

IN THE UNITED STATES DISTRICT COURT

For the District of Southern Ohio

Southern Ohio District - Cincinnati, Ohio

David A. BARDES v. Douglas R. COLE et. al. (No. 18-2401)

*Plaintiff:*

David Andrew BARDES, individually as a taxpayer,

*Defendants:*

Honorable District Judge Douglas R. COLE,

Honorable Magistrate Judge Karen L. LITKOVITZ,

Honorable Magistrate Judge Stephanie K. BOWMAN,

in their individual and official capacities.

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## **B. STATEMENT OF LEGAL CLAIMS**

3. Due to the unlawful actions of the Defendants accepting bribes to dismiss *Bardes v. USA* (1:21-cv-00598-DRC-KLL) on December 21, 2021, and *Bardes v. Bush* (1:22-cv-290-DRC-SKB) on March 6, 2023 (caught accepting bribes from *Bush* defendants on March 20, 2023 at 5:04pm EST, detailed herein.) in violation of federal laws of Criminal Bribery (18 U.S. Code §201 & §666,) and Bivens claim for Constitutional violations of Fifth and Fourteenth Amendments by federal officers, resulting in federal torts of Abuse of Process, Fraud, Civil Conspiracy, Intentional Infliction of Emotional Distress (IIED), Defamation & Malpractice, and Breach of Fiduciary Duty, which caused the Plaintiff great and prolonged suffering and injury that continues to this day.

4. Therefore, the Plaintiff is seeking justice, relief, and recompense from the courts (demand made for jury trial) in the form of monetary damages equal to three times the amounts sought in *Bardes v. Bush*, as well as an injunction barring Defendants from officiating over Plaintiff's refiling of *Bardes v. Bush* that was allowed by the Sixth Circuit Court of Appeals order dated December 4, 2023. The balance of this complaint serves to further state, detail, and support the Plaintiff's allegations and claims.

## **C. FACTS OF THE CASE (in first person voice for clarity)**

### ***Background on Plaintiff***

5. I am a 61-year-old Cincinnati born grandfather, non-prisoner, fee paying, *Pro Se*, non-lawyer, college educated taxpaying law-abiding citizen of the United States with no criminal record. I have never been accused of a crime nor charged with one. I am a fractional HR Director/Consultant who just completed a three-year project creating an HR Department for a busy 65-employee construction office. I work full time, I am not disabled, and I am not suffering

from a mental illness. I have doctors to testify I am sane.

6. I earned a BA in Economics from Northwestern University. At age nineteen, I was tested at the Johnson O'Connor Institute with a near-photographic memory and scored 90 to 100 percentiles in inductive reasoning, foresight, and three-dimensional thinking.

**Background on *Bardes v. USA* and *Bardes v. Bush***

7. I provide herein the background on these two cases for reference purposes only, as the facts of those two cases plays into the reasons why the Defendants accepted bribes to dismiss these two lawsuits. For clarity purposes, I provide this background in chronological order of events.

**April 3, 2006 (Charleston, South Carolina):**

8. I was falsely accused of not paying my child support, financially destroyed, business liquidated, jailed in the Charleston County Jail, and immediately tortured for three days in engineered cold cell 1613 until declared dead by hypothermia by the jail's doctor. I obviously was not dead, being alive today, rather was in *hypothermic coma* from which I fully recovered. But for two of the three days I was unconscious on the floor in cold cell 1613.

9. After South Carolina Family Court **Judge Paul W. Garfinkel** signed an order striking the falsely reported arrears, upon release from jail, I sought lawyers to sue my torturers and for my financial losses from being falsely accused and financially wiped out by the state. But one lawyer after another told me they could not help me because all federal judges dismissed torture lawsuits to protect George Walker Bush, Dick Cheney, and the CIA from prosecution for their use of cold cell torture/murder. This almost two-decade practice of dismissing torture lawsuits to protect friends from the law became known as the *TortureGate Corruption Scandal*.

**2008-2010 First Federal Torture Lawsuit:**

10. Undeterred, I taught myself the law and filed my own *Pro Se* civil rights lawsuit ***Bardes v. Magera*** (2:08-cv-487-PMD-RSC) in Charleston, South Carolina. The lawsuit was instantly dismissed. I filed objections and won; the case rolled into discovery.

**Magistrate Robert Carr** denied me access to the jail, in which case I could have proved my case in five minutes, but I was able to issue interrogatories, take depositions, obtain documents, photos, and other evidence. I proved I was tortured in a highly engineered cold cell. But **District Judge Patrick Michael Duffy** ultimately dismissed the case with a complicated fifty-page order claiming near death hypothermic torture was not a violation of the Constitution.

11. What I did not know at that time, was George Walker Bush and the CIA bribed the judges to dismiss the lawsuit, as no rational person would believe a federal judge would actually rule being brutally tortured almost to death was not *cruel or unusual punishment*. But this knowledge of bribes being paid would not be proven until thirteen years later, on March 20, 2023.

12. I appealed the case to the Fourth Circuit Court of Appeals and lost. Then on March 25, 2011, the US Supreme Court denied my petition asking "Is near death hypothermic torture a violation of the Constitution?" **Justice Scalia's** ardent and fierce support of George Walker Bush brutally torturing innocent Muslims to death would not be fully known until his untimely death in 2016.

**Later in 2011 (Charleston, South Carolina):**

13. **Magistrate Robert Carr** was deemed *disabled* and his contract was canceled prematurely. Lawyers who practiced in his courtroom ganged up on **Magistrate Robert Carr** due to bizarre courtroom behavior while repeatedly dismissing their torture lawsuits. I was to learn after the fact, the judge was whacked. The South Carolina state attorney for the Department of Social Services, Prosecutor John Magara, was fired by the state after confessing he received oral sex

from my ex-wife to continue to prosecute me despite my evidence proving I had actually overpaid my child support. Then after my second lawsuit was filed, the family court judge who illegally jailed me, **Judge Paul W. Garfinkel**, was fired by the state in the middle of his contract term due to severe undiagnosed mental illness causing unstoppable corruption.

#### **2011-2013 Second Federal Torture Lawsuit:**

14. On November 17, 2011 (Burlington, North Carolina,) I filed my second federal civil rights lawsuit, ***Bardes v. South Carolina*** (1:11-cv-999-CCE-LPA). **Magistrate L. Patrick Auld** purposely delayed responding to my initial complaint for over two years, setting the record.

15. **Magistrate L. Patrick Auld** then **Judge Catherine C. Eagles**, dismissed the case proclaiming cold cell torture did not exist and that I was “fabricating delusions” about such torture, further I was severely mentally ill and obviously needed help the courts could not provide. I decided not to appeal, as I needed more evidence about cold cell torture. Cold cell torture was a much denied and well-kept secret.

16. Cold cell torture may have been a well-kept secret, but in 2010 I put up a website *ColdCellTorture.com* and started tracking all of the inmates around the country tortured to death with *hypothermia*. The current total death count is up to eighteen (18.) The most frequent visitors were the government types who themselves used cold cell torture.

17. By no fault of my own, I found myself in an unwilling proxy battle with George Walker Bush, Dick Cheney, and the CIA who were protecting themselves from prosecution for their use of brutal cold cell torture to murder innocent Muslims. While I was earnestly seeking justice from my own domestic torture, I ran into a brick wall – dark forces of corruption that would take me twelve more years to defeat.

**December 9, 2011 – Auto Accident Discovers Bullet in Hip:**

18. On the evening of December 9, 2011, while driving through the Elon University campus, I was rear ended in a slow speed accident by a student driving an SUV, and suffered no injury save my already fractured hip being crushed into small pieces. Both X-ray doctors at the hospital told me I needed full hip joint replacement surgery, and then they asked me when I was shot with a gun.

19. I looked at my ex-wife Betsy (who previously apologized for her adultery and false accusations, and I forgave her,) who had known me since I was fifteen years old, my adult daughter Allison Pape Bardes, and answered "*I have never been shot, not that I am aware.*" The doctors pointed to the x-ray, saying there is a bullet in your right hip.

20. Apparently, during those two days I was unconscious in cold cell 1613 while in *hypothermic coma*, someone put a gun to the lower right quadrant of my stomach and pulled the trigger. The bullet ricocheted off my spine, paralyzing my legs, and settled in soft tissue of my right hip. The wound was sutured closed with three overhand cadaver sutures by someone with medical training and license.

21. We do not know who shot me or why, nor do we know who sutured up the wound, and no one is talking. But there are many guesses. The most likely guess is that the jail's doctor, Ralph B. Piening, MD, mistakenly declared me dead and then the sheriff was summoned. Sheriff Al Cannon, Jr., not wanting the medical examiner to detect *hypothermia* as cause of death, because that would lead to the discovery of an engineered cold cell, such the sheriff concocted some story that I was shot prior to coming to jail, and then just died before being finger printed or even booked. The sheriff is the only person who could discharge a firearm without question, and the doctor is the only one who can declare someone dead, and then suture up the wound ready for

the medical examiner. But this is only a guess.

