Interference of any kind the lawful service or execution of a writ, warrant, or other process. \*Most jurisdictions make this offense a crime.

1. Newsome files this instant Complaint and request an investigation to determine whether there has been an obstruction of justice in the carrying out and/or commission of the criminal actions of person(s)/conspirator(s) of and against Newsome. Furthermore, whether person(s)/conspirator(s) interfered with the orderly administration of law and justice, as by giving false information, acting without legal authority, bribery, withholding evidence, **tampering** and/or **obstructing** service of process, withholding evidence from those they engaged to carry out criminal acts on their behalf, furthering the subjection of Newsome to harm/injury, harassment, threats, intimidation, humiliation, discrimination, prejudices, deprivation of protected rights, etc. for her election to exercise her rights under the Constitution, Civil Rights Act and other governing statutes/laws.

2. Obstruction of Process - Investigation into the handling of the Warrant of Possession and/or document certain person(s)/conspirator(s) relied upon on October 9, 2008, to commit the crimes rendered against Newsome. Moreover, to determine whether there was an obstruction of process wherein certain persons(s)/conspirator(s) interfered with service and/or obtained an unlawful/illegal Warrant of Possession and/or the document they relied upon to Newsome unlawfully/illegally removed from her residence. Furthermore, whether said handling of process was in compliance with the statutes/laws governing said matters. Whether said process was handled in a manner to deliberately, willfully and maliciously deprive Newsome equal protection of the laws and due process of laws. Whether said process was handled in a manner to infringe upon the protected rights of Newsome.

3. False Pretense - Investigation into whether a crime was committed through false pretenses - for the purpose of fraud and knowingly obtaining Newsome's residence/property by misrepresenting the facts, clearly violating statutes/laws made known to certain person(s)/conspirator(s), that give them sufficient notice that they were acting in violation of statutes/laws and that said actions were criminal in nature. Therefore, Newsome is requesting through this instant Complaint that an investigation into the claims and allegations set forth herein and that those found to have acted in such unlawful/illegal manner be prosecuted and indicted for said legal wrongs.

4. Newsome through the filing of this instant Complaint seeks an investigation and the prosecution and indictment of person(s)/conspirator(s) found through said investigation to be guilty of obstructing justice and/or their participation in such obstruction of justice set forth in this instant Complaint against Newsome. Moreover, all person(s)/conspirator(s) that knew and/or had knowledge that said justice was being obstructed through criminal acts and/or behavior and did nothing to prevent - having knowledge that any of the wrongs conspired to be done was about to be committed, and having the power to prevent or aid in the preventing of such criminal acts; however, neglected or refused to do so.

#### VIII. COLOR OF LAW:

The appearance of semblance, without the substance, of a legal right.

\*The term u.s.u. implies a misuse of power made possible because the wrongdoer is clothed with the authority of the state.

1. Through this instant Complaint, Newsome request that an investigation be had to determine whether certain person(s)/conspirator(s) (i.e. Judge Bartlett, Judge Ruttle,

Sheriff/Deputy, Officer Craig, etc. - to be determined through investigation) acting under color of law, misused, abused, usurped, etc. their authority/power for purposes of subjecting Newsome to criminal actions. Moreover, whether those acting under color of law knew and/or should have known they were committing criminal acts and lacked jurisdiction and/or authority to proceed in the manner in which they did. Newsome further seeks through this Complaint that an investigation be had to determine whether certain person(s)/conspirator(s) acting under color of law acted with malice, corrupt motive, ill intent, discrimination, prejudices, etc. towards Newsome for her exercising rights secured/guaranteed under the Constitution and/or statutes/laws governing the matters before them. If any such criminal violations and/or acts are found by those acting under color of law, that said person(s)/conspirator(s) be prosecuted and indicted in accordance with the statutes/laws governing such criminal wrongs and injustices.

**IX. CONSPIRACY AGAINST RIGHTS:**

1. Newsome requests through the filing of this instant Complaint and investigations as to whether or not there has been a conspiracy against her rights pursuant to 18 U.S.C. § 241. Conspiracy Against Rights:

If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; or

If two or more persons go in disguise on the highway, or on the premises of another, with intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured—

They shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill, they shall be fined under this title or imprisoned for any term of years or for life, or both, or may be sentenced to death.

If so, Newsome through the filing of this instant Complaint and investigation seeks the prosecution and indictment of person(s)/conspirator(s) found through said investigation to be guilty of conspiracy against rights. Moreover, all person(s)/conspirator(s) that knew and/or had knowledge that said conspiracy was being committed and did nothing to prevent - having knowledge that any of the wrongs conspired to be done was about to be committed, and having the power to prevent or aid in the preventing of such criminal acts; however, neglected or refused to do so.

**X. CONSPIRACY TO INTERFERE WITH CIVIL RIGHTS:**

1. Newsome requests through the filing of this instant Complaint and investigations as to whether or not there has been a conspiracy against her rights pursuant to 42 U.S.C. § 1985. Conspiracy to Interfere With Civil Rights:

(2) Obstructing justice; intimidating party, witness, or juror:

If two or more persons in any State or Territory conspire to deter, by force, intimidation, or threat, any party or witness in any court of the United States from attending such court, or from testifying to any matter pending therein, freely, fully, and truthfully, or to injure such party or witness in his person or property on account of his having so attended or testified, or to influence the verdict, presentment, or indictment of any grand or petit juror in any such court, or to injure such juror in his person or property on account of any verdict, presentment, or indictment lawfully assented to by him, or of his being or having been such juror; or if two or more persons conspire for the purpose of impeding, hindering, obstructing, or defeating, in any manner, the due course of justice in any State or Territory, with intent to deny to any citizen the equal protection of the laws, or to injure him or his property for lawfully enforcing, or attempting to enforce, the right of any person, or class of persons, to the equal protection of the laws;

(3) Depriving persons of rights or privileges:

If two or more persons in any State or Territory conspire or go in disguise on the highway or on the premises of another, for the purpose of depriving, either directly or indirectly, any person or class of persons of the equal protection of the laws, or of equal privileges and immunities under the laws; or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to all persons within such State or Territory the equal protection of the laws; or if two or more persons conspire to prevent by force, intimidation, or threat, any citizen who is lawfully entitled to vote, from giving his support or advocacy in a legal manner, toward or in favor of the election of any lawfully qualified person as an elector for President or Vice President, or as a Member of Congress of the United States; or to injure any citizen in person or property on account of such support or advocacy; in any case of conspiracy set forth in this section, if one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or



deprived may have an action for the recovery of damages occasioned by such injury or deprivation, against any one or more of the conspirators.

Moreover, whether there was a conspiracy to (1) deprive Newsome of protected rights; (2) injure, oppress, threaten, or intimidate Newsome who resided in the state of Kentucky, County of Kenton, City of Covington in the free exercise or enjoyment of protected rights or privileges secured by her under the Constitution and laws of the United States, or because of her so exercising her right to seek justice for the wrongs complained of in lawsuit and/or actions brought by her. (3) whether person(s)/conspirator(s) went into the residence of Newsome with intent to prevent or hinder her from the free exercise or enjoyment of her residence and exercise of right or privilege to live in a place of her choice. Moreover, whether GMM parties, their counsel, Judges and others engaged in criminal activities to force Newsome to abandon her residence and deprive her rights secured under the Fair Housing Act.

If so, Newsome through the filing of this instant Complaint and investigation seeks the prosecution and indictment of person(s)/conspirator(s) found through said investigation to be guilty of conspiracy against rights. Moreover, all person(s)/conspirator(s) that knew and/or had knowledge that said conspiracy was being committed and did nothing to prevent - having knowledge that any of the wrongs conspired to be done was about to be committed, and having the power to prevent or aid in the preventing of such criminal acts; however, neglected or refused to do so..

