PRO-SE

CASE NO. 2017CF004974CFAXWS-04

SIXTH JUDICIAL CIRCUIT OF FLORIDA
IN THE CIRCUIT COURT FOR PASCO COUNTY, FLORIDA

STATE OF FLORIDA

v.

KIMBERLY ANN BLEVINS

In Response to and Rebuttal of Order Adjudging Defendant Incompetent to Proceed And Placing Defendant on Conditional Release

MOTIONS AND MEMORANDUM OF LAW

KIMBERLY ANN BLEVINS
DEFENDANT
18060 OWEN DRIVE
HUDSON, FLORIDA 34667
(727) 216-8748
kimberly.blevins@gmail.com

To Judge Campbell on 7/24/19

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NOTICE AND CONSTITUTIONAL PROOF OF TREASON

WE, THE UNDERSIGNED, Kimberly Ann Blevins and Josiah Robert Fornof, have knowledge of the commission of treason by the State of Florida, et al., based on the same overt acts. This is notice, once again, as we have given such notice many times before, including in this case as judicially cognized in open court on April 24, 2018. To date, those to whom we have given such actual notice, and to whom the law gives constructive notice, including to the Court, have responded with "designed abstinence from inquiry"[1] for escaping notice and justice and for the furtherance of such treason: the Court's ORDER ADJUDGING DEFENDANT INCOMPETENT TO PROCEED AND PLACING DEFENDANT ON CONDITIONAL RELEASE (hereinafter also called Order) is a weapon of said war against the United States.

Our testimony is constitutional proof of treason according to the provision of the U.S. Const., Art. 3 § 3. Our notice to the Court is consistent with federal law under 18 U.S. Code § 2381, et seq. including 2382. Misprision of treason. State law in F.S. 876 et seq. applies including 876.33 Misprision of treason and 876.35 Combination against part of the people of the state, among others of that chapter, relevant to this case.

The aforesaid fact of the Defendant's standing as a witness to treason committed by the State of Florida, et al, is inseparable from all of the other actual facts of the case filed as State of Florida v. Kimberly Ann Blevins, CASE NO. 2017CF004974CFAXWS-04, as well as the cases that are immediately related to same (see "RELATED CASES" hereinafter).

Commencing and continuing contiguously from at least as far back as September 11, 1986, we, the undersigned, are both victims of and witnesses to the aforesaid treason, which includes genocide against our family and each of us. Evidence in support of the aforesaid and relevant to this case is the audio recording and transcript of a telephone conversation of nearly three hours that we the undersigned, Josiah Fornof and Kimberly Ann Blevins, had with the Federal Bureau of Investigation (FBI), the State of Florida, and others on August 17, 2010. Our request for said evidence is pending with the U.S. Dept. of Justice, Office of Information Policy (OIP). The most

[1] *Black's Law Dictionary,* 5th Ed., "notice".

recent correspondence regarding said request is dated July 15, 2019, and includes a copy of the Court's Order (see exhibit below).

EXHIBIT A Blevins, K.A. (2019, Jul. 17). Correspondence to the Director, OIP, U.S. Dept. of Justice, RE: DOJ-AP-2019-004932; Subject: FORNOF, JOSIAH ROBERT.

Any claim that our position is delusional, such as falsely alleged by and through said Order, without taking into consideration that evidence of that August 17, 2010, recorded telephone conversation, is void. If we were delusional, then evidence such as that would not exist. But said evidence does exist, that and so much more.

The above-referenced federal law on misprision of treason requires that "Whoever, owing allegiance to the United States and having knowledge of the commission of any treason against them, conceals and does not, as soon as may be, disclose and make known the same to the President or to some judge of the United States, or to the governor or to some judge or justice of a particular State, is guilty of misprision of treason . . . "The Order obstructs the Defendant – one of the "Whoever" above – from obeying said law, including in filing this Notice. Nevertheless, I, the Defendant, Kimberly Blevins, responded immediately to the Court's Order by protesting same and giving the Court further notice (see exhibit below).

EXHIBIT B Blevins, K.A. (2019, Jul. 15). Pleading, RE: STATE OF FLORIDA V. KIMBERLY ANN BLEVINS, CASE NO. 512017CF004974CFAXWS, SECTION 4; SUBJECT; VOID JUDGMENT.

Those who we accuse of treason have the right to trial by jury and to either be cleared or convicted on the basis of the evidence, the actual facts. What they do not have is a right to hide in their positions of public trust in order to get away with their crimes and to help each other to do likewise, including to flee justice and as this case proves, to do more of the same and worse.

All of this is most serious for everyone involved in the aforesaid, for under the law, each one is considered a principal in having committed treason.

> "In treason there are no accessories; all who engage in the rebellion at any stage of its existence, or who designedly give to it any species of aid and comfort, in whatever part of the country they may be, stand on the same platform; they are all principals in the commission of the crime; they are all

levying war against the United States." [United States v. Greathouse et al., 26 F. Cas. 18, Case No. 15,254 (October 17, 1863): "FIELD, Circuit Justice (charging jury).]

Many there are who are *not* traitors; and their presence must be made known to the undersigned, and has been made known, not only through natural sight, but through spiritual sight, such as is protected by the Constitution of the United States, under the First Amendment thereof, and as incorporated under the Fourteenth Amendment, applicable to the states, including of course to the State of Florida.

EXHIBIT C Blevins, K.A. (2018, May 14). Correspondence to the United States Congress, RE: CONGRESSIONAL RESPONSE TO NOTICE OF TREASON; Subject: EVERY WARRIOR IN CAMP.

Said letter ends with, "Of the increase of his government and peace there shall be no end . . ." referring of course to Jesus Christ, King of kings and Lord of lords, the one of whom it is written, "And the seventh angel sounded; and there were great voices in heaven, saying, The kingdoms of this world are become the kingdoms of our Lord, and of his Christ; and he shall reign for ever and ever."

So also say we, the undersigned two witnesses to treason committed against the United States and against the Lord God Almighty.

All of these things, and more, were discussed by the undersigned witnesses with the FBI and others during the above-referenced August 17, 2010, recorded telephone conversation.

We declare, certify, verify, and state–with like force and effect as a sworn declaration, certification, statement, oath, or affidavit (28 U.S.C. § 1746)–under penalty of perjury that the foregoing is true and correct.

Executed on this 21st day of July, 2019.

Kimberly Ann Blevins 7-21-19
18060 Owen Drive
Hudson, Florida 34667-6659
kimberly.blevins@gmail.com
(727) 216-8748

Josiah Robert Fornof 7-21-19
18060 Owen Drive
Hudson, Florida 34667-6659
josiah.fornof@gmail.com
Website: josiahrobertfornof.com
(727) 457-9898

RELATED CASES

The following cases are related to this case, State of Florida vs. Kimberly Ann Blevins, Case No. 512017CF004974CFAXWS:

USA v FORNOF 8:10-cr-00396-EAK-MAP, U.S. District Court, Tampa

Elizabeth Johnson -vs- Kimberly A. Blevins, Case No.: 2012DR005008DRAXWS, Sixth Judicial Circuit of Florida, Pasco County

Phillip G. Johnson -vs- Kimberly A. Blevins, Case No.: 2012DR005009DRAXWS, Sixth Judicial Circuit of Florida, Pasco County

State of Florida vs. Kimberly Ann Blevins, Case No. 2017MM005557MMAXWS, Sixth Judicial Circuit of Florida, Pasco County

JURISDICTIONAL STATEMENT

The Defendant pleads as of right under the laws of the state of Florida and of the United States.