22. The bullet explained why my legs were paralyzed when I revived from *hypothermic coma*, and was taken to the jail's hospital on the fourth floor in a wheelchair. Sheriff Cannon produced video from the jail's video cameras showing me in the wheelchair unable to hold up my head looking half alive. Use of my left leg was eventually restored, but I had a heavy limp to the right side. My right leg and hip had nerve damage from the bullet.

23. The bullet also explained the mysterious scar on my stomach, and the nerve damage down my right leg eventually led to a fracture in my left hip, putting me back in a wheelchair for four years. Discovering the bullet five years after being shot was too late for my first torture lawsuit, South Carolina SLED (SBI) protected their own people by doing nothing, and the FBI told me to hire a lawyer.

#### **PTSD From Torture/Gunshot:**

24. When I got out of jail in June of 2006, I sought the services of both a psychiatrist and psychologist, as I knew my body had suffered a severe trauma and likely had PTSD as a result. In 2008, and again in 2010, I was diagnosed with PTSD, depression, and anxiety. I stuck with the same doctors and regime for ten years and took the medication as prescribed. There is no medication for PTSD (not a mental illness, is a physical malady,) but there is for symptoms of depression and anxiety (which are treatable mental illness.) With PTSD you are fully *sane*, rather you just feel very poorly.

25. After hip surgery in March of 2013 to restore my walking, my depression lifted, and in 2014 my psychologist told me I no longer needed to see him. I had been cured of PTSD. Back then there was only one proven therapy to cure PTSD, today there are three proven therapies. I am the textbook example that the mental health profession works. It is not perfect, and problems exist,

but if you stick with the program and work it, great successes are routine.

**December 9, 2014 (Elon, North Carolina):**

26. My long-sought break about cold cell torture came on December 9, 2014, when the US Senate published their Report on CIA Torture. President Obama spoke to the nation saying "*We tortured some folks.*"

27. The report detailed in too graphic of terms the ghoulish murders of innocent Muslims being tortured to death with cold cell torture, and *ice baths* similar to Adolph Hitler. One innocent victim, Gul Rahman, was kidnapped off the street and taken to a secret torture camp in Kabul, Afghanistan. Convinced the hapless Gul was hiding secret attack plans, his torture was ratcheted up each time Gul resisted the torture. Beaten until bones were broken, Gul was stripped naked below the waist to inflict extreme cold pain upon his genitals, and was frozen to death overnight with *hypothermia*. The CIA refused to give his cold dead beaten body back to his family for burial.

28. To give you a baseline of the pain from dying from *hypothermia*, Jesus Christ naked on the cross, painfully shivered to death in six hours. The term *Cold Cell* torture comes from George Walker Bush's infamous torture memos. He called his *enhanced interrogation technique* "*Cold Cell*" or "*Induced Hypothermia*." Rome called it crucifixion.

29. While hundreds of innocent Muslims were packed into Guantanamo Bay Torture Camp for round the clock cold cell torture, only five (5) had anything to do with the attacks on 9/11. The rest were innocent. One innocent soul became so severely mentally ill from the constant torture, that he lost his mind becoming a vegetable. From 1997 to 2000, I worked on the 101<sup>st</sup> floor of 2 World Trade, and on 9/11, I lost 176 friends and colleagues, three of whom were close mentors. I can personally vouch they would be aghast at the failed Bush/Cheney torture response as a

result of their deaths. These people were righteous ethical hardworking God-fearing law-abiding citizens.

30. Also on December 9, 2014, *The Marshall Project* published their article on many of the domestic inmate deaths from cold cell torture. After a week of news shows discussing cold cell torture it became common knowledge, and was no longer a much-denied secret.

But the fallout from the Bush/CIA Torture Report set up two events to occur less than a year later. I sued the four federal judges for their corruption of dismissing my first two cold cell torture lawsuits. Then the ACLU filed their cold cell torture lawsuit against the two CIA torture doctors who ran the torture/murder program. The three plaintiffs were CIA/Bush torture victims, one being the family of Gul Rahman.

31. Both of us were obviously hoping for better outcomes in the courts than before the Bush/CIA Torture Report was published. Both of our lawsuits were risky, being well before the Obama White House finally reversed course unblocking torture lawsuits, and before the Supreme Court voted to no longer dismiss torture lawsuits, ending the *TortureGate Corruption Scandal*.

### **September 24, 2015 - Race to the Supreme Court:**

32. On September 24, 2015, I filed ***Bardes v. Auld*** (1:15-cv-214-MR-DLH). Suing the four federal judges for *TortureGate* corruption dismissing my two previous torture lawsuits. I filed ***Bardes v. Auld*** on a Friday, by Monday morning the website traffic exploded, Harvard Law, Vanderbilt Law, Duke Law, Yale, Princeton, Boston, Texas, Penn, dozens of other law schools and universities. Visits from all over Washington, DC, lots from the FBI and DOJ. Seems no one had ever sued four federal judges for corruption before.

33. A few days after I filed the lawsuit, in the middle of the night, two men appeared out of the dark knocking on the door of my cabin. My dog scared them away. I do not know who sent them

or what they wanted, but inductive reasoning yields ill intentions.

34. ***Bardes v. Auld*** was instantly dismissed with the speed of lightening, and I appealed to the Fourth Circuit Court of Appeals and was denied in a day. Setting up the race to the Supreme Court of the United States for the second time with the same Constitutional question.

**October 13, 2015 (Seattle, Washington):**

35. The ACLU filed their cold cell torture lawsuit, ***Salim v. Mitchell* (2:15-cv-00286-JLQ)** on behalf of three cold cell torture victims, against the two CIA torture doctors. Gul Rahman was represented by a family member.

**January 17, 2016 (Kennebunkport, Maine):**

36. Someone in Kennebunkport, Maine visited *coldcelltorture.com* coming from *Google.com*. When you Googled *cold cell torture* my website *coldcelltorture.com* would come up in first place.

**January 26, 2016 (Washington, DC):**

37. My Supreme Court petition (15-983) was docketed at the Supreme Court.

*Highlights from petition:*

**Constitutional Question Presented:**

Are citizens, being brutally tortured with hypothermia until dead a violation of the Constitution?

Does the Constitution exist?

**Statement of the Case:**

Why must stopping our beloved nation from brutally torturing and brutally torturing until dead, the citizens with slow brutal hypothermic torture be such a chore?

United States Appeals Court Judges Wynn, Agee, and Floyd now join those before in continuing the ongoing murders of citizens.

Are not salaries being paid to prevent me from becoming a victim barely survived and having to do my civic duty by being here today? To stop it. Stop it.

We are doing ISIS like things to our own people, crucifixion is a hypothermic death, ask ISIS.

Stop it.

Stop it. Please. Now.

**Reasons for Granting the Petition and Conclusion:**

Perhaps never before has a more important Constitutional question been asked of the United States Supreme Court, as now the continued existence of our great nation as such lies in your answer or silence.

Submitted day 21, January 2016, by

X\_\_\_\_\_

David Andrew Bardes, *Pro Se*

38. My petition was distributed for a conference vote on March 18, 2016. The official entry posted to the docket was “*DISTRIBUTED for Conference of March 18, 2016.*”

**February 5, 2016 (New York City):**

39. Someone from CBS News visited *davidbardes.com* Then visited my pictures page, then my contact page, but no one ever contacted me.

**February 13, 2016 (Cibolo Creek Ranch, Texas):**

40. **Justice Antonin Scalia** died suddenly in his sleep while on a super-secret hunting trip.

**Justice Antonin Scalia** was a widely-known and stubborn protector of the Bush/Cheney torture/murder program. In 2008, **Justice Scalia's** public remarks supporting such heinous torture, drove the National Lawyers Guild to issue a press release demanding **Justice Scalia** recuse himself from any torture related lawsuits. **Justice Scalia** refused. God saw it otherwise,

God hates torture.

**What we know about Justice Scalia's death from news reports:**

41. **Justice Scalia** was invited to become a lifetime member in a super-private 400-year-old European based hunting fraternity. His initiation was planned with thirty other members at a hunting ranch in way west Texas. **Justice Scalia** left his federal security detail behind in Houston and flew to ranch without them. **Justice Scalia** died in his sleep the first night, after retiring to bed early claiming he was not feeling well. Highest secrecy was maintained as to the identity of the other hunting members on the trip, not wanting to be discovered.

**Using inductive reasoning:**

42. **Justice Scalia's** federal security officers are sworn to never leave him alone. The only way his federal security officers would be allowed to leave him, was if too many other federal security officers were already on the plane and on the ground at the ranch. Then when **Justice Scalia** flew back to Houston, his security detail would resume protection duty.