**XI. POWER/FAILURE TO PREVENT:**

1. Newsome requests through the filing of this instant Complaint and investigations as to whether or not there has been negligence to prevent the crime and/or criminal actions taken against her pursuant to 42 USC § 1986:

*Every person who, having knowledge that any of the wrongs conspired to be done, and mentioned in section 1985 of this title, are about to be committed, and having power to prevent or aid in preventing the commission of the same, neglects or refuses so to do, if such wrongful act be committed, shall be liable to the party injured, or his legal representatives, for all damages caused by such wrongful act, which such person by reasonable diligence could have prevented; and such damages may be recovered in an action on the case; and any number of persons guilty of such wrongful neglect or refusal may be joined as defendants in the action; . . .*

Moreover, whether person(s)/conspirator(s) had knowledge of any of the criminal actions committed and/or to be committed by each other, and having the power to prevent or aid in the prevention of the commission of such crimes, neglected or refused to do so. If so, Newsome is requesting that said person(s)/conspirator(s) be prosecuted and indicted from any and/or all criminal wrongs rendered Newsome.

## **XII. FACTS PERTINENT TO UNDERSTANDING CLAIMS/ALLEGATIONS:**

1. On or about **December 4, 2006** at approximately **3:41 p.m.** (emphasis added), Denise Newsome ("Newsome") completed filing of a Civil lawsuit of and against Gary M. Martin, Bernice Martin, Dennis Donnellan and Betty Donnellan, d/b/a GMM Properties. (See Receipt attached hereto and incorporated herein by reference).

2. On or about **December 4, 2006** at approximately **3:51 p.m.** (emphasis added), Gary Martin, Bernice Martin, Dennis Donnellan and Betty Donnellan, d/b/a GMM Properties ("GMM Parties) filed a Forcible Detainer Complaint against Denise Newsome. (See Complaint attached hereto and incorporated by reference).

3. GMM Parties had their December 4, 2006 Forcible Detainer Complaint filed by their attorney Gailen Bridges ("Bridges"). Said filing coming **AFTER** Gailen was notified that Newsome was seen heading to the Courthouse. It so happened that Newsome and Gary Martin ("Martin") met at a three-way stop sign, wherein proceeded first turning down the street that Newsome was turning off - Martin turning left; while Newsome turned left from stop in the direction leading to the Courthouse. Based upon receipt of the information and the time stamped document from GMM Parties regarding their Complaint, Newsome concluded that Martin upon seeing her, immediately contacted his attorney, Bridges, and advised him that he saw Newsome heading to the Courthouse. In a mad dash to beat Newsome in filing a Complaint, Bridges rushed to the Courthouse to file the Forcible Detainer Complaint on behalf of his clients. Such actions by Bridges being done because he have knowledge that should Newsome get her Civil Complaint filed first, the Court (Kenton County Circuit Court) in which she filed would have jurisdiction. Bridges **failed** in his efforts and Newsome succeeded in filing her Civil Complaint in the Kenton County Circuit Court (Case No. 06-CI-03270) before the GMM Parties filing in the Kenton County District Court (Case No. 06-C-5059).

4. Kentucky laws are clear that the Court in which the party which succeeds in filing Complaint first, is the Court which obtains jurisdiction. In this instance, this would be Newsome. Therefore, the Kenton County Circuit Court obtained jurisdiction over this matter and the Kenton County District Court is **without** jurisdiction to proceed or to assert jurisdiction.

### **JURISDICTIONAL ISSUES**

#### **Exclusive Jurisdiction Vested in Another Court.**

63C Am.Jur2d Prohibition ~43: *Exclusive Jurisdiction Vested in Another Court* - A court may be restrained by prohibition from interfering with the exclusive jurisdiction acquired by another court by reason of its being the first court to assume and exercise such jurisdiction in the particular case if both cases are predicated on the same cause of action, between the same parties, and brought in courts of competent jurisdiction of the same state. . . In jurisdictions in which this view prevails, the aggrieved party must raise the defense of former suit pending by an appropriate pleading in the second suit and by an appeal

from the decision of the court in that suit, rather than a writ of prohibition.

#### **KENTUCKY LAW:**

*Hawes v. Orr*, 73 Ky. 431 (1874) - The court first acquiring jurisdiction has a right to go on until it has performed its office in reference to the subject-matter in litigation, and will not allow itself to be ousted of its jurisdiction or permit the thing in litigation to be wrested from it, so that it cannot execute its judgment.

*Akers v. Stephenson*, 469 S.W.2d 704 (Ky.,1970) - Where parties and subject matter are the same, once court of concurrent jurisdiction has begun exercise of jurisdiction over case, its authority to deal with action is exclusive and no other court of concurrent jurisdiction may interfere with pending proceedings.

*Riddle v. Howard*, 357 S.W.2d 705 (Ky.,1962) - When a court of competent jurisdiction acquires jurisdiction of subject matter of a case, its authority and control continue until final disposition, and, as a matter of principle and comity, another court of concurrent jurisdiction will recognize the prior jurisdiction and will not interfere by taking over the same case; but to apply such rule it is essential that the first action shall afford the parties in the second action an adequate and complete opportunity for the adjudication of their rights.

*Delaney v. Alcorn*, 193 S.W.2d 404 (Ky.,1946) - Where two actions between the same parties, on the same subject, and to test the same rights, are brought in different courts having concurrent jurisdiction, the court which first acquires jurisdiction, its power being adequate to the administration of complete justice, retains jurisdiction and may dispose of the whole controversy without interference by any court of coordinate power.

#### **OTHER COURTS:**

*State ex rel. Phillips v. Polcar*, 50 Ohio St.2d 279, 364 N.E.2d 33 (Ohio 1977) - (n. 3) As between courts of concurrent jurisdiction, tribunal whose power is first invoked by institution of proper proceedings acquires jurisdiction, to the exclusion of all other tribunals, to adjudicate upon whole issue and to settle rights of the parties.

*Buck v. Colbath*, 70 U.S. 334 (U.S.Minn.,1865) - The rule that, among courts of concurrent jurisdiction, that one which first obtains jurisdiction of a case has the exclusive right to decide every question arising in the case, is subject to some limitations, and is confined to suits between the

same parties or privies seeking the same relief or remedy, and to such questions or propositions as arise ordinarily and properly in the progress of the suit first brought, and does not extend to all matters which may by possibility become involved in it.

5. GMM Parties and their counsel, Bridges, were timely, properly and adequately requested to have their Forcible Detainer Complaint withdrawn from the Kenton County District Court; however, refused to do so and to date continues to act upon such malicious filing. (See the Record of the Kenton County District Court - Newsome has a copy of document as well; however, at the time of the filing of this instant Complaint, she is homeless, due to the unlawful eviction/removal and/or warrant for possession, etc. by the GMM Parties and others). Newsome may be able to provide copy of said document from records she retains at another location. The record of the Kenton County District Court as well as the Kenton County Circuit Court will support that both Courts were aware of the actions of GMM Parties and their counsel; however, elected not to correct such unlawful/illegal actions brought to their attention by Newsome.

6. GMM Parties, their counsel and the Judges (Gregory Bartlett and Ann Ruttle) were timely, properly and adequately placed on notice through the pleadings filed by Newsome, that Judge Ruttle lacked jurisdiction over Newsome and the subject-matter in the Forcible Detainer action initiated by the GMM Parties and Bridges. Kentucky laws are clear on this issue.

7. The record evidence in the Kenton County Circuit Court action as well as the Kenton County District Court action will support that Judge Bartlett and Judge Ruttle were timely, properly and adequately placed on notice through the pleadings filed by Newsome that when a judge acts without jurisdiction, any defense of IMMUNITY is **null/void** and cannot and **will not** sustain their actions or claim of immunity. Moreover, for said Judge to act contrary to the laws upon being notified and acting without jurisdiction, affords said Judge(s) to be sued in their individual capacity and be subject to criminal and civil actions filed against them. Kentucky laws are clear on this issue:

#### **KENTUCKY COURTS:**

*Lynch v. Johnson*, 420 F.2d 818 (C.A.6.Ky.,1970) - Defense of judicial immunity is a very broad one but it **does not** afford any protection to judge acting in clear absence of jurisdiction nor does it protect him in nonjudicial activities.

*Morgan v. Dudley*, 57 Ky. 693 (Ky.,1858) - A judicial officer, acting within the jurisdiction conferred on him by law, is not liable for errors of judgment, unless the result of malice or corruption.