The Court has jurisdiction in this case to enforce state law.

Federal law also applies: The Americans with Disabilities Act (ADA).

The Court has jurisdiction in this case to enforce other federal law against the State, which previously waived immunity in the investigation involving local, state, and federal entities that the prosecutors relied upon in prosecuting USA v FORNOF 8:10-cr-00396-EAK-MAP, U.S. District Court, Tampa, a federal case that is tied to this state case, arising from the same facts in both cases. (See the above-referenced August 17, 2010 recorded telephone conversation).

STATEMENT OF PRO SE PLEADING

As this matter has proceeded, the Court has assigned a number of different attorneys to represent the Defendant, who have all shown an unwillingness to be consulted with about the facts as the Defendant understands them, and in fact have turned that around as if working with an attorney is a capacity that she lacks, rather than something that is lacking in these lawyers through ineffective assistance of counsel, *at best*. That has resulted in the Court's Order against which the Defendant is defending herself, including in filing this pleading.

The Defendant has prepared this pleading pro se with the understanding that the law requires the Court to liberally construe such filings:

> Pro se pleadings are to be liberally construed. See Martin v. Overton, 391 F.3d 710, 712 (6 th Cir.2004), citing Haines v. Kerner, 404 U.S. 519, 520-21, 92 S.Ct. 594, 30 L.Ed.2d 652 (1972); Herron v. Harrison, 203 F.3d 410, 414 6th Cir. 2000) (pro se pleadings are held to "an especially liberal standard"); Fed.R.Civ.P. 8(f) ("All pleadings shall be so construed as to do substantial justice").

While the Defendant is filing this in good faith, she also recognizes that she is not a lawyer and may have inadvertently made some error, such as of inclusion or exclusion, or exceeding the allowable page count or word count for such pleadings, some technicality which could hamper the Court from ruling on her Motions, and if that is the case, she requests that the Court immediately appoint her new counsel to assist her in developing her defense in a manner that safeguards and advances her interests.

CERTIFICATE OF SERVICE AND DECLARATION

I HEREBY CERTIFY that a copy of this MOTIONS AND MEMORANDUM OF LAW has been provided via Priority Mail, Certified Mail, Return Receipt Requested, to each of the following at the West Pasco Judicial Center, 7530 Little Road, New Port Richey, Florida 34654:

- ☐ The Honorable Paula S. O'Neil, Ph.D., Clerk & Comptroller, Pasco County
- ☐ The Honorable Kim Campbell, Judge, Sixth Judicial Circuit of Florida
- ☐ The Honorable Bernie McCabe, Office of the State Attorney
- ☐ The Honorable Bob Dillinger, Office of the Public Defender (c/o Neil Keller)

I declare, certify, verify, and state–with like force and effect as a sworn declaration, certification, statement, oath, or affidavit (28 U.S.C. § 1746)–under penalty of perjury that the foregoing is true and correct and that this document MOTIONS AND MEMORANDUM OF LAW is true and correct. Executed on this 21st day of July, 2019.

Superseding Notice: Under duress of Treason, etc.

Kimberly Ann Blevins 7-21-19

Kimberly Ann Blevins

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STATEMENT REGARDING ORAL ARGUMENT

Oral argument is requested.

CASE HISTORY: SUPERSEDING NOTICE OF TREASON

The Defendant, Kimberly Ann Blevins, is charged with Aggravated Stalking, 3F, filed by the State of Florida under Case No. 2017CF004974CFAXWS-04, a charge which emanates from two civil cases: 2012DR005008DRAXWS; 2012DR005009DRAXWS. The misdemeanor case 2017MM005557MMAXWS is also related.

Going back to October 19, 2012, the day of the first hearing of the civil cases from which this case emanates, the Defendant has given the Court notice of treason: four courts, all in the Sixth Judicial Circuit of Florida, West Pasco Judicial Center, with a different judge presiding over each one. Yet, to date, not one of said courts has acted on its reciprocal obligation to try the facts of the Defendant's notice. Such widespread abrogation of duty in the Sixth Judicial Circuit of Florida constitutes a manifest injustice, is shocking to the conscience and has exacted a high human toll, including on the Defendant and her family, who suffer actual immense, immeasurable, and irreparable injury as a result thereof and for whom relief (e.g. 1983) is available when the law arrives. This is most serious, but is not without precedent in the history of the United States.

> And if the condition of either of those states be such that the judicial tribunals of the United States cannot or will not perform their functions, crimes there committed, however atrocious, cannot be punished by the regular administration of justice.
>
> [Charge to Grand Jury -- Treason, 30 F. Cas. 1039, Case No. 18,273 (March 1861): "SPRAGUE, District Judge charging grand jury). It is the duty of the court to give you some instructions upon the criminal jurisprudence of the United States.]

There is a Second Amendment issue where, without lawful excuse, the Court has disarmed the Defendant to where she cannot even defend herself and her fellow citizens if the Court fails to do its job, as continues to be the case in this case, which amounts to a destruction of that right. Part of the destruction of that right is the terror that the Defendant has in even asserting herein in writing that she has that right, given the propensity that the Court has shown thus far in this case in punishing her for making such assertions.

The Defendant's rights are not for her alone: Her fellow citizens have an interest in her right to be a defense, a power, for them against all enemies of the United States, foreign and domestic, and that is the codification of that right which carries throughout the law of our land. Said codification has been under attack in this case since the beginning, when the civil cases were

filed. Even in the civil proceedings of this case, the Court unlawfully deprived the Defendant of her rights not only under the First Amendment, but also under the Second Amendment.

In support of the foregoing, the Defendant directs the Court to *District of Columbia v. Heller,* 554 U.S. 570 (2008) and *McDonald v. City of Chicago*, 561 U.S. 742 (2010) the latter of which includes the following conclusion of law.

> In Heller, we held that the Second Amendment protects the right to possess a handgun in the home for the purpose of self-defense. Unless considerations of state decisis counsel otherwise, a provision of the Bill of Rights that protects a right that is fundamental from an American perspective applies equally to the Federal Government and the States. See Duncan, 391 U.S., at 149, and n. 14, 88 S. Ct. 1444, 20 L. Ed. 2d 491. We therefore hold that the Due Process Clause of the Fourteenth Amendment incorporates the Second Amendment right recognized in Heller. The judgment of the Court of Appeals is reversed, and the case is remanded for further proceedings.
>
> It is so ordered.

In *Heller*, the very reason for the codification of that right was to prevent destruction of the citizen's militia. Josiah Fornof discussed matters related to such concerns in the aforementioned August 17, 2010 recorded telephone conversation.

In this case, the injunctions that the court granted against the Defendant in 2012 and escalated in 2017 are unlawful in themselves, depriving the Defendant of the free exercise of her constitutionally-guaranteed rights, notably as detailed in the First Amendment of the U.S. Constitution. Said injunctions are more than that, however, they are weapons for levying war against the Defendant as a witness to treason and for adhering to enemies of the United States and lending them aid and comfort. U.S. Const. Art. 3 § 3.

Through each court in the Sixth Judicial Circuit of Florida, West Pasco Judicial Center there has been an unlawful escalation of unlawful aggression against the Defendant as a witness to treason, to silence her, and the magnitude is something beyond manifest injustice, exposing not just discrete, overt acts of treason, and not just conspiracy to carry out treasonable acts, but a persistent, invasive, self-propagating culture of treason that grows as it goes and represents a clear, present, enduring, and as revealed through the Court's Order, also a *growing* threat to the common defense.