43. For federal security officers to already be on the plane in Houston, and at the ranch, either a current or former federal executive who is entitled to such detail, was present on the flight and at the ranch. This bodes well for George Walker Bush (and Dick Cheney) to be these former executives. Both are avid hunters. **Justice Scalia** actively supported Bush/Cheney torture/murder. Therefore, George Walker Bush planned the entire elaborate caper as a way to secure **Justice Scalia's** sway influence on my pending petition vote before the Supreme Court. It was a last-ditch grand corruption plan.

44. After God foiled their grand corruption plan, George Walker Bush lost his most ardent supporter to torture/murder, and faced uncertainty with the eight remaining justices. This sent George Walker Bush back to the corruption drawing board.

**February 14, 2016 (Kennebunkport, Maine):**

45. The next day George Walker Bush was in Kennebunkport, which means the moment **Justice Scalia** died, George Walker Bush flew to the farthest shore to not be found out. George Walker Bush was focused on me that day, visiting my website coming from *Google.com*.

**February 20, 2016 (Kennebunkport, Maine):**

46. George Walker Bush spoke with someone in Vero Beach, Florida, where my father lived. Both visited *davidbardes.com* coming from *Google.com*, so I was the topic of their conversation. My family members vacation and hunt with the Bush family. My sister and Laura are friends. Whatever George Walker Bush wanted from my father, came to no effect.

**March 10, 2016 (Jackson Hole, Wyoming area):**

47. Home of Dick Cheney, who visited *coldcelltorture.com* coming from Google.

**March 13, 2016 (Brevard, North Carolina):**

48. Three days later, at my cabin an old red pickup truck from South Carolina kept driving in and leaving, only to return. The driver brandished a handgun out his window. I walked out onto my front porch and sat down, to entice him to come up to me, or take a shot at me. A neighbor watching this unfold grabbed his assault rifle yelling down the pointed barrel towards the coward causing the driver to flee at a high rate of speed. I do not know who sent the lone gunman, nor if his mission was only to frighten me or to actually kill me.

**March 18, 2016 (Washington, DC) - Supreme Court petition vote day**

49. The Supreme Court did not deny or approve my petition, rather they just made the entry disappear from the docket. Five days later on March 23, 2016 a new entry was posted "*DISTRIBUTED for Conference of April 15, 2016.*" Apparently, the justices needed more time, another month. Torture was coming to a decision point, plans required timing.

50. The reason for the delay became evident based on what occurred next. President Obama made the decision to NOT block ***Salim v. Mitchell*** from moving forward in the courts against the CIA. This abrupt reversal sent shockwaves throughout the legal profession and marked the end of decades long practice of blocking all torture lawsuits. The unknown was if the US Courts would follow suit, and stop their decades long practice of dismissing torture lawsuits to protect George Walker Bush from our laws that require his execution.

**March 23, 2016 (Washington, DC):**

51. Same day as above, the FBI in Washington, DC visited *davidbardes.com* coming from *Google.com*.

**April 8, 2016 (Seattle, Washington):**

52. A *Statement of Interest* was filed by The United States of America in the ***Salim v. Mitchell*** case. The Obama Administration was NOT going to block the cold cell torture case against the CIA doctors from moving forward in the courts.

53. A Boston Globe article titled *A key shift on shielding torture from lawsuits* by Dror Ladin, the lawyer for the ACLU, wrote of the unusual change in long term Obama policy of torture lawsuit dismissals, highlighting the fact someone would actually be held accountable.

54. President Obama's abrupt reversal in protecting torturers from our laws, paved the way for the US Courts to either follow suit, or continue to dismiss. But it was my case, ***Bardes v. Auld***, that was coming up for a vote before the Supreme Court, creating the forced decision point on the court's overall continuation of *TortureGate*.

**April 9, 2016 (Kennebunkport, Maine):**

55. George Walker BUSH visited *coldcelltorture.com* having come from *Google.com*. Then a Secret Service agent, according to her lapel pin, using the screen name *Gidget Hall*,

contacted me on Facebook. I assumed she worked for George Walker Bush and I did not respond. Seems George Walker Bush wanted to communicate with me.

56. After failing to contact me, at 9:02pm that night, two trucks and a sedan drove into our community called *Rainbow Lake Resort* and parked around the circle in front of my cabin. They honked their horns, and flashed their lights. One man got out of his truck and stood in the beam of his headlights. They were beckoning me to come outside onto my porch like I did before. But the dark of night could have hidden a rifle with scope in the darkened sedan, so I did not step outside. After twelve minutes they all left. My security camera recorded their actions. I do not know who sent them, but inductive reasoning would indicate George Walker Bush sent them after *Gidget Hall* failed.

**Friday, April 15, 2016 (Washington, DC) Supreme Court Petition Vote Day:**

57. According to SCOTUSblog, the justices canceled their entire day's normal voting routine and spent the whole day working on one important case. All cases to have been voted on that day were moved to the next conference date. All except for my petition. My petition was the only one voted on and denied that day.

**Monday April 18, 2016 (Washington, DC):**

58. On Monday after the Friday vote, a new entry was posted on the docket: *PETITION Denied*. The justices, however, voted to end the practice of instantly dismissing all torture lawsuits. Hours later on April 22, 2016, Seattle Federal Judge Quakenbush did not dismiss *Salim v. Mitchell* in a hearing, and on April 28, 2016, Judge Quakenbush further ordered a full denial of the motion to dismiss. In what shocked not just the legal community, but the whole world, someone would finally be held accountable for torture in a United States court of law. The *TortureGate Corruption Scandal* had ended.

59. Despite further efforts to dismiss by the CIA, Judge Quakenbush forced the case to trial. The two CIA cold cell torture doctors settled the case one day before trial was to begin.

**May 12, 2016 (Kennebunkport, Maine):**

60. George Walker BUSH visited *coldcelltorture.com* coming from *Google.com*.

**May 14, 2016 (Kennebunkport, Maine):**

61. George Walker BUSH along with someone in Washington, DC, both visited *coldcelltorture.com* coming from *Google.com*, indicating a joint conversation where the topic was me and cold cell torture.

**May 17, 2016 (Washington, DC):**

62. Someone in Washington, DC visited *davidbardes.com* coming from *Google.com*. They visited the pictures page looking at my 2 World Trade office.

**More *TortureGate* Corruption Scandal Fallout**

**May 31, 2016 (South Carolina):**

63. The next judge to finally rule against cold cell torture was South Carolina State Judge Baxley. In a case he called "the most troubling" of his career, Judge Baxley ruled against his state, settling an 11-year-old class action cold cell torture lawsuit. Where inmate **Jerome Laudman** was stripped naked and locked in a frigid suicide watch cold cell, and violently shivered to death over eleven (11) days.

**August 18, 2016 (Los Angeles, California):**

64. A Los Angeles Times article published a photo that a federal judge finally agreed to release in a cold cell torture lawsuit of immigrants on our southern border. The picture depicts a large frigid super-chilled holding cell where dozens of all-male victims were shivering under reflective mylar blankets handed out to feign concern. The federal judge, however, refused to release the

picture of women and children being tortured under the same conditions, citing the picture to inflammatory for release.

**2016 Post Supreme Court *TortureGate* Scandal Victory:**

65. After the Supreme Court ended *TortureGate*, George Walker Bush was not very happy with me, but because I lost the biggest case in my life, and it was over, I thought George Walker Bush would leave me alone.

**CIA Employee *Karen Thomas*:**

66. I was living in a failed wedding resort that rented out small cabins around a small lake on annual leases. *Rainbow Lake Resort* was high up and deep in the temperate rainforest covering the mountains outside of Brevard, North Carolina.

67. When the new renter in the cabin in front of mine first drove in with Florida plates in an older SUV, without any furniture or belongings, just a few handbags, it looked like she was not planning on staying long. Her name was *Karen Thomas*, she was my age, recently divorced, from Jacksonville, Florida, and had a black dog just like my black dog. She kept trying to invite me into her cabin, asking me to help her on her computer; she was overly eager towards me. It was like she had been hand selected for a mission.

68. I suspected she was planted by George Walker Bush and the CIA to spy on me, but I treated her with kindness and respect. My ex-wife Betsy however, was not so diplomatic, and confronted her saying ‘you work for the CIA.’ *Karen* fell silent with no response, and I changed the subject to avoid conflict. I had other plans.

69. *Karen* befriended adult daughter Allison, and took Allie on drives in the mountains to pump her for information about me. Upon return, Allie would debrief me on all the personal questions about me. Questions about who I associate with, am I leading a following of people, am I a

computer wiz, do I use violence, am I hiding anything. I fully allowed the questioning and told Allie to answer truthfully. I was confident there was nothing to find, which would be bad news for them.

70. Instead, George Walker Bush and the CIA would only learn that I was celibate, did not drink alcohol, lived at peace with my neighbors, and led a boring law-abiding life. And after *Karen* had accessed my cabin and computer, they had no evidence of wrong doing on my computer, or in my possessions.