*Hollon v. Lilly*, 38 S.W. 878 (Ky.,1897) - A judge acting within his jurisdiction, is not liable to a suit for damages, however illegal or erroneous his acts may be, in the absence of a malicious or corrupt motive.

*Pepper v. Mayes*, 81 Ky. 673 (Ky.,1884) - No person is liable in a civil action for what he has done as a judge while acting within the limits of his jurisdiction.

*Sparks v. Character and Fitness Committee of Kentucky*, 818 F.2d 541 (C.A.6.Ky.,1987) - Except for acts in "clear absence" of jurisdiction, judicial immunity is absolute.

*Reed v. Taylor*, 78 S.W. 892 (Ky.,1904) - While a judicial officer will be protected against suits for damages resulting from erroneous judgment, yet where he acts maliciously, or beyond his jurisdiction, his office is no protection.

*Allsup v. Knox*, 508 F.Supp. 57 (E.D.Ky.,1980) - A judge will not be deprived of immunity because action he took was in error, was done maliciously, or was in excess of his authority; rather, he will be subject to liability only when he has acted in a clear absence of all jurisdiction.

*Revill v. Pettit*, 60 Ky. 314 (Ky.,1861) - One holding a judicial office may be prosecuted in damages for any acts done by him in excess of his proper jurisdiction.

*King v. Cawood*, 3 S.W.2d 616 (Ky.,1928) - Judge acting illegally and without jurisdiction becomes **trespasser and is liable.**

8. The record of the Kenton County Circuit Court will evidence that it was timely, properly and adequately placed on notice that Newsome had filed a Complaint with the United States Legislature/Congress requesting its intervention and investigation, etc. Judge Bartlett, GMM Parties and their counsel, James Moberly West ("West") through the pleadings filed by Newsome obtained knowledge that Bartlett lacked jurisdiction to proceed in the lawsuit filed by Newsome, in that she had elected to take the matter to the United States Legislature/Congress for Constitutional, Civil Rights and other violations under the statutes/laws. Kentucky laws as well as federal laws are clear on the issue that upon Newsome's filing of Complaint with the United States Legislature/Congress, the Kenton County Circuit Court and Judge Bartlett lacked jurisdiction to proceed any further. Nevertheless, Bartlett has elected to usurp jurisdiction and continue to enter Orders in which he knew he lacked judicial power and/or jurisdiction to do so.

*Clark v. Board of Ed. of Shelbyville, Ky.*, 350 F.Supp. 149 (E.D.Ky.,1972) - Courts **may not invade the domain of the legislature; where a plaintiff is asking for legislative relief or relief** which would encroach on the legislative process the courts are without power to act.

*Avey Drilling Mach. Co. v. Lukowsky*, 261 S.W.2d 432 (Ky.,1953) - Court has **no constitutional authority** to sit in judgment on proposed legislation, when legislative body is

proceeding within scope of its governmental or corporate power, as no justiciable question arises until after enactment or passage of such ordinance or resolution.

*State of Ohio ex rel. Erkenbrecher v. Cox*, 257 F. 334 (S.D.Ohio.W.Div.,1919) - The judicial department of the government **cannot** interfere with the proceedings of either the executive department or the legislative department with respect to matters committed by the Constitution to their charge.

*Berry v. American Express Pub., Corp.*, 381 F.Supp. 2d 1118 (2005) - Where source of legal authority is statutory and not constitutional, Congress retains ability to create and direct law, so long as it is consistent with constitutional principles, and it is particularly important for court to follow that directive.

*Nixon v. Administrator of General Services*, 408 F.Supp. 321 (1976) - Congressional power to investigate, although limited to areas in which Congress possesses legislative authority, is both broad and integral to the legislative process.

*McGrain v. Daugherty*, 47 S.Ct. 319 (U.S. Ohio 1927) - Congress may inquire into private affairs and compel disclosures only in so far as to make express powers effective.

*Marcello v. U.S.*, 196 F.2d 437 (1952) - A congressional inquiry may be as broad as the legislative purpose requires.

*Taylor v. Com. Ex rel. Dummit*, 202 S.W.2d 992 (Ky. 1947) - The Legislature may enact any statute it deems necessary for the public interest, unless prohibited by constitutional provisions and in exercise of that authority may frame its enactments and express its intention and purpose as it sees proper.

*Manning v. Sims*, 213 S.W.2d 577 (Ky.,1948) - The sharp separation of powers of government **must be preserved** carefully by the courts, and judicial powers **must not be permitted to encroach upon legislative powers**. Const. § 27.

*Sidell v. Hill*, 357 S.W.2d 318 (Ky.,1962) - **Judicial encroachment upon other branches of government is unconstitutional.**

*Sullivan v. Brawner*, 36 S.W.2d 364 (Ky.,1931) - Court **may not** assume legislative function.

9. It is also important to note that Newsome a timely, properly and adequate Recusal pleading objecting to Judge Bartlett presiding of the lawsuit in that it was brought to her attention that Judge Bartlett and West worked at the same law firm prior to Bartlett taking the bench as Judge. Information that neither Bartlett or West made known to Newsome. Newsome having to find out such critical information through another source. Such failure by Bartlett and West was deliberate and done with malicious intent and unlawful/illegal motive.

*Dean v. Bondurant*, 2005-SC-000872-D , SUPREME COURT OF KENTUCKY, 193 S.W.3d 744; 2006 Ky. LEXIS 163, June 7, 2006 - An attorney's contribution to a judge's campaign was not alone a basis for judicial recusal, but state supreme court justice recused himself; he received numerous contributions from attorneys in firm that was a party, contributions in aggregate were not minimal, and his impartiality could be reasonably questioned under Ky. Sup. Ct. R. 3.130, 4.300.

10. The record evidence in both the Kenton County Circuit Court as well as the Kenton County District Court will support that both Courts, Judge Bartlett, Judge Ruttle, GMM Parties, their attorneys as well as others were timely, properly and adequately notified through the pleadings filed by Newsome when said Courts and Judges lacked jurisdiction. Nevertheless, they made a willful, deliberate and concious decision to proceed anyhow with knowledge that they **could not** claim immunity for any liability that may arise from their unlawful/illegal and unethical practices. While Newsome filed the proper Writ proceedings, Courts to which said pleadings were filed elected to deprive Newsome rights guaranteed under the Constitution (Kentucky and United States), Civil Rights Act and other governing statutes/laws. Therefore, Newsome based on information provided her, proceeded to file a Complaint with the United States Legislature/Congress.

In *Hargis v. Parker*, Ky., 85 S.W. 704 (1905), a case decided only fourteen years after the adoption of Section 110 of the 1891 Constitution, our predecessor court wrote:

*If it be true that the . . . court is proceeding without jurisdiction, it is not substantial justice that it should be allowed. . . as it might do at its discretion, subject the parties to enormous expense in defending the case, even if it went no further than a trial of the question of jurisdiction, and say to them, "Your remedy is solely by appeal if you have been wronged." We think [Section 110] of the Constitution, though it be deemed only declaratory of the common law on the subject, confers the power and jurisdiction on this court to intervene by the writ of prohibition to stay the inferior courts of the state from proceeding out of their jurisdiction. It may issue whether or not there is an appeal.*

11. Newsome request investigation into Judges handling of said matters to determine if they were motivated to commit such crimes, participate in such crimes and/or authorize the carrying out of such crimes against Newsome which was actuated by malice, corruption, impure motives, discrimination, prejudices, ill intent, etc. If so, Newsome seeks that said Judges be prosecuted and indicted in accordance with the statute/laws governing said matters. Neither Judge Bartlett or Judge Ruttle can assert IMMUNITY in that they were acting without jurisdiction and the evidence will support that they conspired with other person(s)/conspirator(s) to commit the criminal actions complained of herein or is to be made known through an investigation into the claims/allegations of the Complaint.