The United States has an interest in keeping the nation, including of course the Sixth Judicial Circuit of Florida, from becoming a safe harbor for perpetrators of genocide, or other

common enemies of mankind, as discussed in *Kiobel v. Royal Dutch Petroleum Co.*, 569 U.S. 108 (2013):

> The majority also writes, "Pirates were fair game wherever found, by any nation, because they generally did not operate within any jurisdiction." Ibid. I very much agree that pirates were fair game "wherever found." Indeed, that is the point. That is why we asked, in Sosa, who are today's pirates? Certainly today's pirates include torturers and perpetrators of genocide. And today, like the pirates of old, they are "fair game" where they are found. Like those pirates, they are "common enemies of all man-kind and all nations have an equal interest in their apprehension and punishment." 1 Restatement §404 Reporters' Note 1, p. 256 (quoting In re Demjanjuk, 612 F. Supp. 544, 556 (ND Ohio 1985) (internal quotation marks omitted)).See Sosa, supra, at 732. And just as a nation that har-bored pirates provoked the concern of other nations in past centuries, see infra, at 8, so harboring "common enemies of all mankind" provokes similar concerns today.

The Court's granting of the Defendant's motions will help her live to resist certain enemies of the United States which have been working through this case and the aforementioned related cases to permanently deprive her of her rights, including to life itself, and who are doing that in order to silence her forever and to continue to cultivate the aforesaid culture of treason against the Defendant's remaining family, the people of the state and nation (see August 17, 2010, recorded telephone conversation mentioned above).

ARGUMENT

The Court's ORDER ADJUDGING DEFENDANT INCOMPETENT TO PROCEED AND PLACING DEFENDANT ON CONDITIONAL RELEASE, was obtained without the Defendant's knowledge, involvement, or consent, in a manner that is inconsistent with due process, and therefore, said Order is a void judgment.

The Court's Order does not safeguard and advance the Defendant's interests, but rather deeply terrifies her and puts her at unnecessary risk, including of being forced to take psychotropic medications with their potentially lethal side effects and other ongoing and exacerbating threats against the Defendant because of the Order.

The Court's Order is not based on actual facts, and therefore, said Order is void.

MOTIONS

COMES NOW the Defendant, Kimberly Ann Blevins, in the above-captioned case, and respectfully enters the motions enumerated below pro se and in self-defense against said case and within that to the Court's recent ORDER ADJUDGING DEFENDANT INCOMPETENT TO PROCEED AND PLACING DEFENDANT ON CONDITIONAL RELEASE. This case emanates from two civil cases violative of the Defendant's constitutional rights, and said violations have escalated through this case to the aforesaid Order, a clear and present threat to the life and liberty of the Defendant and one not warranted by the actual facts of this case which prove the Defendant's actual innocence.

1. RULE that the Court's ORDER ADJUDGING DEFENDANT INCOMPETENT TO PROCEED AND PLACING DEFENDANT ON CONDITIONAL RELEASE is void.

2. ADJUDGE Defendant competent, including to proceed pro se in filing this Motion.

3. DISMISS current defense counsel due to ineffective assistance of counsel and appoint new counsel if necessary.

4. FIND that the State's discretion to not prosecute treason may not work to deprive Defendant from defending herself from same, and GRANT the Defendant an injunction against the State to prevent more of the same abuse.

5. FIND that there is treason as Defendant has given the Court notice of and that the Court, the State, Defense counsel, the psychiatrists, the Johnsons, et al, are involved in same in this case.

6. OVERTURN AND DISMISS the civil courts' final judgments and this case, which emanates from same, based on continuing constitutional violations against the Defendant and manifest injustice.

The questions posed to the Court by the Defendant through her motions are presented hereinafter, along with facts and law in support of the Court's granting the Defendant's motions.

MEMORANDUM OF LAW

1. WHETHER the Court's ORDER ADJUDGING DEFENDANT INCOMPETENT TO PROCEED AND PLACING DEFENDANT ON CONDITIONAL RELEASE is void.

The Order is disingenuous, not based on actual fact, and the Defendant does not consent to being part of such fraud, but demands moving forward on the basis of the actual facts.

The facts include that the Court itself has recognized the Defendant as competent and has interacted with her as a competent witness, most recently on June 7, 2019, the facts of which stand the test of scrutiny, including as parsed hereinafter.

In *Dusky v. United States*, the Court ruled that in order to stand trial a defendant must have a "sufficient present ability to consult with his lawyer with a reasonable degree of rational understanding" and a "rational as well as factual understanding of the proceedings against him." These are minimum standards according to the due process protection of the Fifth and the Fourteenth Amendments to the Constitution of the United States. That protection was put in place based on a historical reality whereby defendants were being tried and sentenced without even being present. Something tantamount to that has occurred in this case, as discussed more fully hereinafter in relation to the Defendant's third motion, to dismiss current counsel.

On June 7, 2019, during a status check, the Court demonstrated in open court that the Court holds the Defendant competent according to the Dusky standards. Two weeks later, on June 21, 2019, the Court signed said Order adjudging the Defendant incompetent and did so on the basis of the opinions of two psychologists. The Due Process clause does not impose such additional requirements.

> Requiring that a criminal defendant be competent has a modest aim: It seeks to ensure that he has the capacity to understand the proceedings and to assist counsel. While psychiatrists and scholars may find it useful to classify the various kinds and degrees of competence, and while States are free to adopt competency standards that are more elaborate than the Dusky formulation, the Due Process Clause does not impose these additional requirements. Cf. *Medina v. California*, 505 U.S. 437, 446-453 (1992). [*Godinez v. Moran* (1993) No. 92-725].

The Court based its judgment on the requirements that psychologists set for giving their opinions about the Defendant's competency and have not kept with the constitutional requirement under the due process clause, Fifth and Fourteenth Amendments, which again holds that in order to stand trial a defendant must have a "sufficient present ability to consult with his lawyer with a

reasonable degree of rational understanding" and a "rational as well as factual understanding of the proceedings against him." On June 7, 2019, during a status check, the Defendant demonstrated that she meets both constitutional standards, and moreover, then and there the Court acted on same without hesitation.

During said status check, the Court asked the Defendant if she would like to talk about what she had submitted to the Court; said pleading is included herewith as an exhibit.

EXHIBIT D Blevins, K.A. (2019, May 20). NOTICE, PETITION, AND PLEADING IN FIVE PARTS (PRO SE, EX PARTE) to Judge Kimberly Ann Campbell.

The Court identified that letter as dated May 24, 2019. The Defendant clarified that the item she had sent to the Court was dated May 20, 2019, but the Court explained that the item had been entered into the court record on May 24, 2019. That soon in the discussion, say in the first minute, the Defendant exhibited "rational as well as factual understanding of the proceedings" against her and that she possesses "sufficient present ability to consult with" *a* lawyer (which a judge is) "with a reasonable degree of rational understanding". If the Defendant can do that with the judge, on the spot, she can do so with her lawyer.

During that status check, the above-referenced dialog between the Court and the Defendant continued. The Court asked the Defendant if she would like to talk about that letter to the Court then and there, again, demonstrating confidence in the Defendant's competence to do so.

The Defendant responded that she felt blindsided, that her defense attorney had claimed that he had not received her email communications to him about the facts included in said letter and how they relate to the case. In this, the Defendant informed the Court that she had a problem with her lawyer, who to her a few minutes before, had claimed to have not received her emails and questioned what email address she had used in sending them, but when the Defendant mentioned that to the judge, defense counsel said he would have to check to see whether he had received the Defendant's emails, so there was a difference in what he said privately to his client, the Defendant, and what he said to the Court, on the record.