71. I had no way of proving *Karen* worked for the CIA, so on August 18, 2016, I tried an experiment. I printed an anonymous note and put it in her mailbox at noontime. The note said “*I know who you work for, and I am willing to help the two CIA doctors in their lawsuit.*” *Karen* picked up the note at 2:00pm. Later that afternoon, the mailroom clerk at the US Department of Justice (DOJ) in Washington, DC, placed in the outgoing mail a form letter stating they had just received my letter dated June 10, 2016 (70 days prior I mailed a letter to Attorney General Lynch) and the attorney general would get back with me at some point.

72. The next day I received the DOJ mailroom clerk’s letter. The DOJ does not take 70 days to open their mail, not when their form letter stated they received the letter that 70th day. The timing of the clerk’s form letter, mailed the afternoon I offered *Karen Thomas* help, reveals through inductive reasoning that my original letter to Attorney General Lynch of June 10, 2016, sat on her desk until *Karen Thomas* reported my note offering help.

73. The resulting message I understood was that Attorney General Lynch was trying to ascertain just what kind of *help* I was willing to offer. I never responded, and *Karen Thomas* suddenly broke her annual lease packed her few handbags, and left never to be seen again. Nor did Attorney General Lynch’s office ever get back to me like their form letter of August 18, 2016

stated they would.

74. It was clear *Karen Thomas* was a plant sent to spy on me, hand selected by George Walker Bush to become my new girlfriend. It tied in Attorney General Lynch, and President Obama, to be implicit in the cover up of Bush cold cell torture. George Walker Bush was by no means done with me.

**Publishing My Book *Unspeakable Pain* on Amazon and for free as a PDF file:**

75. After the Supreme Court ended *TortureGate*, George Walker Bush decided to abruptly cut off my Social Security disability benefits. After the doctors discovered the bullet in my hip in 2011, my disability claim was approved. But I had no proof George Walker Bush was behind the cessation.

**December 19, 2016 Letter to Crown Publishing:**

76. I decided to write a book about my cold cell torture and the *TortureGate Corruption Scandal* lawsuit victory. I looked up George Walker Bush's book publisher, and on December 19, 2016, I mailed Tina Constable at Crown Publishing a letter shopping interest in the corruption of George Walker Bush.

77. Tina Constable gave my letter to George Walker Bush on the Friday before Christmas weekend. Because first thing Monday morning after Christmas, I had a website visit from the Social Security Administration ("SSA") in Baltimore, Maryland, leaving me to assume George Walker Bush ordered the SSA to turn my disability benefits back on.

78. Sure enough. the next day, Tuesday, I received a letter from Social Security turning my benefits back on, including a check for \$9,296.10 for back payments. The problem was I never reapplied for disability benefits, I never claimed I was disabled again, so their letter could not say *we find you disabled again...* or *based on medical evidence...* my letter rather stated *We can pay*

*you... And they paid me.*

79. So, just as fast as George Walker Bush turned my benefits back on, proved he was the one who turned them off. Despite George Walker Bush's cash incentive to not publish my book, I wrote and published my free book anyway. This angered George Walker Bush so he cut off my disability benefits once again, permanently. I received a letter from the SSA claiming I owe them \$72,000.

80. This letter in my SSA record today stands as a testament to the corruption of George Walker Bush. After Joe Biden became President, he fired the two top people at the SSA for massive corruption in the disability program. Both were Bush loyalists. One refused to leave, and President Biden had to force him out with a pen.

81. But in April of 2017, I published my free book *Unspeakable Pain*. A book proving Bush corruption compromised the entire federal government where even the Supreme Court was crooked and corrupt.

### **The Seven Month FBI Investigation:**

82. For seven months over 2017 to 2018, the FBI went out to my friends trying to dig up dirt on me to prosecute me into submission, to take down my cold cell torture website and pull my book. I was confident the FBI would not find anything because there was nothing to find. The FBI concluded their investigation finding nothing.

### **Enter Technology CEOs and Billionaires:**

83. In Google, when you searched for *cold cell torture* my website *coldcelltorture.com* came up in the first result position, and it did so for almost ten years. But one day in 2018, it disappeared from searching after website logs showed Goerge Walker Bush met with someone at Google. I sent a blistering email to Lawrence Edward Page, the founder of Google, saying to not give into

corruption and torture. *Coldcelltorture.com* was then immediately restored to the first-place result position.

84. But during 2018, several other technologies CEOs joined Goerge Walker Bush's people becoming regular visitors, but I did not know why. Frequent visits from corporate IP addresses from Microsoft, Alphabet, Apple, Facebook, GoDaddy, Amazon, Cisco, Oracle, and someone in Omaha, Nebraska (home of Warren Buffet.) It was a small world at the top.

85. I kept recording daily traffic logs with annotations hoping to reveal why these ten CEOs and billionaires would join the Bush corruption crime club. I pulled the seventy-seven most significant website events out of the 2,600 log pages, and placed them in Exhibit A of the *Bardes v. Bush* complaint (*Bardes v. Bush* PACER No. 1, Exhibit A.)

**ICC – International Criminal Court (The Hague, Netherlands):**

86. On November 3, 2017, the International Criminal Court (ICC) began their investigation into Bush/CIA war crimes of torturing innocent Muslims to death with cold cell torture in Afghanistan. Three of the ICC judges were set to vote on opening the investigation. I started having website visits from the ICC judges chosen to vote along with George Walker Bush and the CIA.

87. Then in 2018, I started having website traffic from Interpol in France, along with the ICC judges. The logs revealed many meetings between George Walker Bush, the CIA, the ICC judges, and someone at Interpol. But I did not know who or why.

88. I did not know until the news reported that the President of Interpol, Chinese citizen Meng Hongwei, age 71, was secretly detained by Chinese authorities on suspicion of accepting bribes. On January 21, 2020, Meng Hongwei was sentenced to 13.5 years in prison for accepting \$2.11 million dollars in bribes. Hongwei did not appeal his sentence.

89. But this solved my query as George Walker Bush and the CIA used Interpol to pass along bribes to the ICC judges to vote against opening the Bush/CIA war crimes investigation, but the Chinese anti-corruption unit foiled their caper. This is when website traffic from China started as routine along with Bush, the CIA, and CEOs.

90. (The three bribed ICC judges sure enough voted to NOT open the Bush war crimes investigation, only for the ICC to select a new panel of judges to vote, whom then did authorize the opening of the Bush war crimes investigation.)

91. But this forced China to decide to either keep Bush corruption secret, or publicly reveal the truth. I mistakenly thought China would take advantage of the situation and media-blast George Walker Bush corruption and embarrass and humiliate the United States. But China made the decision to remain silent, keep Bush crimes secret, and effectively protect George Walker Bush from our laws that require his execution.

92. But it would take weeks of negotiation between the two groups to reach that decision. According to website meetings the negotiations were led by William Henry Gates, III. The results of the meetings made China a co-equal member of the Bush corruption crime club. I could not make sense of why China would keep Bush secrets, nor why the technology CEOs and billionaires would even team up with Bush and CIA corruption. The only common denominator between them was a deep mutual hatred of then President Donald Trump. Were they needing each other to rig the upcoming 2020 election? If so, how?

93. In any event, on April 4, 2018, I emailed ICC Prosecutor, Fatou Bensouda, informing her the court's judges had been completely compromised by George Walker Bush and the CIA. On February 22, 2019, I mailed a letter to the head of the Liaison Office of the International

Criminal Court to the United Nations in New York City, explaining their judges were accepting bribes writing '*Your organization is completely compromised.*' This resulted in a new panel of three judges being chosen whom did vote to finally open the investigation.

**May 29, 2019 - First Exile of David Andrew Bardes:**

94. Between my failed lawsuits, websites, book, failed FBI investigation, letters to ICC, and collecting website log evidence of their crimes, the bad decision was made to just kill me. On May 29, 2019, after website traffic revealed local killers being recruited, I left Brevard, North Carolina to drive to northern Michigan. My adult son David had already driven up to Michigan, so I drove to meet up with him.

95. David and I rented a cottage on Lake Haughton. I thought I was safe, until the special forces attack helicopters arrived. The events that cover the five-month period of trying to kill are already in the record, see (*Bardes v. Bush* PACER No. #31, Exhibit 3.)

96. The first prolonged period of trying to kill me ended with me in the hospital for eighteen (18) days followed by eighteen (18) weeks in a homeless shelter.

**The 2020 Election Rigging Caper:**

97. After the first period of trying to kill me ended, and Donald Trump lost his 2020 election blaming computerized voting machine companies in the UK and Toronto, did it dawn on me that my website traffic logs contained so many visits between the UK and Toronto and Bush, CIA, and technology CEOs such it was actually the background activity evidence of their rigging the 2020 election. I posted this allegation on my website, only to incite the second prolonged period of trying to kill me.

### **Election Rigging in Detail:**

**FACT:** President Donald Trump declared war against the technology CEOs and threatened to destroy their companies.

**FACT:** China hated Donald Trump because Donald Trump hated and punished China with huge tariffs.

**FACT:** George Walker Bush hated Donald Trump for dividing the GOP between those Donald Trump called the *deep state*, and those loyal to Donald Trump whose mutual enemy was the *deep state*. Donald Trump revealed the leader of his so-called *deep state* when he posted a picture of Liz Cheney with the face of George Walker Bush over Cheney's, saying *she looks good*.