*Bryant v. Crossland*, 182 Ky. 556, 1918 Ky. LEXIS 403 - **HN3** - . . . This principle, however, **does not** extend to make a judicial officer immune from damages for illegal acts, which result in injuries to others or deprive them of their legal rights, when his acts are without the scope and limits of his jurisdiction. It follows that if his illegal acts are without the scope and limits of his jurisdiction, **he is liable**, if damages result to others from such acts, whether he is **actuated by malice, corrupt and impure motives** or not. In the last state of case, the fact that his **motives** are impure and bad are considered, only, as aggravating the damages. When the judge acts illegally, without the limits of his jurisdiction, he becomes a trespasser, and is liable in damages as such. Also see, *Cox v. Perkins*, 299 Ky. 470, 1945 Ky. LEXIS 449 at **HN4**; *King v. Cawood*, 223 Ky. 291, 1928 Ky. LEXIS 317 at **HN1**.

**Liability of Judges:** *Pepper v. Mayes*, 81 Ky. 673, 1884 Ky. LEXIS 29 – **HN 2**: Where a judicial officer has **jurisdiction of the person** and of the **subject-matter** he is **exempt** from suit by a **private individuals** for damages so long as he acts within his jurisdiction and in a **judicial capacity**. **HN3** - Whenever the State of Kentucky confers judicial powers upon an individual, it confers them with full **immunity** from private suits. In effect, the State says to the officer that these duties are **confided** to his judgment; that he is to exercise his judgment fully, **freely**, and without favor, and he may exercise it without fear; that the duties concern individuals, but they concern more especially the welfare of the State and the peace and **happiness** of society; that if he shall fail in a faithful discharge of them he shall be called to account as a criminal. . . . Also see *McBurnie v. Sullivan*, 152 Ky. 686, 1913 Ky. LEXIS 698 at **HN4**.

*McBurnie v. Sullivan*, 152 Ky. 686, 1913 Ky. LEXIS 698 at **HN5**: There are *two* distinct classes of cases to which the principle of judicial protection does not apply: **First**, where a person having special or limited judicial authority does any act beyond the scope of his authority. **Second**, where, although acting



within the limits of his jurisdiction, he is actuated by malice or corrupt motives. The rule not only applies to the highest judge in the state or nation, but it also applies to the lowest officer who sits as a court and tries petty causes, and it applies not in respect to their judgments merely, but to all processes awarded by them for carrying their judgments into effect.

*Ayars v. Cox*, 73 Ky. 201, 1874 Ky. LEXIS 30 -**HN4** - . . . There are two distinct classes of cases to which that principle of judicial protection does not apply: first, where a person having a special or limited **judicial authority** does any act beyond the scope of his authority; and secondly, where, although acting within the limits of his jurisdiction, he is **actuated** by malicious or **corrupt motives**. In either case the judge or magistrate renders himself liable as a trespasser to the party injured. Also see, *Revill v. Pettit*, 60 Ky. 314, 1860 Ky. LEXIS 82 at **HN6**.

*Henry v. Commonwealth*, 126 Ky. 357, 1907 Ky. LEXIS 52 - **HN9** - A judicial officer, from the highest to the **lowest** grade, . . . an officer exercising . . . power is not punishable for any honest mistake of judgment in the exercise of that power, but only for an abuse of his power in proceeding from a corrupt or other improper motive.

*Stephens v. Wilson*, 115 Ky. 27, 1903 Ky. LEXIS 67 - **HN5** - If an officer executes a warrant of arrest, invalid on its face, he is liable in damages for false imprisonment. Where, therefore, it appears on the face of the process that the magistrate issuing it has not **jurisdiction of the person** of the plaintiff or the **subject-matter** of the suit, the officer executing it is a trespasser, and is liable in action for damage for false imprisonment. It has been said, indeed, that an officer is bound, or will be presumed, to know the jurisdiction of the court, whose officer he is, and that, if he acts in obedience to a precept which the court has no jurisdiction to issue, he will not be protected in false imprisonment. **HN6** - Where an inferior court has no jurisdiction of the **subject-matter**, or, having it, has not **jurisdiction of the person** of the defendant, all its proceedings are absolutely void. Neither the members of the court nor the plaintiff (if he procured or assented to the proceedings) can derive any protection from them, when prosecuted by a party aggrieved thereby. If a mere ministerial officer executes any process, upon the face of which it appears that the court which issued it had not jurisdiction of the **subject-matter**, or of the person against whom it is directed, such process will afford him no protection for acts done under it.

12. On **October 1, 2008**, (EMPHASIS on dated of ruling) with knowledge that he lacked jurisdiction to act because Newsome had filed a Complaint with the United States Legislature/Congress, Judge Bartlett issued an Order in Newsome's civil lawsuit dismissing it. Bartlett doing so with knowledge that he lacked jurisdiction to do so in that Newsome had notified him and/or the Kenton County Circuit Court that she had filed a Complaint with the United States Legislature/Congress. Prior to the October 1, 2008 ruling by Bartlett, he was timely, properly and adequately placed on notice that he lacked jurisdiction to act and/or proceed in further in the lawsuit. In said Order, Judge Bartlett acknowledges Newsome having filed a Complaint with the United States Legislature/Congress. In fact he states, "she **objected** to the hearing and stated that she had filed an official complaint with the United States Congress. " Therefore, a reasonable mind may conclude that entry of said Order was done and/or actuated with malice, corrupt intent, and improper motive, etc. (See Order attached hereto and incorporated by reference).

13. On or about **October 1, 2008** (EMPHASIS on date) GMM Parties had their Warrant of Possession and/or document relied upon to have Newsome unlawfully/illegally removed executed by Judge Ruttle. A reasonable mind may conclude that Judge Bartlett and Judge Ruttle conspired with GMM Parties and their attorneys (Bridges and West and/or other persons not known to Newsome) to proceed to unlawfully/illegally take her residence away from her.

14. Judge Bartlett and Judge Ruttle doing so with full knowledge and Court documents to sustain that there was *a legal and binding Injunction and Restraining Order* issued by the Kenton County Circuit Court in Newsome's civil lawsuit (Case No. 06-C-03270) which precluded GMM Properties and their representatives from removing and/or evicting Newsome.

15. Judge Bartlett and Judge Ruttle doing so with full knowledge and Court documents to sustain that there was a legal and binding Order issued that Newsome was to pay her rent into Escrow in which Newsome complies with each month given the difficulty the Court imposed in how payment is to be made. It is important to note that Newsome is current with said obligations ordered and that Kenton County Circuit Court and GMM Parties and their counsel was notified that payment was made. (See October 6, 2008 Correspondence to the Court as well as Receipt(s) obtained for payment attached hereto and incorporated by reference).

16. Newsome believes an investigation will yield that Judge Bartlett and Judge Ruttle, with knowledge that they lacked jurisdiction to act and/or execute any Orders and/or Warrants conspired with GMM Parties, their counsel and others to unlawfully/illegal obtain Newsome's residence and/or property.

17. On October 9, 2008, Newsome was contacted at her place of employment by GMM Parties' attorney, Gailen Bridges, and advised that her property had been set out on the street and that if she wanted it, she needed to come and retrieve it. Bridges doing so with knowledge that Newsome **was not** timely, adequately or properly notice of the unlawful/illegal actions he, GMM Parties, Judges and others were going to take against her.

18. The actions GMM Parties, their counsel, Judge Bartlett, Judge Ruttle and others was willful, malicious and wanton and done with the purposes of causing Newsome injury/harm.

19. Prior to the unlawful/illegal actions of GMM Parties, their counsel and Judges (Bartlett and Ruttle), GMM Parties stalked the premises and inquired of other tenant(s) whether they have seen Newsome. Newsome was advised on October 9, 2008, that Martin specifically inquired a few times as to whether she has been seen. Doing so as they conspired to unlawfully/illegally seize her property/residence and wanting to be certain she was not around. **(EMPHASIS added)**. Goes to mindset of GMM Parties, their counsel and others participating in conspiracy; moreover, deliberate, willful and malicious acts to cause Newsome harm/injury.

20. Newsome inquired of Bridges why she was not notified prior to the unlawful/illegal taking of her residence/property. Bridges advised her that the only notice given was the one prior to taking her residence/property. That he was acting upon a document executed by Judge Ruttle. He doing so with knowledge that Ruttle had no jurisdiction to act and/or execute any warrant of and against Newsome.