In that part of the conversation with the judge, the Defendant displayed an understanding that talking to the Court is an important decision and one best made after consulting with her lawyer, but that she had not been able to do so, not through some incompetence on her part, but

because of his continuing failure to respond to her communications, even to answer her case-related questions.

> A defendant who pleads not guilty, moreover, faces still other strategic choices: in consultation with his attorney, he may be called upon to decide, among other things, whether (and how) to put on a defense and whether to raise one or more affirmative defenses. In sum, all criminal defendants - not merely those who plead guilty - may be required to make important decisions once criminal proceedings have been initiated. [*Godinez*].

The Court recognized the importance of the Defendant's ability to be able to consult with her attorney and her desire to do so and that the Defendant had such ability to be able to do so with a "sufficient present ability to consult with" her "lawyer with a reasonable degree of rational understanding", and on said basis, asked the Defendant if she would like to reschedule, so that she could discuss the matter with her attorney. The Defendant responded that yes, she would like to do so, and the Court acted on the Defendant's decision by rescheduling that day's status check to August 16, 2019.

The Defendant, at her defense counsel's direction, left the courtroom right after that and went straight upstairs to the Office of the Public Defender and scheduled an appointment to meet with her attorney. Said appointment was set for June 26, 2019. From the lobby of said office, the Defendant called her lawyer and left a message on his voice mail letting him know that she had scheduled said meeting, and she followed that up with an email to him advising him of same.

The above recorded courtroom exchange establishes that the Defendant meets the constitutional standards for competency, as outlined in the above-cited cases, which the Court then acted on, in and for the record. In going forward, the Court and the attorneys involved in this case have the solemn duty to recognize what is in judicial notice.

Yet, the Court itself preempted the Defendant from meeting with her attorney by signing the aforesaid Order on June 21, 2019, and entering same on June 24, 2019, two days before the Defendant could meet with her attorney as scheduled.

The Defendant did not know of the Court's Order until July 13, 2019, when she received a copy of same via regular first-class mail in an envelope from the Office of the Public Defender containing only the Order. She had not received any communication from her attorney about that Order, and the effect on her when she did receive it was terrifying and yet another time when the Defendant has given notice that she has knowledge of the commission of treason by the State of Florida, and those with reciprocal duty to respond to same lawfully, not only failed to do so, but

came on the further attack against her. Again, a copy of said Order is included with Exhibit A, and anyone of sound reason should be able to understand how terrifying that Order is to the Defendant, how generally egregious, the actual facts of this case being what they inescapably are, including in the court record itself; how the Order had its expected terroristic effect on the Defendant and others forced into the position of defending themselves against such threats.

Another aspect discussed during the frequently-referenced August 17, 2010, recorded telephone conversation is the fact that every right in the Bill of Rights has two sides; for example, the Defendant has the right under the Second Amendment to bear arms; but she also has the right to *not* bear arms, to not be forced into the position that she is in, including because of this case, exacerbated by the Court's Order.

DC vs. Heller includes, "Americans understood the 'right of self-preservation' as permitting a citizen to 'repe[l] force by force' when 'the intervention of society in his behalf, may be too late to prevent an injury.' I Blackstone's Commentaries 145-146, n 42 (1803).

The Defendant's July 15, 2019, pleading to the Court, "SUBJECT: VOID JUDGMENT" about the Court's Order, includes:

> When this matter was in civil Court, Judge Lauralee Westine presiding, I gave the Court formal, written notice of the aforesaid witness tampering, notice that includes:
>
> > I AM TERRIFIED FOR MY LIFE! How far will you all go to silence me? The answer to that question resides in the proof what you have done and continue to do unlawfully against me and in the face of my repeated notices.
>
> The Order stands as evidence of how far, *thus far*. Any Court has the obligation to protect my interests, particularly since my interests as a witness to treason are one and the same with the public's interests. Had that Court done so, this matter would not be before this Court now, but the State was involved then, and the State has persisted in unlawfully pushing the whole matter against me, in order to destroy me by destroying my rights, including but not limited to my due process rights, a violation that has been in effect in the above-referenced case since at least as far back as the arraignment on February 28, 2018.

This case poses most serious questions, not only as the Defendant has done so herein for the Court, within the Sixth Judicial Circuit of Florida, but to the United States as a whole.

2. WHETHER the Defendant is competent, including to proceed pro se in filing this Motion.

The Defendant is competent by her own word: 18 U.S. Code § 3481. Competency of accused.

> In trial of all persons charged with the commission of offenses against the United States and in all proceedings in courts martial and courts of inquiry in any State, District, Possession or Territory, the person charged shall, at his own request, be a competent witness. His failure to make such request shall not create any presumption against him.
> (June 25, 1948, ch. 645, 62 Stat. 833.)

The Defendant's disability stems from abuse by the State, and the State having cause same cannot benefit from that by being allowed to abuse the Defendant further, including by going forward with this case in any manner *against* the Defendant, when if the State is seriously about prosecuting crime, including the crime of treason, they should be doing the opposite of what they are doing.

The Americans with Disabilities Act (ADA) presents another dimension to all of the above as well as what follows hereinafter. Title II of the ADA, the "public entity" section, provides that "no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity."

3. WHETHER current defense counsel must be dismissed due to ineffective assistance of counsel and new counsel appointed.

One of the tests of competency is whether the Defendant understands that the court process is an adversarial process: the Defendant does, but in this case, it has been the Court, the State, and the defense counsel combined against her, the Defendant, and that is what the actual facts of this case reveal, including through the details in the court record itself.

In *Strickland v. Washington*, 466 U.S. 668 (1984), is a landmark Supreme Court case setting the standard for being able to tell when a criminal defendant's Sixth Amendment right to counsel is violated by that counsel's ineffective performance. In that case, the Court held that:

> 1. The Sixth Amendment right to counsel is the right to the effective assistance of counsel, and the benchmark for judging any claim of ineffectiveness must be whether counsel's conduct so undermined the proper functioning of the adversarial process that the trial cannot be relied on as having produced a just result. The same principle applies to a capital sentencing proceeding -- such as the one provided by Florida law -- that is sufficiently like a trial in its adversarial format and in the existence of standards for decision that counsel's role in the proceeding is comparable to counsel's role at trial. Pp. 466 U. S. 684-687.

Strickland also includes: "Government violates the right to effective assistance of counsel when it interferes in certain ways with the ability of counsel to make independent decisions about how to conduct the defense." And "Counsel can deprive a defendant of the right to effective assistance of counsel simply by failing to render adequate legal assistance." Certainly, counsel has undermined the Defendant's ability to consult with him and has plowed ahead with his own agenda to have the Defendant adjudged incompetent, thus failing to render adequate legal assistance.

Also, in *Strickland*, "Actual or constructive denial of the assistance of counsel altogether is legally presumed to result in prejudice." Where the Defendant's attorney has claimed to have not received the Defendant's email correspondence, and subsequently working with the Court, and the State to find the Defendant incompetent without even allowing the Defendant to meet the due process requirements for competency and consulting with her attorney, meets those elements of the presumption of prejudice.

4. **WHETHER the State's discretion to not prosecute treason may work to deprive Defendant from defending herself from same.**

Linda R.S. v. Richard D. 410 US 614, 35 L Ed 2d 536, 93 S Ct 1146, contains some details that are relevant to this case. For example:

> A citizen lacks standing to contest the policies of prosecuting authorities when he himself is neither prosecuted nor threatened with prosecution.