(I do not know anything about a so-called *deep state* rather I have been dealing with the very real and practical problem at the hands of those loyal to George Walker Bush. These loyalists comprise all levels of government and world governmental leaders. If you want to refer to their crime club of corruption and as some sort of *deep state* then I can understand what you mean. I prefer the term *Gog and Magog*, as *Gog* is every other letter of *GeOrGe*, and *Magog* are his loyalists. According to all three faiths of the God of Abraham, Elijah's end times defeat of *Gog* and *Magog* is Satan's last stand on earth, ushering in the period of worldwide peace.)

98. The truth tends to follow the most logical explanation incorporating all known facts. Using inductive reasoning, it appears the technology CEOs originally joined forces with George Walker Bush and CIA corruption to somehow rig the upcoming 2020 election to save the United States from Donald Trump. Then China agreed to keep Bush corruption crimes secret under the promise that Donald Trump would lose the election, and that they would have equal membership in the crime club that effectively controlled the federal government of the United States. This explains

all the facts logically, and sadly reveals Bush crimes include selling out our nation's sovereignty just to protect himself from our laws that require his execution.

99. I have no direct evidence the election was rigged, because it was rigged in a way where there would NEVER be any evidence left behind to find. Otherwise, it would never be attempted.

Also, I have no knowledge the two voting machine companies are complicit and I rather doubt it. The CIA does not operate that way, they infiltrate companies with spies, they twist existing employees then swear them to silence under agreements, fear, and fast money. I think the voting machine companies have no idea how badly their organizations had been compromised by the CIA and technology CEOs.

100. My question is do these voting machines use Microsoft Windows® as the underlying operating system? Are the machines ever connected to the Internet? Do the machines ever *Update Windows®*? If all three questions are yes, then I would have suspicion as to being able to be hijacked by William Henry Gates, III himself.

101. Based on what I witnessed Gates/CIA do on my laptop at the height of the first period of trying to kill me – coming in undetected through the OS, moving from one code function in memory to another, appearing as routine background processes, but mimicking what is called *full control* while never leaving breadcrumbs behind to detect later. Only in real time can it even be detected, and only by an experienced coder who knows what to monitor.

102. Doing the equivalent on the voting machines, would allow William Henry Gates, III and only William himself could pull it off, being both an original coder and only known witness, to hijack machines with malicious code in real time and as voters actually voted. Creating no irregularities in the data to raise suspicion.

103. I was finally convinced of the rigging after the election was over, when Chinese President

Xi Jinping purged his entire government of every computer that ran the Microsoft Windows® operating system. It appears Xi Jinping knew of Gates/CIA ability to remotely control Windows® computers without detection.

104. So, if the voting machines do run Windows®, then I have serious reservations, but at present I have no knowledge if the rigging unfolded this way, or even involved the voting machines or their companies.

105. What I do have as far as evidence, are all the website traffic meetings between George Walker Bush, the CIA, the CEOs, and the infiltrated employees at the voting machine companies in Toronto and UK.

106. Making my 2,600 pages of annotated website traffic logs, along with my testimony, indirectly prove the 2020 election was rigged *evidence free* by George Walker Bush, CIA, and CEOs using their companies' tools. They are the only people who could and would pull it off. In what can be credited to fate, their rigging success could only be pulled off once, because once all eyes were on the voting machines, and I had even called out their rigging in court filings, the 2024 election resulted in the same number of people voting for Trump while Harris received ten million fewer votes in 2024 than Joe Biden had received in 2020. The idea that 15-20% of Democrats sat out this last election, given the high stakes, is actually a measurement of the magnitude of the rigging done in 2020. Trump went from losing every battleground state in 2020 to winning every battleground state in 2024 with the same number of votes.

107. But once I put the pieces together on the 2020 election rigging, and realized I had the evidence without knowing it, this prompted the second round of trying to kill me. This second period lasted ninety-days. For full description see (*Bardes v. Bush* PACER No. #31, Exhibit 3.)

**2021 Second Exile Period of David Andrew Bardes:**

108. The second period of trying to kill me ended in Cincinnati, much like the first, but I was determined to not undergo a third period of being killed, so I turned around and sued my oppressors in federal court.

**First BUSH Lawsuit – Bardes v. United States (1:21-cv-598-DRC-KLL):**

109. On September 20, 2021, I filed **Bardes v. United States** demanding our laws against torture and murder be enforced against George Walker Bush, requiring his swift execution as to law. This immediately backed off my adversaries. The CIA ceased constant interference, and on November 17, 2021, I was finally able to get a job, as an HR Director. I had a long career doing HR consulting.

110. On December 21, 2021, Cincinnati Federal District **Judge Douglas R. COLE** dismissed the lawsuit, threatening to banish me from the federal courts as a *vexatious litigator*. I appealed his dismissal to the Sixth Circuit Court of Appeals and lost. I suspected **Judge Douglas R. COLE** had been twisted but I had no proof. That proof came later.

**Second BUSH Lawsuit – Bardes v. Bush et. al. (1:22-cv-290-DRC-SKB):**

111. Then on **May 26, 2022**, I filed my second Bush lawsuit, “**Bardes v. Bush, et. al.**” Suing those responsible for trying to kill me, George Walker Bush, Richard Bruce Cheney, William Henry Gates, III, Larence Edward Page, Timothy Donald Cook, and their companies, for “intentional infliction of emotional distress” demanding \$17 billion in damages. Plus, treble damages.

112. Defendants George Walker Bush, Richard Bruce Cheney, and William Henry Gates, III were served with summons and complaint, but chose to default. Microsoft Corporation,

Lawrence Edward Page, Alphabet, Inc., Timothy Donald Cook, and Apple, Inc. hired lawyers and answered with a single motion to dismiss.

113. All were confident **Judge Douglas R. COLE** would dismiss the case with prejudice, just as he did before. On March 6, 2023, **Judge Douglas R. COLE** dismissed my lawsuit solely based on his opinion my life's story never happened, could never have happened, case dismissed.

**Judge Douglas R. COLE** dismissed my lawsuit with prejudice, so I would be prohibited from ever seeking justice again. I was toast. But I trusted God.

114. Over confidence causes sloppiness, and my *Bush* defendants wanted more, they wanted the judge to further order the removal of my websites from existence. Two weeks after **Judge Douglas R. COLE**'s dismissal, on Monday, March 20, 2023, at 5:04pm ET, I recorded a website meeting between **Judge Douglas R. COLE** on the U.S. Court's IP address in Cincinnati, and my *Bush* defendants led by William Henry Gates, III, and Lawrence Edward Page, along with the CIA and someone in Seattle, Washington (likely Microsoft Corporation's lawyer.)

115. When hours of no website visitors are suddenly interrupted by a large group of visitors all at the same moment, followed by hours of no more visitors, it indicates a mutual meeting of the visitors scheduled at a certain start time, with the topic of their meeting being me and my websites.

116. I immediately filed a *Motion to Reconsider* on March 24, 2023, where I confronted **Judge Douglas R. COLE** with the damning raw website log evidence from GoDaddy and direct accusations of being a corrupt criminal judge twisted by my defendants, and implied bribes were likely paid. **Judge Douglas R. COLE**'s response in writing was telling. Instead of outrage and sanctions over false accusations of being called a criminal, **Judge Douglas R. COLE** prepared his future defense with lies and carefully worded alibis. As if foretelling an unraveling could

occur. He offered no denial. The raw website log evidence of **Judge Douglas R. COLE's** secret *ex-parte* plotting meeting with *Bush* defendants is contained in Exhibit A – Website Log Evidence.

117. **Judge Douglas R. COLE's** first lie for protection was claiming that website traffic logs are not sufficient to identify the individual. The truth is the federal courts use website and Internet traffic logs to identify and convict criminals every day. From website traffic logs to Google searches, the courts treat such as *irrefutable evidence* enough to imprison and even execute.

118. **Judge Douglas R. COLE** did not deny someone in his office visited the website at the time of the large meeting with my defendants, but rather said it could be anyone in his office, with no way of telling whom. This is a lie, as the court's own IT department can identify the exact computer location, and the employee logged on at the time, who then download three lawsuit files from my website to their local hard drive.

119. Another lie for an alibi was **Judge Douglas R. COLE** claiming visits from *Google Bot* and *Bing Bot* do not prove Lawrence Edward Page and William Henry Gates, III, were behind the bot visits.

120. When I use the term *website visit* it means either a direct visit by the user via a web browser, or the user's communication software refreshes the URL whenever their software is opened to a particular subject, file, or person. In the case of my website visitors, they all use communication software which refreshes the URL whenever their software is opened.

121. Then when *Google Bot* and *Bing Bot* and *Apple Bot* all visit at the same time at the exact top of the hour, is that coincidence, or are my three CEO defendants conferring together on my lawsuit?