21. **IT IS IMPORTANT TO NOTE:** That the Warrant of Possession (document relied upon by the Kenton County Sheriff's Department) on the backside has written notation that prior to unlawfully/illegally breaking into and burglarizing Newsome's residence, that it acknowledged the **POSTING** Newsome had posted on her door advising that there is an **Injunction and Restraining Order** in place which prohibits the removal or eviction of Newsome from her residence. (Newsome is willing to provide a copy of document she obtained from the Kenton County Sheriff's Department). Thus, pertinent in that it goes to support and prove willful, malicious and wanton acts of the Kenton County Sheriff's Department, GMM Parties, their counsel, Judge Bartlett and Judge Ruttle and/or certain person(s)/conspirator(s). Moreover, Newsome hopes that an investigation will determine whether upon reading and noting that there is an Injunction and Restraining Order, whether authorization to proceed was obtained by Judge Bartlett, Judge Ruttle and/or any other Judge advising that it was okay to proceeding in the unlawful entry, burglary, theft, unlawful entry of Newsome's residence.

22. Newsome files this instant Complaint and Request for Investigation in good faith in that she seeks vindication and justice for the criminal and civil wrongs rendered her.

23. Newsome reserves the right to reserve this instant Complaint in that it has been prepared under duress and for purposes of expedition to see that the proper government authority has been timely, properly and adequately notified of the criminal activities of person(s)/conspirator(s).

24. In July 2008, Newsome filed an Official Complaint with the United States Legislature/Congress. This is presently pending before for said government body.

### **RELIEF SOUGHT**

Newsome prays for the following relief:

- A. **Immediate** return of the residence at 128 East 5<sup>th</sup> Street – Apartment 5, Covington, Kentucky 41011 be returned to Denise Newsome;
- B. **Immediate** issuance of Injunction, Restraining and Protective Order of and against Person(s)/ Conspirator(s) and their legal representatives and/or representative from subjecting Newsome to any further criminal and civil wrongs;

- C. **Immediate** payment of \$3,500.00 to compensate Newsome for the replacement of stolen and damaged property/possession. Any such property Newsome was able to salvage has been stored away as evidence and in preparation of **criminal** actions being brought. Moreover, Newsome has suffered irreparable injury/harm and such criminal actions have had a mental, physical and emotional impact on her life and she should not be required to have to endure any more humiliation, frustration, exertion, etc. to try and determine where items are.
- D. Criminal prosecution of Person(s)/Conspirators and the proper indictment rendered for those who may be found guilty;
- E. Any and all other relief allowed under the statutes/laws governing said matters.

Respectfully submitted this 13<sup>th</sup> day of October, 2008.



Denise Newsome  
Post Office Box 14731  
Cincinnati, Ohio 45250  
Phone: (513) 680-2922

### Documents Attached

- 1) Docket Sheet of Kenton County Circuit Court  
Case # 06-CF-03270  
Injunction/Restraining Order Issued 2/08/07
- 2) October Rent Pmt Receipt + Correspondence
- 3) Proof of filings of Complaint to support  
Kenton County Circuit Court Complaint filed first; and
- 4) October 1, 2008 Order by Judge Bartlett in  
the Kenton County Circuit Court Matter.

cc: Copy personal file

JAN 11 2007

COMMONWEALTH OF KENTUCKY  
CIRCUIT COURT OF KENTON COUNTY, KENTUCKY BY KAREN M. LINN D.C.

DENISE NEWSOME

PLAINTIFF

vs.

CIVIL ACTION NO. 06-CI-03270

GARY M. MARTIN, BERNICE MARTIN,  
DENNIS DONNELLAN, and BETTY DONNELLAN,  
d/b/a GMM PROPERTIES

DEFENDANTS

---

**ORDER**

---

The emergency motion of Plaintiff for injunction and restraining order against Defendants and their representatives was filed in this action on December 19, 2007, having come on for emergency hearing before the Honorable Gregory Bartlett, Circuit Court of Kenton County on January 5, 2007, with Denise Newsome appearing *pro se* and Gailen Bridges and James West appearing as attorneys for Defendant.

Now the Court being notified that a "LAST NOTICE" was rendered on the Plaintiff as a result of an eviction action brought by Defendants in their matter before the Kenton County District Court, having heard the circumstances surrounding such action and duly considered the same together with relevant pleadings, concerns of incomplete District Court file, notification of post judgment pleading being submitted by Plaintiff to vacate the Judgment in the District Court action, finds that this emergency hearing was necessary and/or essential to protect the interest of all parties involved and to prevent irreparable harm to the Plaintiff, within meaning of Rule 65 of the Kentucky Rules of Civil Procedure and other applicable laws governing said matters, and that the same *temporary* injunction and restraining order shall be granted.

IT IS ORDERED that:

1. Defendants their attorneys and other representatives are hereby temporarily enjoined and restrained from taking any eviction actions against the Plaintiff.
2. Temporary injunction and restraining order against Defendants, their attorneys and representatives is hereby order.
3. Plaintiff is ordered to post bond in the amount of Two Hundred Fifty Dollars (\$250.00).
4. Plaintiff is instructed to make inquiry to the Kenton County District Court as to condition of its file and the reasons why pleadings and/or documents submitted by her have not been filed and are not contained in the Court file in that action.
5. This Court will hold a hearing on Plaintiff's Emergency Motion for an Injunction and Restraining Order Against Defendants and Their Representatives on Tuesday, January 16, 2007, at 9:30 a.m. before the Honorable Gregory Bartlett.

Date this 14th day of January, 2007.

  
CIRCUIT COURT JUDGE

# DENISE NEWSOME

128 E. 5<sup>th</sup> Street - Covington, Kentucky 41011  
Mailing: Post Office Box 14731  
Cincinnati, Ohio 45250  
Phone: 513/680-2922

October 6, 2008

## VIA PRIORITY MAIL - Delivery Confirmation

Honorable John C. Middleton  
Kenton County Circuit Clerk  
Kenton County Justice Center  
230 Madison Avenue, 3rd Floor  
Covington, KY 41011-1539

### RE: OCTOBER 2008 RENT PAYMENT

*Gary M. Martin, et al v. Newsome.*; Kenton County Circuit Court - Appeal Case No. 07-XX-00001; District Court Case No. 06-C-05059

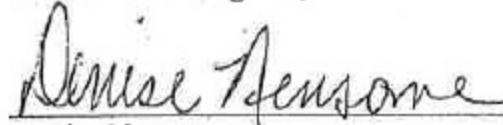
Dear Mr. Middleton:

Enclosed please find U.S. Postal Money Order No. 12250974745 in the amount of \$675.00 for the October 2008 rent to be paid into the Court. Please provide me with the Receipt for payment in the self-addressed postage-paid envelope enclosed. This payment was mailed due to the problems you are aware of that I have been having with your office.

By copy of same, I am providing counsel with a copy of same.

Should you have questions or comments, please do not hesitate to contact me at 513/680-2922 or (w) 513/852-6053.