By extension, a citizen who is under prosecution and under threat of prosecution, as the Defendant is, does have standing to contest the policies of prosecuting authorities. In fact, in emailed correspondence dated December 13, 2018, that the Defendant sent to her attorney, she pointed this out and asked him to look into that in preparation for the June 7, 2019 status check. Her email to him includes:

> It seems in the months between now and June there is a golden opportunity I have never had before now. The State, by continuing to drag this out and keep holding me under criminal prosecution/threat of criminal prosecution has put the State -- specifically Bernie McCabe -- in a position whereby as a private person I can legally prosecute him for his crimes, as well as those who have aided and abetted him for their crimes, and it seems that I can do that in this Court now.

Said email is entitled, "Under Criminal Prosecution/Threat of Criminal Prosecution," and is one of many such emails that the Defendant's attorney claims not to have received, and is among the many issues that Defendant laid out in the emails that her attorney has worked to prevent her from consulting him about, including in working to have the Defendant adjudged incompetent before she could even meet with him to consult with him about those issues.

The Defendant hand delivered a letter dated June 26, 2019 to her defense counsel (included in Exhibit B), and in that letter, directed him to read what she had already sent to him, which includes the email above, and to get back with her about that, in writing. His failure to do that is another example of how he has worked to prevent the Defendant to consult with him about anything relevant to the case which does not fit with his pre-established agenda to have the Defendant adjudged incompetent, a trajectory established by the previous attorney, who then left the public defender's office to go into private practice.

5. **WHETHER to FIND that there is treason as Defendant has given the Court notice of and that the Court, the State, Defense counsel, the psychiatrists, the Johnsons, et al, are involved in same in this case.**

Each of the individuals/entities listed above is part of "Whoever, owing allegiance to the United States and having knowledge of the commission of any treason against them". The fact remains that the Defendant has done her part in giving notice, including to all of the aforesaid, that she has knowledge of the commission of treason against the United States committed by the State of Florida, et al. The above-referenced ones, however, have not shown that they have responded to the Defendant's said notice as each of their own reciprocal duties requires. [18 U.S. Code § 2381, et seq., including 2382. Misprision of treason. F.S. 876 et seq.].

6. **WHETHER to OVERTURN AND DISMISS the civil courts' final judgments and this case, which emanates from same, based on continuing constitutional violations against the Defendant and manifest injustice.**

The civil cases from which the present criminal case emanates resulted in an injunction against the Defendant which is violative of her rights, including under the First Amendment, enforceable through the due process clause of the Fourteenth Amendment. The injunction itself represents a prior restraint on the Defendant's writing. In *Near v. Minnesota*, 283 U.S. 697 (1931) the Court decided that such government censorship in advance is unconstitutional.

The Defendant's sincerely held religious beliefs are not subject to anyone's deeming her incompetent or delusional or any such thing because she holds said beliefs; all is protected under the First Amendment.

> Thomas v. Review Board, Indiana Employment Security Division, 450 U.S. 707, 714, 101 S. Ct. 1425 (1981); Searles v. DeChant, 393 F.3d 1126, 1131 n.6 (10th Cir. 2004) ("It is not within the judicial ken to question the centrality of particular beliefs or practices to a faith, or the validity of particular litigants' interpretations of those creeds." (citation omitted));

In prosecuting this case against the Defendant, the State has gone where the State is not allowed to go concerning her religious beliefs and practices and has dictated to her what she means by the aforesaid, in other words, has interpreted same for her.

The Court is not an arbiter of scriptural interpretation.

> Thomas v. Review Board, Indiana Employment Security Division, 450 U.S. 707, 715–16, 101 S. Ct. 1425 (1981) (religious freedom "is not limited to beliefs which are shared by all of the members of a religious sect"; "it is not within the judicial function and judicial competence to inquire whether the petitioner or his fellow worker more correctly perceived the commands of their common faith. Courts are not arbiters of scriptural interpretation.");
>
> Boston, John. Prisoners' Self-Help Litigation Manual . Oxford University Press. Kindle Edition.

Yet, as this case has progressed through civil court to criminal court, the Sixth Judicial Circuit, regardless of the judge involved at the time, has shown prejudice against the Defendant in regard to her practice of her religion, while at the same time preferring the ones who filed suit against her in the practice of their religion.

The *Thomas* case also includes: "It is not the place of the courts to deny a man the right to his religion simply because he is still struggling to assimilate the full scope of its doctrine."

The Defendant's religious beliefs inform her view that the evil that she witnessed at SonCoast Pentecostal Church when she and her family were members there and the evil that she and Josiah Fornof discussed with the FBI and others during the above-referenced, telltale August 17, 2010, recorded telephone conversation are one and the same; namely: the great dragon, that old serpent, called the Devil, and Satan, which deceives the whole world (Rev. 12:9; 20:2).

Listen to the December 13, 2012 hearing on the civil cases, when Judge Patricia Ann Muscarella actually forbade the Defendant to write about the dragon, something which the Defendant is certainly entitled to do under the Constitution of the United States.

The U.S. Constitution includes a very precise definition of treason, the only crime that is so defined therein. That definition appears in Art. 3 § 3, which is known as The Treason Clause:

> Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.
>
> The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted.

The elements of what constitutes levying war are clearly identified in the law, and the Defendant presented many of those in her August 8, 2018, PETITION FOR THE WAR TO CEASE (PRO SE) which the Court did not hear because she was represented at that time by counsel. Rather than picking up such affirmative defense on the Defendant's behalf, defense counsel continued to pursue an incompetency claim, which he had introduced without her knowledge or consent. He told the Defendant that he was doing that because she kept claiming to be a witness to treason committed by the State of Florida, et al.

In other words, the Defendant's own lawyer's filing for the court order to have her evaluated for competence to proceed was an act of levying war against the United States because it cannot have been anything else. It was not just denying the Defendant her due process rights; it was denying the United States the Defendant and her testimony to treason as a resource for the defense of same and otherwise as necessary to the defense of a free state.

Such facts, including adjudicative facts, abound in this case, yet in contravention of all of that, the Court, the defense counsel, and the State have gotten together and to develop and execute the Court's Order.

The law holds that:

> If a body of men be actually assembled to effect by force a treasonable purpose, all those who perform any part, however minute, or however remote from the scene of action, and who are actually leagued in the general conspiracy, are to be considered guilty of treason. [Charge To Grand Jury -- Neutrality Laws and Treason, 30 F. Cas. 1024, Case No. 18,269 (October 15, 1851): "CURTIS, Circuit Justice (charging grand jury).]

In this case and all of the above-referenced cases related to same, the elements of "actually assembled" and "to effect by force a treasonable purpose" have been present, as have many other of the elements of treason, as established in the law.

In the civil cases which preceded this case: The final judgment issued in late 2012 by Judge Patricia Ann Muscarella against the Defendant, said judgment upheld in early 2013 by Judge Kimberly Ann Campbell, is a weapon of warfare in levying war against the United States. Said injunction as it was enhanced in civil court by Judge Lauralee Westine in 2017 is a weapon of warfare in levying war against the United States. In this case, the Court's Order is a weapon of warfare in said war as well. All of the aforesaid weapons are part of the arsenal that the Defendant refers to repeatedly in her writing as the "unlawful escalation of unlawful aggression" a term that she used yet again in her May 20, 2019, pleading included as an exhibit herein.