122. On March 26, 2023, I filed a complaint with the FBI about this criminal judge, and never

heard back a single word. But given the FBI's long involvement covering up their heinous and prolific use of cold cell torture, they too protect George Walker Bush from our laws that require his execution.

123. It is painfully clear that George Walker Bush and the CIA are so effective at twisting federal judges, that all my lawsuits going back to 2008, may have fallen with the same ease that **Judge Douglas R. COLE** was so twisted. Threats, fear, promises, and fast money overcome any allegiance to law, country, oath, or God. At some point an unraveling will occur, and a full accounting of each person's actions will take place.

**Appeal to the Sixth Circuit Court of Appeals:**

124. On **May 30, 2023**, I filed my fee paid appeal to the Sixth Circuit Court of Appeals in Cincinnati.

125. On **September 7, 2023**, at 11:10am ET, I recorded a website meeting between someone at the US Courts in Washington, DC, George Walker Bush, and someone at the CIA. Instead of just twisting the three appeals court judges in Cincinnati, it appears my case was elevated to a higher corporate decision level to twist this time. Which proves not only are federal judges compromised, but so are the US Courts themselves.

126. Three months later, on December 4, 2023, I recorded a website meeting between George Walker Bush and someone at the US Courts in Washington, DC. The person at the US Courts went to *Bing.com* (to not be tracked) and searched for and visited *DavidBardes.com*. Based on website traffic thereafter, it appeared my defendants received bad news.

127. Sure enough, an hour later my appeal was denied, the dismissal was upheld, but the dismissal *with prejudice* was reversed to *without prejudice*. Giving me basically what I asked for in my appeal, to file an amended complaint, and re-serve my defendants. Seems the US Courts

acted to protect their own judge, but otherwise threw my defendants under the bus. This is the way corruption works.

### **Magistrate's Words Implicate Them**

128. Unlike **Judge Douglas R. COLE**, I do not have direct evidence the two Magistrates spoke with or were bribed by my *Bush* defendants, but since **Judge Douglas R. COLE** adopted (rubber stamped) the magistrate's recommendations for dismissal, and **Judge Douglas R. Cole** was busted last, it proves the former events had to be equally compromised first – word for word.

### **Crimes of Magistrate Stephanie K. BOWMAN**

129. This becomes evident in the crimes of **Magistrate Judge Stephanie K. BOWMAN**. During discovery we will break down her October 12, 2022 Report and Recommendations (“R&R”) by sentence and word. **Bowman’s** R&R not only concluded I was insane, but was specific in her language to diagnose me as an insane paranoid schizophrenic spewing senseless delusions, such nothing I said was true.

130. When I read her words after returning home from a long day of work being the HR Director of a large and busy construction office (something I would be unable to accomplish being an insane paranoid schizophrenic spewing senseless delusions,) I knew her words came straight from George Walker Bush and the CIA. If I was an insane paranoid schizophrenic spewing senseless delusions then there would never be a reason to bribe judges to dismiss lawsuits, nor ever conduct secret meetings with judges two weeks after dismissal.

131. **Magistrate Judge Stephanie K. BOWMAN’s** words actually constitute a medical diagnosis which is an unlawful practice of medicine without a license. Bowman’s screed of hatred against those with mental illnesses, was shocking to the conscious. In my opinion, her words came straight from the Bush/CIA playbook, just discredit them, call them crazy, cause

doubt, then discard them.

132. **Magistrate Judge Stephanie K. BOWMAN** went even further, recommending I be declared a vexatious litigator, barring me from the courts of law, stripping me of every right I could ever have. **Magistrate Judge Stephanie K. BOWMAN's** words prove she is a brazen criminal and belongs behind bars. All I can do is sue her for money.

133. After **Magistrate Judge Stephanie K. BOWMAN** issued her R&R I motioned for an extension of time to respond, and on December 21, 2022, I filed my objections with evidence of my claims, and addressed her medical diagnosis of being an insane paranoid schizophrenic spewing senseless delusions. On March 6, 2023, **Judge Douglas R. COLE** issued his order of dismissal being careful not to mention mental illness at all, saying rather my story just never happened.

134. But **Judge Douglas R. COLE's** haughty and arrogant words of his March 6, 2023 dismissal reveal his certainty he would never be caught accepting bribes to dismiss the lawsuit, writing "David Bardes tells a truly extraordinary story — one that could be ripped from the pages of a political thriller." but "Extraordinary claims require extraordinary evidence." Further "The Court does not question the sincerity of Bardes's beliefs. But courts do not accept 'allegations that are sufficiently fantastic to defy reality as we know it,' like 'claims about little green men, or the plaintiff's recent trip to Pluto, or experiences in time travel.'" Only to then conclude his crime "After reviewing the Magistrate Judge's Report and Recommendation (Doc. 28), the Court agrees with her that Bardes's story has no legal merit and no plausible basis in reality." And "Finally, the Court notifies Bardes that, should he file any more frivolous complaints, the Court will declare him a vexatious litigator." Exactly two weeks later, on March 20, 2023, at 5:04pm EST, **Judge Douglas R COLE** was busted conducted a secret meeting with my *Bush* defendants,

to plot further criminal evil against me. Today these bold, haughty, and arrogant words implicate him as a corrupt criminal judge.

### **Crimes of Magistrate Judge Karen L. LITKOVITZ**

135. I have similar claims against **Magistrate Judge Karen L. LITKOVITZ**, where we will break down her R&R by sentence and word asking why she went further to stipulate I be prevented from ever appealing the lawsuit after dismissal. These brazen criminals were determined to bar me from the courts of law, violating every right I have ever had. Why? Because they were paid to protect George Walker Bush from our laws that require his execution.

### **Problem: Federal Courts in Cincinnati Are Compromised by Criminal Judges**

136. Although the Sixth Circuit Court of Appeals order allowed me to refile *Bardes v. Bush*, this only sends me back into the hands of the same criminal judges. I am unable to refile *Bardes v. Bush* because the same criminal judges are still employed there and they will just dismiss my lawsuit again. These three judges are the owned property of organized crime. On November 18, 2024 I mailed a letter to each of the three judges, giving them legal notice I was going to sue them unless they were willing to recuse themselves before December 9, 2024 when I intended to file *Bardes v. Cole*. None of the judges responded to my good faith effort to avoid litigation, hence this action today.

## **D. LEGAL DISCUSSIONS**

### **Claim Division and Res Judicata**

137. Usually, civil lawsuits contain all the claims that could or should have been raised in the same lawsuit, known as *res judicata*, or preclusion of claims. But given the unique situation of criminals grouped by their crimes, this current action focuses only on the judges who received the bribes to dismiss two lawsuits, while Plaintiff's long-planned refiling of *Bardes v. Bush*

(which has no claims in common) will have new additional claims of paying bribes not only to dismiss two lawsuits, but to dismiss all of the Plaintiff's federal lawsuits dating back to 2008. In other words, a greater Satan, and lesser demons. Therefore, this current action in no way waives or precludes any rights or claims that pre-existed this action, and may be added as described in the refiling of *Bardes v. Bush*.

### **Legal Discussion on Bribery**

138. **Judge Douglas R. COLE** was caught red-handed having a secret *ex parte* meeting with the Plaintiff's *Bush* defendants, where the topic of the meeting was the Plaintiff and his websites they were mutually visiting. Websites the *Bush* defendants found objectionable (nothing illegal, just too true.) Just what they were plotting in their secret meeting does not matter, because there was no lawful purpose for any secret meeting two weeks after case dismissal with prejudice. Since the reason for their secret meeting was itself a secret, their unknown "plot" was just further evidence of their crimes.

139. When you examine the boldness and ease in which these wealthy and powerful *Bush* defendants cause-and-effect federal judges to not only dismiss federal lawsuits against them with prejudice, but then to also seek further favors from the judges even after dismissal, proves just how large the bribes had to be to work so well. The judges risked everything, jobs, oath, liberty, and wealth, things that are not easily vanquished for naught.

140. The Plaintiff intends to prove during discovery that the Defendant judges were paid monetary cash bribes and likely also promises were made before the lawsuits were actually dismissed with such bold, haughty, and arrogant words from the judges. But based on what is already known, even in the absence of such direct cash transactional evidence, proves by conclusion the quid pro quo crime of bribery under (18 U.S. Code §201(b) & §666.)

**Criminal Bribery (18 U.S. Code §201(b), §666):**

141. If a federal judge is bribed to dismiss a lawsuit, the underlying conduct is not only a criminal offense but also a violation of civil laws and fundamental constitutional rights. Due to Defendant judge's violating the former, the Plaintiff suffered violations of the latter. It is the violations of the latter that the Plaintiff make claims herein, as this is a civil lawsuit.

