

1 The behavior that neither resulted in a conviction
2 nor even an arrest but that was facially unlawful, and in any
3 event a very chilling indication of the consideration as to
4 how likely it is that he would commit further crimes is that
5 he undoubtedly and indisputably set up this killercop.com web
6 site; tried to arrest via citizen's arrest a law enforcement
7 officer carrying out his duties in a courthouse; the
8 indication that his wife has made, I'm not making any
9 findings but it's in the record, and it resulted in an
10 issuance of a domestic restraining order in New Hampshire
11 that he was prone to violence or at least she claimed; and
12 the demeanor that she displayed when she testified at the
13 trial I find to be not only consistent with that but probably
14 the result of that. It was a demeanor combining both
15 profound fear and embarrassment as well as enmity.

16 The Martin case, the Goshea case, the Hines case, I
17 read them all, warrant this change in the applicable criminal
18 history category. And I stress that the change under 4A1.3
19 is warranted either where there is an understatement or an
20 underrepresentation of the previous criminal history and its
21 seriousness, which I find indisputably the case here; or an
22 underrepresentation of the likelihood as to whether the
23 defendant will commit further crimes.

24 Now, I'm no prophet and it's hard to make
25 predictions. And the many -- and the people who did write to

1 I'm not likely to flee. Um, I know I possess a danger to the
2 community. Um, and if I do file and when I do file the
3 appeal, it will not be for purposes of delay. Um, it will be
4 only to raise a substantial question of law and fact -- or
5 fact or to argue for a reduced sentence which will total less
6 than the amount served or equal to, pursuant to 18 USC 3143.

7 Www.evilgx.com, all lower case, um -- well, I think
8 I'm going to stop and I'm going to back up. I'm going to
9 touch upon killer cop.com before we go any further.

10 Www.killercop.com, that's K-I-L-L-E-R-C-O-P, all
11 lower case, was a web site that I created, um, a fantasy
12 fiction akin to a book to detail certain factual events, um.
13 It was heavily censored by the FBI, the LAPD, the Sheriff's
14 Department of Sacramento and numerous other law enforcement
15 agencies. Um, it was clearly disclaimed within that web site
16 what the intent and the purpose of that web site was. I was
17 never charged with a crime. But I've sat back in amazement
18 since my arrest and I've watched how Agent Cugno has taken
19 the stand in New Hampshire and grossly distorted the facts
20 related to that web cite.

21 Um, I've watched as the police officers as I was
22 arrested choked me while Agent Cugno stood by and smiled.
23 I've watched as killer cop.com has been touted as fact, um, of
24 criminal activity.

25 I've heard numerous lies disseminated about me, how

1 broad -- overbroad nature of the law as applied to Counts 1
2 through 4, specifically 18 USC 875, which was created in
3 1933, prior to -- way prior to the internet, specifically to
4 deal with the kidnapping of the Lindbergh baby, in hindsight,
5 after spending two years in prison and suffering through
6 countless hours of researching thousands of pages of
7 discovery and researching case after case after case law, I
8 can clearly see now how someone could have construed my words
9 to be a threat.

10 And in an arbitrary manner, since the record
11 clearly reflects that even after I identified 875(c) as a
12 specific intent crime, and I notified the government that
13 875(c) was a specific intent crime, even though my public
14 pretenders had told me it was a general intent crime for
15 almost a year, um, the government then agreed with me,
16 amended my indictment to reflect the specific intent, yet
17 they failed to correct the jury instructions and instead
18 tried me under a general intent jury instruction. This has
19 just reinforced in my mind that 875(c) is unconstitutional
20 because it is so vague and so overbroad that they don't even
21 know how to apply it themselves.

22 Further, the fact that, as was demonstrated during
23 the trial, Joe Schmo at yahoo.com clearly committed the same
24 conduct, um, as the police officers had done to me in
25 killer cop.com since his transmission arrived directly in my