The Order is not only a weapon of war for depriving the Defendant of her rights, and concomitantly depriving her fellow citizens of her as a resource for them, including as a witness to treason, but is also a tool of torture to attempt to deprive her of the very basic qualities of respect and dignity to which she is entitled. Such, as a hallmark tool of torture against the Defendant, et al, was discussed in the aforementioned August 17, 2010, recorded telephone conversation.

Again, all of this is most serious for everyone involved in the aforesaid, for under the law, each one is considered a principal in having committed treason.

> "In treason there are no accessories; all who engage in the rebellion at any stage of its existence, or who designedly give to it any species of aid and comfort, in whatever part of the country they may be, stand on the same platform; they are all principals in the commission of the crime; they are all levying war against the United States." [United States v. Greathouse et al., 26 F. Cas. 18, Case No. 15,254 (October 17, 1863): "FIELD, Circuit Justice (charging jury).]

WHEREFORE, the Defendant pleads with the Court for the following relief sought.

RELIEF SOUGHT

1. RULE that the Court's ORDER ADJUDGING DEFENDANT INCOMPETENT TO PROCEED AND PLACING DEFENDANT ON CONDITIONAL RELEASE is void.

2. ADJUDGE Defendant competent, including to proceed pro se in filing this Motion.

3. DISMISS current defense counsel due to ineffective assistance of counsel and appoint new counsel if necessary.

4. FIND that the State's discretion to not prosecute treason may not work to deprive Defendant from defending herself from same, and GRANT the Defendant an injunction against the State to prevent more of the same abuse.

5. FIND that there is treason as Defendant has given the Court notice of and that the Court, the State, Defense counsel, the psychiatrists, the Johnsons, et al, are involved in same in this case.

6. OVERTURN AND DISMISS the civil courts' final judgments and this case, which emanates from same, based on continuing constitutional violations against the Defendant and manifest injustice.

Defendant also asks for relief that the Court otherwise deems appropriate.

EXHIBIT A

Professor Kimberly Ann Blevins
18060 Owen Drive
Hudson, FL 34667-6659

July 17, 2019

VIA FOIAONLINE.GOV

Director, Office of Information Policy (OIP)
United States Department of Justice
Suite 11050
1425 New York Avenue, NW
Washington, DC 20530-0001

RE: DOJ-AP-2019-004932
Subject: FORNOF, JOSIAH ROBERT

Dear Director, OIP:

SUBJECT: RECONSIDERATION OF REQUEST TO EXPEDITE

The above-referenced request was entered by me on May 27, 2019, giving as the basis for my appeal the following statement of fact: "The records requested are evidence of treason and misprision of treason committed by and through the United States governing bodies, top to bottom, across the board, federal, state, local, commencing and continuing contiguously from at least as far back as September 11, 1986."

At that time, I asked the OIP to expedite my request. The OIP quickly denied my request to expedite, but has continued with the request itself, which is currently in the "Processing" phase, on the "Complex" track. I request that the OIP reconsider my request to expedite in view of a threat against my life and liberty arising from a court in the Sixth Judicial Circuit of Florida: ORDER ADJUDGING DEFENDANT INCOMPETENT TO PROCEED AND PLACING DEFENDANT ON CONDITIONAL RELEASE, which was signed on June 21, 2019, and entered into the court record on June 24, 2019. A copy of said order is enclosed. The records that I have requested from the OIP are critical to my defense in that case, including to preserving my life and liberty.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this day, the 17th day of July, 2019, in Pasco County, Florida, United States of America.

Superseding notice: Under duress of treason, etc.

Professor Kimberly Ann Blevins, Witness/Victim 7/17/19, 1:11 PM

Josiah Robert Fornof, Witness/Victim 7/17/19, 1:10 PM
(see: josiahrobertfornof.com)

IN THE CIRCUIT COURT FOR PASCO COUNTY, FLORIDA
2017CF004974CFAXWS-04

STATE OF FLORIDA

v.

KIMBERLY ANN BLEVINS

ORDER ADJUDGING DEFENDANT INCOMPETENT TO PROCEED AND PLACING DEFENDANT ON CONDITIONAL RELEASE

The foregoing cause coming on this day to be heard before this Court, and the questions of the competency of the Defendant to proceed in this cause having been raised in accordance with the provisions of FLA. R. CRIM. P. 3.211(a) and § 916.12, FLA. STAT., and the Court having appointed Richard F. Cipriano, Psy.D. and Valerie R. McClain, Psy.D. to examine the Defendant and to report to the Court on whether the Defendant is competent to proceed and, if not, to report on any recommended treatment for the Defendant to attain competence to proceed. The Court having received written reports of the above named experts in relation to the issue of the Defendant's competency to proceed and need for treatment, the Court hereby makes the following Findings of Facts and Conclusions of Law:

FINDINGS OF FACTS

1. The Defendant is charged with Aggravated Stalking, 3F.

2. The Defendant was evaluated by Dr. Cipriano on June 6, 2018, who rendered the opinion that the Defendant is incompetent to proceed.

3. The Defendant was evaluated by Dr. McClain on November 13, 2018, who rendered the opinion that the Defendant is incompetent to proceed.

3. The State and Defendant stipulate to the findings of the evaluation. Based on the stipulation, the court found the defendant incompetent to proceed.

CONCLUSIONS OF LAW

1. The Defendant is incompetent to proceed due to the Defendant's mental illness as defined in § 916.106(11), FLA. STAT.

2. The Defendant is incompetent to proceed with pre-trial hearings, entry of a plea, the trial of the case, sentencing, violation of probation or community control proceedings, hearings on issues regarding a defendant's failure to comply with court orders or conditions, and any other matters where the mental competence of the defendant is necessary.

nic

3. The Defendant does not meet the criteria for commitment to a treatment facility of the Department of Children and Families as provided in § 916.13(1), FLA. STAT., but is in need of case managed treatment to restore competency to proceed.

Based upon the FINDINGS OF FACTS and CONCLUSIONS OF LAW, it is

ORDERED AND ADJUDGED that:

1. The Defendant is incompetent to proceed due to the Defendant's mental illness as defined in § 916.107(11), FLA. STAT. and all further proceedings are hereby stayed.

2. The Defendant does not meet the criteria for commitment to a treatment facility of the Department of Children and Families as provided in § 916.13(1), FLA. STAT. (Supp. 1998), but is in need of case managed treatment to restore competency to proceed.

3. Accordingly, the Defendant is hereby released, pursuant to § 916.17, FLA. STAT. (Supp. 1998) and FLA. R. CRIM. P. 3.212(d). The Defendant is directed to BayCare Behavioral Health for mental health services.

4. The Defendant's forensic case manager, James Pope, will prepare a conditional release plan for the Defendant and submit said plan to this Court no later than 15 days from the date of this Order.

5. Conditions of the Defendant's release will include:

a. The Defendant will remain in case managed treatment for her mental illness during her conditional release period. Such treatment will be provided by the BayCare Behavioral Health. All aspects of her treatment will be coordinated by her assigned case manager; James Pope.

b. The Defendant will take psychotropic medication as prescribed by her attending psychiatrist and attend all scheduled psychiatric and/or psychological case management appointments coordinated by her case manager, or an authorized representative of BayCare Behavioral Health.

c. The Defendant use illegal substances of any kind and she must submit to periodic blood or urinalysis as directed by her case manager or BayCare Behavioral Health, authorized personnel.

d. The Defendant may be hospitalized on a voluntary or involuntary status in a local psychiatric or medical facility, should her health deteriorate and she meets the criteria for admission to hospitalization.