**The elements of Criminal Bribery (18 U.S. Code §201(b), §666):**

142. The elements are:

- a. The *Bush* defendants gave or offered something of value to the judges (bribe).
- b. The *Bush* defendants intended to influence the judge's official actions (to dismiss with prejudice.)
- c. The judge(s) acted or failed to act in exchange for the bribe (did indeed dismiss with prejudice.)
- d. The judge(s) are federal officers, or the case involves federal jurisdiction (both true.)

***Mens Rea* is required for §201(b):**

143. The US Supreme Court's recent decision in *SNYDER v. UNITED STATES* (No. 23–108. Decided June 26, 2024) clarified that §201(b) requires *mens rea*, writing “bribery requires an official to have a corrupt state of mind and to accept (or agree to accept) a payment intending to be influenced in an official act. Section 666 shares the defining characteristics of §201(b)’s bribery provision. By contrast, §666 bears little resemblance to §201(c), which contains no express mens rea.”

144. *Mens Rea* means “guilty mind” and surely **Judge Douglas R. COLE** knew accepting bribes to dismiss lawsuits was illegal, a huge risk, and would cause the Plaintiff great loss and unending suffering. The judges had *Intent, Knowledge, Recklessness, Negligence*, even *Strict Liability*,

being so obvious that accepting bribes to dismiss lawsuits was inherently corrupt and unlawful.

### **No Judicial Immunity**

145. While judges generally have judicial immunity for actions taken in their official capacity,

bribery is an exception because it constitutes extrajudicial conduct and violates federal law.

While the Supreme Court's SNYDER decision did not affect federal bribery under §201(b), their clarification that §666 only criminalizes quid pro quo bribery, not gratuities, focuses the light on §201(b) that pro quo bribery is a *CRIME* and NOT an *OFFICIAL DUTY* therefore no immunity exists for the three Defendant judges. They are paid criminals subject to civil claims in court.

### **Fifth and Fourteenth Amendments**

146. Civil due process rights under the Fifth and Fourteenth Amendments assure me "*An unbiased tribunal.*"

The three Defendant judges accepted bribes to dismiss the Plaintiff's lawsuits in violation of his rights, they are a "highly biased tribunal" who conspired to cause Plaintiff great suffering and ongoing injury, from financial losses to continuing emotional distress.

### **Bivens Action and Federal Tort Claims Act (FTCA)**

147. Since the Defendant judges are federal officers, Plaintiff is using a Bivens Action for due

process violations of the Constitution (Bivens v. Six Unknown Named Agents (1971).) The

Defendant judges acted under color of federal authority, the Plaintiff suffered a Constitutional injury, the Defendants have no immunity due to brazen crimes, but as to no other remedies available, the Plaintiff is also claiming remedies under the Federal Tort Claims Act (FTCA) so for the sake of this complaint, the Plaintiff is claiming both, knowing one may supplant the other during the course of litigation.

**The Defendant judge's unlawful actions resulted in Tort Claims of:**

- a. Abuse of Process.
- b. Fraud.
- c. Civil Conspiracy (tortious acts resulting from the conspiracy.)
- d. Intentional Infliction of Emotional Distress (IIED.)
- e. Defamation & Malpractice.
- f. Breach of Fiduciary Duty.

**Tort Claim for Abuse of Legal Process:**

148. Abuse of legal process occurs when otherwise legal procedures are used for ulterior purposes, such as dismissing lawsuits with prejudice to protect *Bush* defendants from the law.

The Defendant judges abused a legal process to achieve an objective outside of the normal course of legal proceedings, which resulted in the Plaintiff suffering damages and continuing injury.

**Tort Claim for Fraud:**

149. Fraud occurs when a party intentionally deceives another party for financial gain, causing harm. A false representation was made (a promise to dismiss the lawsuit in exchange for a bribe), the Defendant judges knew the representation was false (the judges knowingly agreed to accept the bribe to dismiss), the Plaintiff reasonably relied on the false representation (Plaintiff was led to believe the dismissal was lawful), and the Plaintiff suffered damages and ongoing injury as a result of the fraud.

**Tort Claim for Conspiracy:**

150. Civil conspiracy arises when two or more parties agree to commit an unlawful act or to use lawful means to accomplish an unlawful purpose. An agreement between the Defendant judges and *Bush* defendants to dismiss lawsuits with prejudice was an unlawful act by unlawful means in furtherance of the conspiracy. The Defendant judges acted with knowledge of and in furtherance of the unlawful objective (securing the dismissal of the lawsuit through bribery,) and the Plaintiff suffered damages and ongoing injury as a result of the conspiracy.

**Tort Claim of Intentional Infliction of Emotional Distress (IIED):**

151. Intentional infliction of emotional distress (IIED) occurs when a party engages in extreme or outrageous conduct that causes severe emotional distress to another. The Defendant judge's outrageous lawsuit dismissal for bribes caused severe emotional distress to the Plaintiff, in the form of abject unfairness and shock and horror of discovering the secret clandestine meeting with *Bush* defendants being a plot to inflict further evil, which compounded the Plaintiff's emotional distress including prolonged weeping. The Plaintiff's suffering continues unabated.

**Tort claims of Defamation and Malpractice**

152. The Defendant judges cruelly and with words of malice diagnosed the Plaintiff as an insane paranoid schizophrenic spewing delusions putting such false statements (lies) in writing affixing signatures and then publishing in the *public* record (PACER – *Public Access to Court's Electronic Records*), where it exists to this day for the *public* to read. Knowingly false statements were made about the Plaintiff, the statements were made to third parties, the statements caused harm to the Plaintiff's reputation, and the judges acted with negligence and actual (paid) malice in making the false statements. The Defendant judge's *false diagnosis* constitutes the illegal practice of medicine without license, in addition to being defamatory.

### **Tort claims of Breach of Fiduciary Duty**

153. A federal judge is in a position of trust, the Plaintiff paid his filing fee and therefore paid for an unbiased tribunal to adjudicate his claims as to law. The Defendant judges breached their Fiduciary Duty through improper conduct of conducting secret meetings with *Bush* defendants after dismissing lawsuits for bribes resulting in great harm and prolonged suffering by the Plaintiff.

### **E. DAMAGES**

154. For all of the above facts and reasons, the Plaintiff seeks monetary damages equal to three times the amount sought in *Bardes v. Bush*, because notwithstanding the Defendant judge's crimes of dismissing lawsuits for bribes, the Plaintiff would be properly adjudicating his claims before an unbiased tribunal, therefore the full cost burden of his claims falls upon the Defendant judges, whose criminal actions now stop the Plaintiff from seeking lawful redress and recompense.

155. Further the Plaintiff is seeking injunctive relief in the form of a court order barring the Defendant judges from ever officiating over any action involving the Plaintiff. According to our nation's laws, the Defendant judges should be prosecuted for their crimes and imprisoned, but they are being protected by fellow criminal civil servants, including the FBI and US Courts. At some point an unraveling will occur, and justice will flow like a river, but until that time, this action seeks monetary damages and injunctive relief.

## F. CONCLUSION

### *Why would following the law not help them?*

156. The fact the *Bush* defendants and the Defendant judges chose a path of unlawful actions and crimes to refute my valid claims, and then continued their law-breaking weeks after case dismissal with prejudice, proves they had no lawful path to victory, otherwise they could have chosen it. Further, if the *Bush* defendants had not actually undertaken two prolonged periods of trying to kill the Plaintiff to cover up cold cell torture and election rigging evidence then they would never need to secretly hold meetings and bribe ANY judge. The very existence of this lawsuit, and the Plaintiff's words here, prove his allegations made in *Bardes v. Bush* were obviously true, and now proves the crimes of the Defendants judges in this action.

Respectfully submitted this day 9, of December, 2024,

x\_\_\_\_\_  
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Exhibit A – Website Log Evidence

GoDaddy's raw website log file reveals Judge Douglas R. Cole's clandestine meeting with *Bardes v. Bush* defendants at 5:04pm EST on March 20, 2023.

# Clandestine Judge Douglas R. Cole Corruption

## Meeting of March 20, 2023

Updated: 3/21/2023

### Website Traffic Logs (from [davidbardes.com](http://davidbardes.com) and [coldcelltorture.com](http://coldcelltorture.com)) - Monday, March 20, 2023

Below, Larry Page, Bill Gates, the CIA, someone in Washington State (a lawyer?), and someone at the “US Courts” in “Cincinnati, Ohio” (where Judge Cole works) having a meeting at 5:04pm ET.

US Courts, Cincinnati, Ohio at 5:04pm ET, coming from Google.com.

ColdHomePage | 199.107.16.125 | Mar 20th 05:04:31pm | <https://www.google.com/> | Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/110.0.0.0 Safari/537.36 Edg/110.0.1587.56 |

Then they went to [davidbardes.com](http://davidbardes.com) by clicking the link on cold cell page, 7 seconds later.

DABPage | 199.107.16.125 | Mar 20th 05:04:38pm | <http://www.coldcelltorture.com/> | Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/110.0.0.0 Safari/537.36 Edg/110.0.1587.56 |

Idaho, near Washington state boarder, could be Bill/MS lawyer?