With warmest regards,

  
Denise Newsome

### Enclosures

cc: Gailen Bridges, Esq. (fax only)

UNITED STATES POSTAL SERVICE		POSTAL MONEY ORDER		15-800 000
SERIAL NUMBER	YEAR, MONTH, DAY	POST OFFICE	U.S. DOLLARS AND CENTS	
12250974745	2008-10-06	452021	675.00	
AMOUNT		SIX HUNDRED SEVENTY FIVE DOLLARS & 00/100		
PAY TO		Kenton County Circuit Court		
ADDRESS		230 Madison Avenue 3 <sup>rd</sup> Floor Covington, KY 41011		
FROM		Denise Newsome		
C.O.D. NO. OR USED FOR		Case # 07-XX-00001		
ADDRESS		P.O. Box 14731 Cincinnati, OH 45250		
CLERK		0009		
1:00000080021:		122509747451		

Commonwealth of Kentucky  
Kenton County  
John Middleton  
Circuit Court Clerk

Receipt Number: 06-0023948-A  
DATE: 10/08/2008  
TIME: 09:25 AM

\*\*\* (M) CIVIL-OTHER \*\*\*

CASE NO: 07-XX-00001

RECEIVED FROM: DENISE NEWSOME  
ACCOUNT OF: OCT. 08 RENT PAYMENT

1. rent escrow MCFO(K(Q2))	650.00
TOTAL:	\$650.00
CHECK:	\$650.00

\*\*\* DIFF:

0.00

\*\*\* Check Number: mo# 12250974745

Commonwealth of Kentucky  
Kenton County  
John Middleton  
Circuit Court Clerk

Receipt Number: 06-0023981-A  
DATE: 10/09/2008  
TIME: 10:02 AM

\*\*\* (M) CIVIL-OTHER \*\*\*

CASE NO: 07-XX-00001

RECEIVED FROM: DENISE NEWSOME  
ACCOUNT OF: OCT 08 RENT PAYMENT

1. rent escrow MCFO(K(Q2))	25.00
TOTAL:	\$25.00
CHECK:	\$25.00

\*\*\* DIFF:

0.00

\*\*\* Check Number: MO # 12250974745

Prepared By: J.Middleton/AB  
\*\* MCFO=Money Collected for Others  
\*\* CS=Charge for Services  
Payer

Prepared By: J.Middleton/AB  
\*\* MCFO=Money Collected for Others  
\*\* CS=Charge for Services  
Payer





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Detailed Results:

- Delivered, **November 10, 2008, 9:14 am**, FRANKFORT, KY 40601
- Arrival at Unit, **November 10, 2008, 7:27 am**, FRANKFORT, KY 40601
- Processed, **November 09, 2008, 10:15 pm**, LEXINGTON, KY 40511
- Acceptance, **November 08, 2008, 12:53 pm**, CINCINNATI, OH 45214

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1-800-375-8762

# DENISE NEWSOME

Mailing: Post Office Box 14731  
Cincinnati, Ohio 45250  
Phone: 513/680-2922

November 8, 2008

**VIA PRIORITY MAIL** – Signature Confirmation Tracking No. 2305 1590 0001 6380 5079

Governor Steve Beshear  
Commonwealth of Kentucky  
700 Capitol Avenue, Suite 100  
Frankfort, Kentucky 40601

**RE: REQUEST FOR CONFERENCE WITH YOU**

Dear Governor Beshear:

As you know a HISTORICAL milestone was reached on November 4, 2008, in the election of the United States first African-American President, Barack Obama. I am contacting you in hopes that under your administration as the Governor of the State of Kentucky you will join in the requests of the President-Elect, Senator John McCain and many others to work with the incoming President and his Administration to bring about the CHANGE and UNITY the President-Elect and this nation is seeking.

Therefore, based upon such requests, I am contacting you to see whether you will have time to meet with me in that I, as a citizen of Kentucky, have some concerns in which I would like to address in assisting in bringing about the CHANGE and UNITY amongst other things that the majority of the citizens of the United States voiced on Tuesday, November 4, 2008. To assist you in understanding the issues I would like to address with you and work towards these goals, I present to you the following information:

1. That in the October 8, 2007 Release from the Corporate Crime Reporter, Kentucky ranked as No. 3 for Most Corrupt State. A copy of this document is attached for your review at **EXHIBIT "1."** According to this article, "*The Justice Department is reporting only public corruption convictions that result from a federal prosecution*" (see pg. 2). This article going on to mention, "*Mokhiber said that in the most corrupt states, corruption is undermining public trust in politicians and government*" (see pg. 2).
2. In that I have only been a resident of Kentucky for approximately two (2) years, I was not aware of the State's reputation regarding the Ku Klux Klan ("KKK") which I find disappointing; nevertheless they are subject to the laws/statutes of this Country. Neither do I allow such groups scare or intimidate me. Finding such literature regarding their activities and seeing how they still are hiding behind the hoods, yet wanting to be known for their activities in Kentucky, are actions I believe are outdated and a group "out-of-touch" with life and the CHANGE the majority on November 4, 2008 voted for. See websites at:

[http://appalachiankkk.blogspot.com/2007\\_11\\_25\\_archive.html](http://appalachiankkk.blogspot.com/2007_11_25_archive.html)  
<http://appalachiankkk.blogspot.com/search/label/Kentucky%20KK>

See document attached at **EXHIBIT "2."**

3. It appears from the onset of my moving to Kentucky – City of Covington, Kentucky – there were certain whites that were determined on engaging in corrupt and criminal wrongs against me. Such actions going as far to include public officials that are supposed to be upholding the laws/statutes of Kentucky as well as the United States; however, have repeatedly engaged in corrupt and unlawful/illegal practices for the purposes of destroying my life and depriving me rights secured under the Constitution (Kentucky and United States), Civil Rights Act, Housing laws, Landlord and Tenant laws and many other statutes/laws.
4. On October 9, 2008, I was subjected to horrendous acts carried out by public officials (Judge(s), Sheriff/Deputy(s)), by attorney(s); Landlords and their cohorts and willing participants to the criminal and civil wrongs executed against me on said date. I have filed Criminal Charges against parties for such actions with the Federal Bureau of Investigations ("FBI") on or about October 13, 2008. A copy of the FBI Complaint is attached hereto as **EXHIBIT "3"** to assist you with an understanding as to what is taking place under your administration and perhaps assist you in seeing why Kentucky has been named **No. 3** on the *Most Corrupt State* listing. I am hoping under your administration that you address such issues and work to see that such public corruption, criminal and civil wrongs are dealt with and not swept under the rug. At the time of the October 9, 2008 actions, there was an Injunction and Restraining Order in place prohibiting the legal wrongs taken against me. See **EXHIBIT "4"** attached hereto. Also the Court had received the October Rent payment into Escrow. See **EXHIBIT "5"** attached hereto. Therefore, there were no legal grounds and/or justification for the criminal actions taken against me. I believe such wrongs were also racially motivated. While the liability for such criminal and civil wrongs rendered against me are *inevitable*, I do not believe it should interfere with working towards the CHANGE and UNITY the President-Elect and many others share. Moreover, will show the *good faith* approach by the State of Kentucky's leader eliminate such practices/injustices.
5. I have put certain persons in the United States Senate/House of Representatives on notice of the criminal actions of October 9, 2008. I am also looking to go to Washington D.C. once those elected to their seats have had an opportunity to settle in. I filed a Complaint with the United States Legislature/Congress in **July 2008**, at which time I provided my concerns of the corrupt, criminal and illegal/unlawful practices going on. This will be the purpose for the trip to look into the status of the Complaint and I hope to speak to certain Officials of the Senate/House to see where they are also at on working with the President-Elect since it is a known fact that he has a passion for "Civil Rights." I believe as a matter

of laws/statutes the Court(s) actions are automatically stayed in the legal actions pending in the Kenton County Courts.

I have already begun speaking out against such wrongs and have also contacted various sources and people to provide them with information. I am moving forward to let churches and communities know of this matter in that I am approached constantly by people of diverse backgrounds that share their stories of the injustices they have suffered and see the despair in their eyes from becoming victims of the public corruption and/or injustices rendered them. Considering some of the information taken from your website which states:

*The Dawson Springs native grew up one of five children. Within the Beshear home one always found a powerful sense of values, faith in God and a steadfast work ethic. The Governor's father, Russell, a funeral director, also was a Baptist minister, just like his father. His mother, Mary Elizabeth, dedicated herself to numerous community endeavors – making life better for others.*

it appears you were raised with a great set of values and your parents shared those of my parents (in which my father is also a minister) and our President-Elect and many others. I am a graduate of Florida A&M University (Tallahassee, Florida). I am hoping together and with others that we can begin the healing process in the communities of Kentucky where so many citizens of this State feel battered, beaten, mistreated, unjustly treated, shattered, broken, hopeless, etc. and that nobody cares. As televised, the November 4, 2008 historical election of the first African-American had a clear showing of the diversity (races) of supporters and voters that waited for hours along with foreign countries for the returns to come in as well as to hear President-Elect, Barack Obama's, Acceptance Speech.

Governor Beshear please let me know whether you have time to meet with me to discuss the concerns I have and the need to begin the process of HEALING, UNITY, CHANGE. . . I look forward to meeting you.