4. The case manager and BayCare Behavioral Health, will provide the Court with periodic reports regarding compliance with the conditions of release and her progress in treatment. These reports will be submitted every six months or as required by the Court.

5. The Court hereby retains jurisdiction in this cause, pursuant to § 916.16, FLA. STAT. (Supp. 1998), for the entry of such Order as may be necessary or appropriate.

6. A status check on the defendant's placement is scheduled for August 16, 2019 at 9:00 a.m.

DONE AND ORDERED at New Port Richey, Pasco County, Florida, nunc pro tunc to January 4, 2018, this 21st day of June, 2019.

CIRCUIT JUDGE

COPIES TO:
Public Defender - NK/jmw
State Attorney

Treatment Agency:
BayCare Behavioral Health

Case Manager:
James Pope

EXHIBIT B

Kimberly Ann Blevins
18060 Owen Drive
Hudson, FL 34667-6659

July 15, 2019

VIA PRIORITY MAIL, CERTIFIED MAIL, RETURN RECEIPT REQUESTED

The Honorable Paula S. O'Neil, Ph.D.
Clerk & Comptroller, Pasco County
West Pasco Judicial Center, Room 313
7530 Little Road
New Port Richey, Florida 34654

RE: STATE OF FLORIDA V. KIMBERLY ANN BLEVINS
CASE NO. 512017CF004974CFAXWS, SECTION 4

Dear Dr. O'Neil:

SUBJECT: VOID JUDGMENT

The Court's ORDER ADJUDICATING DEFENDANT INCOMPETENT TO PROCEED AND PLACING DEFENDANT ON CONDITIONAL RELEASE, was obtained without my knowledge, involvement, or consent, in a manner that is inconsistent with due process, and therefore, said Order is a void judgment.

Please file this cover letter and the attached supporting three pages of correspondence in the above-referenced case file and distribute the enclosed three copies to each of the following:

- ☐ The Honorable Kimberly Ann Campbell, Judge, Sixth Judicial Circuit of Florida
- ☐ The Honorable Bob Dillinger, Public Defender, via his agent Neil Keller
- ☐ The Honorable Bernie McCabe, State Attorney, via his agent assigned to the above case

The above-referenced case is inextricably tied to a federal case, USA v. Josiah Fornof 8:10-cr-00396-EAK-MAP, U.S. District Court, Tampa, in regard to which the State waived sovereignty; therefore, the Court has jurisdiction to enforce federal law, such as 18 U.S. Code § 3481. Competency of accused. I do request to be a competent witness, such as is consistent with my standing in this Court as a judicially-cognized witness to treason and misprision of treason committed by the State, et al. and with the Court's recognizing me as competent to speak and make decisions on my own behalf as occurred during court on June 7, 2019.

Josiah Fornof, my son, is also a witness to said treason based on the same overt acts as in my testimony, and he is to be listed as a witness in the above-referenced case. **Our testimonies are constitutional proof of treason.** The unlawful state case against me and the unlawful federal case against Josiah Fornof each constitutes tampering with a federal witness and therefore meets the criterion of high treason which is "a usurpation of the authority of the federal government." In continuing to unlawfully prosecute the above-referenced case against me, and particularly as evidenced in the aforesaid Order, the State is usurping the authority of the federal government to obtain a conviction for treason, according to the constitutional requirement.

Neither my testimony to treason nor Josiah Fornof's testimony to treason is based on delusion, as has been falsely and formally alleged in my case, but to my knowledge has not been so alleged in his case. The Court cannot review delusion. Our testimonies are actual, factual, and in each case supported by evidence, which the Court can review, and due process under the Fifth Amendment and as applies to the State under the Fourteenth Amendment, requires such trying of the facts.

When this matter was in civil Court, Judge Lauralee Westine presiding, I gave the Court formal, written notice of the aforesaid witness tampering, notice that includes:

> I AM TERRIFIED FOR MY LIFE! How far will you all go to silence me? The answer to that question resides in the proof what you have done and continue to do unlawfully against me and in the face of my repeated notices.

The Order stands as evidence of how far, *thus far*. Any Court has the obligation to protect my interests, particularly since my interests as a witness to treason are one and the same with the public's interests. Had that Court done so, this matter would not be before this Court now, but the State was involved then, and the State has persisted in unlawfully pushing the whole matter against me, in order to destroy me by destroying my rights, including but not limited to my due process rights, a violation that has been in effect in the above-referenced case since at least as far back as the arraignment on February 28, 2018.

I direct the Court to move immediately to seize any and all evidence supporting the aforesaid prosecution of treason against the State, et al, before they destroy any more of said evidence than they have already destroyed.

Superseding notice: Under duress of treason, etc.,

Kimberly Ann Blevins
July 15, 2019

Kimberly Ann Blevins

Enclosures: 3

Gmail

Kimberly Blevins <kimberly.blevins@gmail.com>

ORDER ADJUDGING DEFENDANT INCOMPETENT . . .

2 messages

Kimberly Blevins <kimberly.blevins@gmail.com>
To: Neil Keller <neilkeller@co.pinellas.fl.us>
Cc: bmccabe@co.pinellas.fl.us, kcampbell@jud6.org

Sat, Jul 13, 2019 at 11:58 PM

RE: State of Florida vs. Kimberly Ann Blevins,
Case No. 512017CF004974CFAXWS, Section 4

Dear Mr. Keller:

Attached herewith is correspondence to you dated July 13, 2019, pertaining to an item of mail that I received earlier today from the Office of the Public Defender, an order entitled, ORDER ADJUDGING DEFENDANT INCOMPETENT TO PROCEED AND PLACING DEFENDANT ON CONDITIONAL RELEASE.

Be reminded that on June 7, 2019, the Court recognized me as competent to discuss with my attorney how I would develop my defense and allowed time for that by rescheduling the court date to August 16, 2019. At your instruction on said date, I went straight upstairs to the Office of the Public Defender and scheduled an appointment to meet with you face-to-face on June 26, 2019, whereupon I left you a voicemail informing you that said appointment had been set, and I followed that up with an email. The aforementioned order is dated June 21, 2019, indicating that before I could even talk to you, which is what the rescheduled court date was for, you and the State had gotten together with the Court and had obtained the aforesaid Order, which contains the statement, "The State and Defendant stipulate to the findings of the evaluation. Based on the stipulation, the court found the defendant incompetent to proceed." I never authorized that stipulation, and in fact, that is the direct opposite of what I have instructed you to do in representing me!

All of these machinations are cause of grave concern to me as they are indication of desperation and by people in such powerful positions at that.

If you continue to fail to represent me as I have instructed you to do so, including via my hand-delivered letter dated June 26, 2019 to you (copy attached), then by copy of this correspondence to the Court and the State, the Court may construe this as an ineffective assistance of counsel claim in that your interests so far deviate from my interests and my lawful direction to you according to the facts as I understand them that it has irreparably prejudiced me in this case, mainly in that you, working with the State, have falsely claimed that I, a competent person, am incompetent, without even giving me an opportunity to reasonably communicate with my attorney according to the aforesaid facts.

Superseding notice: Under duress of treason, etc.

Kimberly Ann Blevins
18060 Owen Dr, Hudson, FL 34667

(727) 216-8748 (home)
(727) 808-3227 (cell)
(318) 215-7774 (Google Voice)

The sender has requested a read receipt. If you do not wish to provide one, click here.