Woke | 207.13.199.241 | Mar 20th 05:07:52pm | | Mozilla/5.0 (Windows NT 6.3; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/102.0.0.0 Safari/537.36 |

Larry Page at 5:11pm ET

ColdHomePage | 74.125.209.51 | Mar 20th 05:11:16pm | | FeedFetcher-Google; (+<http://www.google.com/feedfetcher.html>) |

CIA via Amazonaws at 5:12pm ET

ColdHomePage | 35.87.74.150 | Mar 20th 05:12:08pm | | |

Bill Gates via Microsoft at 5:13pm ET

ColdHomePage | 52.167.144.144 | Mar 20th 05:13:16pm | | Mozilla/5.0 AppleWebKit/537.36 (KHTML, like Gecko; compatible; bingbot/2.0; +<http://www.bing.com/bingbot.htm>) Chrome/103.0.5060.134 Safari/537.36 |

Below, CIA returned at 5:20pm, indicating the call is over.

ColdHomePage | 35.93.156.93 | Mar 20th 05:20:46pm | | |

## Raw Log Files from GoDaddy:

199.107.16.125 - - [20/Mar/2023:14:04:30 -0700] "GET / HTTP/1.1" 200 14575 "<https://www.google.com/>" "Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/110.0.0.0 Safari/537.36 Edg/110.0.1587.56" 510  
199.107.16.125 - - [20/Mar/2023:14:04:31 -0700] "GET /masthead.jpg HTTP/1.1" 200 21575  
"<http://www.coldcelltorture.com/>" "Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/110.0.0.0 Safari/537.36 Edg/110.0.1587.56" 16  
199.107.16.125 - - [20/Mar/2023:14:04:31 -0700] "GET /images/flag.jpg HTTP/1.1" 200 2177  
"<http://www.coldcelltorture.com/>" "Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/110.0.0.0 Safari/537.36 Edg/110.0.1587.56" 32  
199.107.16.125 - - [20/Mar/2023:14:04:31 -0700] "GET /HypoTempDeath.jpg HTTP/1.1" 200 52295  
"<http://www.coldcelltorture.com/>" "Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/110.0.0.0 Safari/537.36 Edg/110.0.1587.56" 35  
199.107.16.125 - - [20/Mar/2023:14:04:31 -0700] "GET /HoldingCellsText.jpg HTTP/1.1" 200 48303  
"<http://www.coldcelltorture.com/>" "Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/110.0.0.0 Safari/537.36 Edg/110.0.1587.56" 7  
199.107.16.125 - - [20/Mar/2023:14:04:31 -0700] "GET /HypoNazi.jpg HTTP/1.1" 200 50797  
"<http://www.coldcelltorture.com/>" "Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/110.0.0.0 Safari/537.36 Edg/110.0.1587.56" 47  
199.107.16.125 - - [20/Mar/2023:14:04:31 -0700] "GET /CIAColdCell.jpg HTTP/1.1" 200 52207  
"<http://www.coldcelltorture.com/>" "Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/110.0.0.0 Safari/537.36 Edg/110.0.1587.56" 58  
199.107.16.125 - - [20/Mar/2023:14:04:31 -0700] "GET /CIAIceBath.jpg HTTP/1.1" 200 61043  
"<http://www.coldcelltorture.com/>" "Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/110.0.0.0 Safari/537.36 Edg/110.0.1587.56" 67  
199.107.16.125 - - [20/Mar/2023:14:04:31 -0700] "GET /BorderHypoColdCells.jpg HTTP/1.1" 200 55771  
"<http://www.coldcelltorture.com/>" "Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/110.0.0.0 Safari/537.36 Edg/110.0.1587.56" 43  
199.107.16.125 - - [20/Mar/2023:14:04:31 -0700] "GET /usagif.gif HTTP/1.1" 200 28428  
"<http://www.coldcelltorture.com/>" "Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/110.0.0.0 Safari/537.36 Edg/110.0.1587.56" 13  
199.107.16.125 - - [20/Mar/2023:14:04:31 -0700] "GET /Vent-Pictures-1613-Text.jpg HTTP/1.1" 200 39611  
"<http://www.coldcelltorture.com/>" "Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/110.0.0.0 Safari/537.36 Edg/110.0.1587.56" 23  
199.107.16.125 - - [20/Mar/2023:14:04:31 -0700] "GET /BorderColdCells.jpg HTTP/1.1" 200 53180  
"<http://www.coldcelltorture.com/>" "Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/110.0.0.0 Safari/537.36 Edg/110.0.1587.56" 11  
199.107.16.125 - - [20/Mar/2023:14:04:31 -0700] "GET /HoldingCells.jpg HTTP/1.1" 200 183884  
"<http://www.coldcelltorture.com/>" "Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/110.0.0.0 Safari/537.36 Edg/110.0.1587.56" 109  
199.107.16.125 - - [20/Mar/2023:14:04:32 -0700] "GET /images/flag.ico HTTP/1.1" 200 32988  
"<http://www.coldcelltorture.com/>" "Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/110.0.0.0 Safari/537.36 Edg/110.0.1587.56" 24  
  
199.107.16.125 - - [20/Mar/2023:14:04:38 -0700] "GET / HTTP/1.1" 200 3352 "<http://www.coldcelltorture.com/>" "Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/110.0.0.0 Safari/537.36 Edg/110.0.1587.56" 355  
199.107.16.125 - - [20/Mar/2023:14:04:39 -0700] "GET /images/flag.jpg HTTP/1.1" 200 2177  
"<http://davidbardes.com/>" "Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/110.0.0.0 Safari/537.36 Edg/110.0.1587.56" 21

199.107.16.125 - - [20/Mar/2023:14:04:39 -0700] "GET /Mast1.png HTTP/1.1" 200 207253  
"http://davidbardes.com/" "Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/110.0.0.0 Safari/537.36 Edg/110.0.1587.56" 59  
199.107.16.125 - - [20/Mar/2023:14:04:39 -0700] "GET /Mast2.png HTTP/1.1" 200 222147  
"http://davidbardes.com/" "Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/110.0.0.0 Safari/537.36 Edg/110.0.1587.56" 98  
199.107.16.125 - - [20/Mar/2023:14:04:39 -0700] "GET /Mast3.png HTTP/1.1" 200 220104  
"http://davidbardes.com/" "Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/110.0.0.0 Safari/537.36 Edg/110.0.1587.56" 124  
199.107.16.125 - - [20/Mar/2023:14:04:39 -0700] "GET /images/flag.ico HTTP/1.1" 200 32988  
"http://davidbardes.com/" "Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/110.0.0.0 Safari/537.36 Edg/110.0.1587.56" 22  
199.107.16.125 - - [20/Mar/2023:14:06:21 -0700] "**GET /BardesvBush.pdf** HTTP/1.1" 200 308320  
"http://davidbardes.com/" "Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/110.0.0.0 Safari/537.36 Edg/110.0.1587.56" 161  
199.107.16.125 - - [20/Mar/2023:14:06:21 -0700] "GET /favicon.ico HTTP/1.1" 404 -  
"http://davidbardes.com/BardesvBush.pdf" "Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/110.0.0.0 Safari/537.36 Edg/110.0.1587.56" 1  
199.107.16.125 - - [20/Mar/2023:14:07:05 -0700] "**GET /Objections-To-R-and-R.pdf** HTTP/1.1" 200 328907  
"http://davidbardes.com/" "Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/110.0.0.0 Safari/537.36 Edg/110.0.1587.56" 100  
199.107.16.125 - - [20/Mar/2023:14:07:32 -0700] "**GET /JudgeColeDismissal-3-6-2023.pdf** HTTP/1.1" 200 329256  
"http://davidbardes.com/" "Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/110.0.0.0 Safari/537.36 Edg/110.0.1587.56" 235

## Geo-location for IP address: 199.107.16.125

ip-lookup

 CITY: Nashville	 LATITUDE: 36.15153
	 LONGITUDE: -86.79198

## Geolocation data from [IPGeolocation.io](#) (Product: API, real-time)

 IP ADDRESS: 199.107.16.125	 ISP:
 COUNTRY: United States 	SID-18051 CI -Administrative Office of the United States Courts
 REGION: Virginia	 ORGANIZATION: US Courts
 CITY: Ashburn	 LATITUDE: 39.02194
	 LONGITUDE: -77.45328

## Geolocation data from [IPapi.co](#) (Product: API, real-time)

 IP ADDRESS: 199.107.16.125	 ISP: USCOURTS
 COUNTRY: United States 	 ORGANIZATION: USCOURTS
 REGION: Ohio	 LATITUDE: 39.1059
 CITY: Cincinnati	 LONGITUDE: -84.5047

## Geolocation data from [criminalip.io](#) (Product: API, real-time)

 IP ADDRESS: 199.107.16.125	 ISP: USCOURTS
 COUNTRY: United States 	 ORGANIZATION: US Courts
 REGION: Not available	 LATITUDE: 38.0152
 CITY: Lexington	 LONGITUDE: -84.4894



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