Should you have any questions, please do not hesitate to contact me at (513) 680-2922. I am currently employed at a law firm in downtown Cincinnati and my direct dial is (513) 852-6053 and direct fax is (513) 419-6453.

With warmest regards,

  
Denise Newsome

Enclosures



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# VOGEL DENISE NEWSOME

Mailing: Post Office Box 14731  
Cincinnati, Ohio 45250  
Phone: 601/885-9536

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August 2, 2008

**IMMEDIATE/URGENT ACTION REQUESTED**

**COPY**

**VIA U.S. PRIORITY MAIL:** SIGNATURE CONFIRMATION \_\_\_\_\_

Senator Barack Obama  
United States Senate  
713 Hart Senate Office Building  
Washington, D.C. 20510

**RE: *Emergency Complaint and Request for Legislature/Congress Intervention; Also Request for Investigations, Hearings and Findings***

Dear Senator Obama:

Enclosed please find a *copy* of my *Emergency Complaint and Request for Legislature/Congress Intervention; Also Request for Investigations, Hearings and Findings* that I submitted for filing with the United States Legislature/United States Senate for handling and processing. The **original** of this Complaint was submitted on **July 14, 2008**, to the attention of Senator Patrick Leahy as Chairman of Committee on the Judiciary. Please be advised that I am submitting this matter to your attention rather than the Representatives/Senators of the states I live and/or are involved. Such reasons for doing so are addressed in the attached Complaint. I also notice that in your Presidential campaign, your slogan is "**Change: That Works for You.**" While I do not know whether these are *mere* words, I would greatly appreciate your assistance in this matter to determine whether your slogan is supported by action. *I would also like to make it clear, that I am not contacting you because you are African-American and I am expecting special favors because of yours or my race.* You will see from the attached documentation that the racial injustices addressed herein occurred way before I even knew of a "Barack Obama." Moreover, my fight for many years (before even knowing of your existence) has been based upon the laws and my expectation of receipt of *equal* protection of the law and *due process* of laws as guaranteed/secured under the United States Constitution. While I watched your interview on "Meet the Press" last Sunday (July 27, 2008), I found it interesting when you were questioned about one of the polls regarding the African-Americans' take on the judicial process. *The attached Complaint is not an isolated case and will clearly support the arguments repeatedly echoed by African-Americans and the United States' corrupt judicial system/process.* Therefore, your assistance in seeing that the issues raised are addressed MOST URGENTLY, whether or not you become the next President of the United States, is greatly appreciated.

**PLEASE TAKE NOTICE** that this matter is of an **URGENT** nature and I am requesting acknowledgement from the Legislature/Congress within **ten (10) days** of your receipt of this Complaint and/or **no later than August 15, 2008.** Moreover, that you and/or the Legislature/Congress contact the applicable Courts and/or government entities addressed herein to notify them that this matter has been submitted to the Legislature/Congress for review and/or handling; therefore any and all matters pending before them are to be stayed and the records

preserved for actions to be handled by the Legislature/Congress. If the matters with courts and/or agencies are closed that the records be preserved in the actions addressed in the attached Complaint.

While the Complaint attached hereto is not in the form that I normally use, I have provided you with copies of the complaints/pleadings/documents in the matters that I am requesting the Legislature/Congress' intervention in and/or provided information to direct you to where additional documentation may be retrieved.

*In that the United States District Court – Southern District of Mississippi (Jackson Division) is attempting to close said Court to me and to deprive me filings in it, your IMMEDIATE/URGENT attention is requested to preserve and protect my Constitutional and Civil Rights.* I hope that the documents attached as Exhibits to the Complaint will aid you in understanding this situation. I believe that the evidence provided in the attached Complaint will support what African-Americans have known and continue to voice – *the discrimination and/or racial injustices in the judicial process.*

While I am not sure when you may receive this document in that I am sending it “Priority Mail” and hope upon your receipt of said mailing, that you see and/or initiate that the appropriate action for staying of proceedings mentioned in the attached *Emergency Complaint and Request for Legislature/Congress Intervention; Also Request for Investigations, Hearings and Findings* is had, which are as follows:

- a) United States District Court Actions:
  - i) Cases in the Federal Court – USDC Southern District of Mississippi (Jackson Division) Case Nos. 3:07-cv-00099 TSL/LRA and 3:07-cv-00560 WHB/LRA
  - ii) Case in the Federal Court – USDC Eastern District of Louisiana (New Orleans) Case No. 2:99-cv-03109
- b) State Court Actions (State of Kentucky):
  - i) Kenton County *District* Court Case No. 06-C-05059 – Appeal: Kenton County Circuit Court Case No. 07-XX-00001; and Kentucky Court of Appeals Case No. 2007CA001589
  - ii) Kenton County *Circuit* Court Case No. 06-CI-03270 – Appeal: Kentucky Court of Appeals Case No. 2007CA000834
- c) State Agency Actions (State of Mississippi)
  - i) MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY (“MDES”)  
Decision Code No. 2400  
Reporting Point No. 0480  
Case No. 00002-R-05-01 and 00241-R-05-01  
Hinds County Circuit Court Case No. 251-2005-163CIV



- ii) OCCUPATIONAL SAFETY & HEALTH ADMINISTRATION (“OSHA”)  
Case No. 4-1220-04-027 and/or 4-1220-05-04 and/or all cases filed on my behalf and/or related to me
  - iii) EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (“EEOC”):  
Case No. 131-2005-01442 and/or all cases filed on my behalf and/or related to me
  - iv) WAGE & HOUR DIVISION (“WHD”)  
Any and all Cases filed on my behalf and/or relating to me.
  - v) BOARD OF REVIEW – U.S. DEPARTMENT OF LABOR  
Any and all Cases filed on my behalf and/or relating to me.
- d) State Agency Action (State of Kentucky)
    - i) Kentucky Commission on Human Rights – Case Nos. KCHR 1423-H and HUD No. 04-07-0000-8
  - e) Hinds County Board of Supervisors;
  - f) Jackson Municipal Court (Jackson, MS)  
Case/Citation: 2005T1983803-VTO (see letter of 06/05/08 attached)  
**(NOTE: This matter was appealed to the Hinds County Court and was assigned Case No. 2006-932 before Judge William Skinner – the Judge in which I have filed a civil lawsuit and is addressed in the instant Complaint filed with the Legislature/Congress). As recent as June 5, 2008, the Municipal Court is requesting an appearance and is threatening me with a “warrant for my arrest” if I do not appear. So the Legislature/Congress’ intervention is MOST URGENTLY REQUESTED. This matter is addressed in the attached Complaint as well as the letter provided at EXHIBIT “33.”**
  - g) Federal Bureau of Investigations (FBI)

Thank you in advance for your attention and assistance in this matter. Upon review of the attached Complaint, should you have any questions, comments or concerns, please do not hesitate to contact me.

With warmest regards,

**COPY**

---

Vogel Denise Newsome

Enclosures

cc: Copy to Personal File

TOP

# **PRESIDENT - ELECT, BARACK OBAMA, IN THE RATTLENER'S DEN (FLORIDA A&M)**





# Obama's Business Backers Look Ahead

**A powerful group of African American executives helped get Obama elected President. Now they hope he can provide solutions to the economic crisis**

By Roger O. Crockett

**BusinessWeek**

Updated 7:00 p.m. ET, Sun., Nov. 9, 2008

On Nov. 4 at 10 p.m., Lyle Logan raised his arms toward the autumn sky over Chicago's Grant Park in triumph. News that Senator Barack Obama had officially won enough electoral votes to become the next President of the U.S. was flashing on the big video screen above the VIP pen at "ground zero" for the 2008 Presidential election results. And Logan, an African American executive vice-president at Northern Trust Co., couldn't hold back the tears suddenly streaming down his face. "I'm overwhelmed," he said, his young son clinging to his waist. "It's just amazing."

Although much of Obama's success can be attributed [BusinessWeek, 11/4/08] to his vision, personal skills, and leadership appeal, no small amount of credit goes to a powerful circle of black business leaders in Chicago. In addition to Logan, they include Valerie Jarrett, CEO of real estate management firm The Habitat Co. and now co-head of Obama's transition team; Jim Reynolds, CEO of investment bank Loop Capital Markets; John Rogers, CEO of mutual fund icon Ariel Investments; Quintin Primo III, CEO of commercial real estate development company Capri Capital Partners; and Frank Clark, CEO of electrical utility Commonwealth Edison.

These black executives have maintained a low profile since early February 2007, when Obama launched his Presidential quest. But they have been Obama's link to well-heeled Chicagoans such as Penny S. Pritzker and James S. Crown. And contrary to widespread statistics showing blacks lagging other groups in wealth, together they have donated some \$30,000 to Obama over the past two years.

## Celebrating with High-Fives

Just as important, Logan and the others served as a kind of stealth sounding board long before Obama had a glimmer of an idea about the White House. They gathered for a private meeting in late 2002 as he was mulling his run for the U.S. Senate. In a tony high-rise overlooking Lake

Michigan near the South Side, the then-largely anonymous state senator vetted his lofty political ambitions with some of his closest friends.

Later, during his second year in the U.S. Senate, Obama called Clark, among others, to discuss whether it made sense for him to mount a bid for the Presidency. Clark, 62, is one of Chicago's elder statesmen and chief of ComEd, a subsidiary of energy giant Exelon (EXC) and the largest electric utility in Illinois, serving nearly 4 million customers in Chicago and Northern Illinois. He didn't mince words: "Your window of opportunity is now," Clark recalls saying. "Go do it."

Flash forward to election night. As a crowd of 125,000 people crammed into Chicago's Grant Park for Obama's celebration, these executives in their business suits and ties celebrated with high-fives in relative anonymity just a few yards from the podium where Obama gave his victory speech, which is just the way they like it. While each of the power brokers pulls in well over \$250,000 in annual pay, they say they have no problem seeing their taxes rise under Obama's economic platform. They're interested in not just their own wealth and success but in building a platform for others, especially African Americans, to succeed. "The upper strata earners in this economy will survive," says Primo. Adds Clark: "A tax increase on me or people like me does not affect our lifestyle. If it means supporting Barack and his agenda, I'm O.K." with it.

#### A Dream Realized

For Clark and other black business leaders in Chicago, Obama's landslide victory signaled more than the oft-cited change in American politics that voters clearly wanted. President-elect Obama signals a new social and occupational ideology for African Americans -- in many ways, the realization of Martin Luther King's long-deferred dream that the promise of success on any level is possible.

"Our generation has been limited in terms of how far we can dream," Logan said on Tuesday night just minutes before Obama took the stage. The son of two teachers who worked on Chicago's South Side, Logan majored in accounting and economics at Florida A&M University, a predominantly black college, and later earned an MBA in finance from the University of Chicago. "We've too often been under the impression that we can only serve our own. We've had constraints applied to what we can achieve."

Pointing with both hands toward the podium, Logan said: "This teaches black entrepreneurs and executives to think boldly and broadly. To not think narrowly, but to pursue diverse markets."

## Job Creation a Priority

Each of these executives knows first-hand how much damage the economy has suffered since they first helped Obama launch his quest. Rogers' Ariel Investments, for instance, shed about 20% of its staff in August after high energy prices pummeled many consumer stocks in the firm's portfolio. Although the recent drop in energy prices has helped, Ariel's largest fund, with \$1.85 billion in assets, is down 21.25% this year. The 19 employees who were let go marked the first such cutback in the firm's 25-year history.

The recession is picking up steam, yet the U.S. has already lost more than three-quarters of a million jobs through September. "Barack needs to create jobs," says Clark. He believes that Obama's most compelling comments during the campaign may have been his statement that the nation could create 5 million energy jobs by investing in alternative fuels such as solar power. "He needs to make sure during his first term people see jobs coming back, whether they're in the auto industry or energy or another sector," Clark adds.

It's equally essential that Obama find ways to stabilize the turbulent financial markets, which have cost investors trillions of dollars in lost value.

## Getting Markets on Track

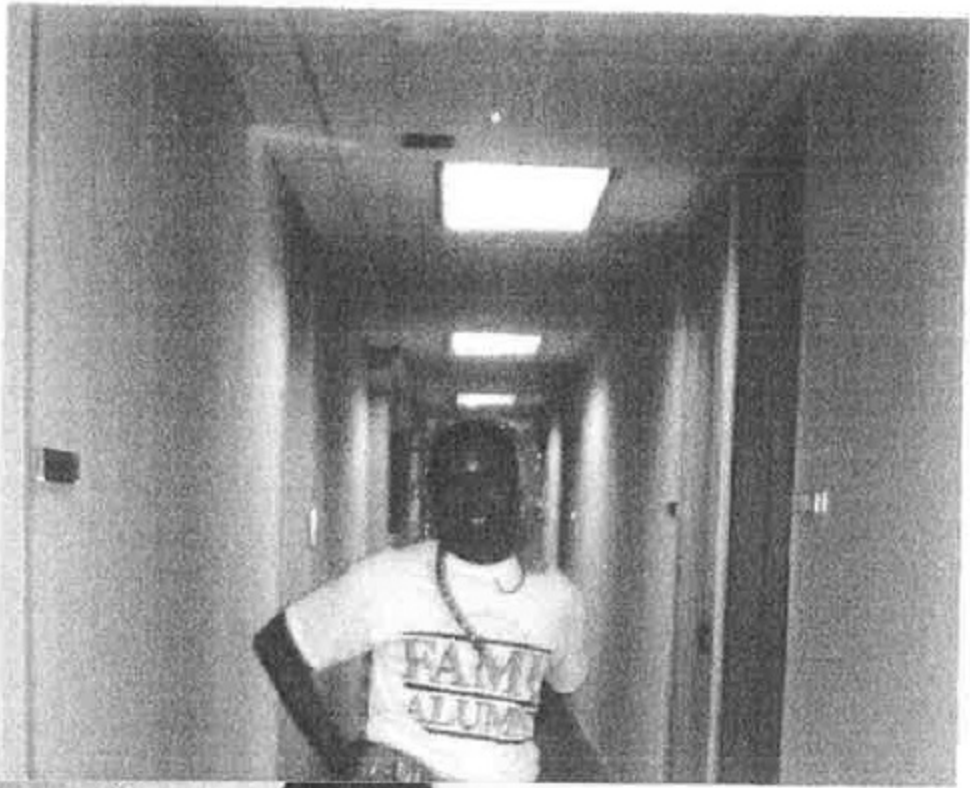
So how do these business executives expect a one-term senator with a background as a civil rights lawyer to lead the nation through its worst financial downturn since the Great Depression? For one thing, he'll need to rely on a stellar team of financial wizards, says Rogers, a member of Obama's national finance committee. Although Obama can bend Rogers' ear any time, "it doesn't get any better than Warren Buffett and Austin Goolsby," Rogers says of the two financial giants who have served as the President-elect's trusted advisers.

Rogers isn't worried that Obama lacks the financial experience to calm today's volatile markets. While the President-elect has been hesitant to criticize efforts by the Federal Reserve or Treasury Secretary Henry Paulson, with whom he has spoken regularly since the crisis accelerated, Obama clearly thinks more aggressive policies are needed. "He has the sort of flexible mind to understand and adjust policies to these extraordinary times that we are living through," Rogers says.

Primo, 53, of Capri Capital, knows how critical it is for Obama to find a way to get capital markets working properly again. A Harvard Business School graduate, Primo founded Capri in

1992 to focus on private equity real estate investments. The firm has grown to become one of the nation's top urban real estate developers, and is now developing a \$2 billion retail-residential center in Saudi Arabia, where capital is far more available than in the U.S.

Primo rolls like a rock star through the Middle East, in large part because it's known that he's close to Obama. Talking on the phone from Dubai after staying up until 4 a.m. to watch the election results, a weary Primo says Obama has the health of America's financial markets at top of mind. "I don't think he will dramatically depart from the bailout package of \$700 billion," he says. "I think that Barack will seek for Congress to enhance that program to further act as a stimulus. He will work both sides of the aisle . He is very pragmatic."





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