2 attachments

Kimberly Ann Blevins
18060 Owen Drive
Hudson, FL 34667-6659

July 13, 2019

VIA EMAIL AND PRIORITY MAIL, CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Neil Keller, Assistant Public Defender
Office of the Public Defender
West Pasco Judicial Center
7530 Little Road
New Port Richey, Florida 34654

RE: State of Florida vs. Kimberly Ann Blevins,
Case No. 512017CF004974CFAXWS, Section 4

Dear Mr. Keller:

Earlier today, I received a piece of mail from the Office of the Public Defender via First Class Mail: a copy titled ORDER ADJUDGING DEFENDANT INCOMPETENT TO PROCEED AND PLACING DEFENDANT ON CONDITIONAL RELEASE, signed by Judge Kimberly Ann Campbell and dated June 21, 2019. Said order is inconsistent with what occurred in court on June 7, 2019, when the Court *acknowledged that I am competent and acted upon that fact*! At the time that the Court did so, the judge had long since had in hand the opinions of Dr. Cipriano and Dr. McClain, the two court-appointed professionals mentioned in the aforesaid order, an order which does not include any new facts. Said opinions do not in any manner supersede my constitutionally guaranteed rights under the Fifth Amendment, by which the State is bound through the Fourteenth Amendment:

> Requiring that a criminal defendant be competent has a modest aim: It seeks to ensure that he has the capacity to understand the proceedings and to assist counsel. While psychiatrists and scholars may find it useful to classify the various kinds and degrees of competence, and while States are free to adopt competency standards that are more elaborate than the Dusky formulation, the Due Process Clause does not impose these additional requirements. Cf. *Medina v. California*, 505 U.S. 437, 446-453 (1992). [*Godinez v. Moran* (1993) No. 92-725].

The aforesaid order is a void judgment. Your hands are not tied from defending me, including as I have instructed you to do so in my letter dated June 26, 2019, which I hand delivered to you, and I stand by the directions that I have given you, including via said letter.

Superseding notice: Under duress of treason, etc. . . .

Kimberly Ann Blevins
July 13, 2019

Kimberly Ann Blevins

Kimberly Ann Blevins
18060 Owen Drive
Hudson, FL 34667-6659

June 26, 2019

VIA HAND DELIVERY

Neil Keller, Assistant Public Defender
Office of the Public Defender
West Pasco Judicial Center
7530 Little Road
New Port Richey, Florida 34654

RE: State of Florida vs. Kimberly Ann Blevins,
Case No. 512017CF004974CFAXWS, Section 4

Dear Mr. Keller:

This is to provide you with the following direction to make best use of our limited time in our face-to-face meeting scheduled for today, June 26, 2019, at 10:00 AM EDT.

1. Commencing immediately, cease basing my defense on the development of any question of my competence; such defense is disingenuous as it is not the case.

2. Develop my defense on the basis of what I have already communicated to you in writing, and apprise me of your progress, in like manner, in writing.

3. Reschedule another meeting with me before the next court date, August 16, 2019, so that you and I can go over how you have progressed with the aforesaid.

After scheduling this meeting with you, I discovered that it conflicts with my standing bi-weekly trip to the free food pantry. I need to limit this meeting so that I can make it to the food pantry before it closes and obtain food to eat for the next two weeks.

Superseding notice of duress of treason, etc. . . .

Kimberly Ann Blevins

Kimberly Ann Blevins June 26, 2019

EXHIBIT C

Kimberly Ann Blevins
18060 Owen Drive
Hudson, Florida 34667-6659

May 14, 2018

VIA EMAIL

Committee on Oversight & Government Reform
United States House of Representatives
2157 Rayburn House Office Building
Washington, DC 20515

Committee on the Judiciary
United States House of Representatives
2138 Rayburn House Office Bldg
Washington, DC 20515

RE: CONGRESSIONAL RESPONSE TO NOTICE OF TREASON

Dear Committee Member:

Subject: EVERY WARRIOR IN CAMP

Something rather amazing happened on Sunday, April 29, 2018. I have not written of it before now because I did not know what to make of it. That changed this past Friday as I was out and about running some errands. Jesus said[1] that the meaning has to do with, "Every warrior in camp," and what I wrote about that years ago, on November 9, 2008.

That Sunday morning, I emailed my letter dated April 29, 2018, and entitled, "The Word of God," to you. That was at 6:06 AM. After that, I wrote and published two blog posts, "Mysteries of the Deep," where I wrote about the mail I had received from the House Judiciary Committee the day before, and about "Deep State," and the other blog post, "My God Fights for Me and Thee," consisting only of the music video for the song, "My God Fights for Me."[2]

What happened on April 29th is that around nine or ten o'clock in the morning, I heard sirens all over the place near my home. The sirens were coming from the direction of U.S. Highway 19, which is about one quarter of a mile from my home. A half an hour or so after that, my granddaughter and her friend left to go to a place where they like to hike. Within a very short time, they returned and they told me that a couple of Pasco County Sheriff's vehicles were blocking our private road, Owen Drive and had not left enough room for them to drive around them to get out.

I walked down our long driveway to shut the gate, and just as I did so, a sheriff's pickup truck, lights going, was approaching from the south. I was already walking back toward the house when they drove past my property and on to my next-door neighbor's property but did not stay long.

As the morning progressed, we went out driving and observed *many* sheriff's vehicles, blocking the entrances to every neighborhood along they highway, parked alongside the highway, both sides, and also on the median.

Helicopter presence was non-existent.

That day, and over the next several days, I was unable to find out what that was all about through any conventional sources. It just seemed like a grand display of some sort. It was anyone's guess *what* was being displayed. Although my natural inclination is to hope for the best, I did not know for sure, so I waited. Then, last Friday, almost two weeks later, Jesus reminded me of what I had written long ago about, "Every warrior in camp…" and said that is the meaning behind the sheriff's display.

The Holy Spirit leads me moment by moment and builds my spiritual understanding incrementally. In November 2008, I had been thinking about *Jehovah Sabaoth,* the *Lord of Hosts,* or *Armies.* In these letters to you, I am only able to present snapshots of those leadings, but I pray that through those tiny glimpses you are able to begin to see and to sense the substance of my life story, of my testimony. As that happens, also incrementally, your own story, your testimony, will come into sharper focus, with much higher definition than ever before. That is the character and quality of my story.

Nearly ten years ago, I wrote about the spiritual insight that I had gained through a scene from the movie *Dances with Wolves* where Kicking Bird is talking to his adult adopted white daughter Stands-with-a-Fist about serving as interpreter between himself and Lt. Dunbar. Stands-with-a-Fist is absolutely terrified to do that.

Stands-with-a-Fist:

I am afraid of the white man
at the fort.

I am afraid he will tell others
that I am here.

I am afraid they will
try to take me away.

I've heard they
take people away.

Kicking Bird:

Every warrior in camp would fight them if they tried.

I have thought about that, "Every warrior in camp would fight them if they tried," in terms of how the Lord is moving among His own, including to raise up a great cloud of witnesses to Himself, to protect you and me, and the precious seed we bear.

I pictured the dragon (the devil working in powers) showing up here on "Rose Hill," my home, to "Ruby-Ridge-style" annihilate me and mine and ours. I thought about the tens of thousands of angels I feel protecting me at all times, as I have mentioned before in other blogs.

Then, I pictured the boundaries of my property, my home, surrounded by "every warrior" in the Lord of Host's camp, surrounding me with an impenetrable wall of human shields. It may or may not come to such as that, but if it does, I could picture saints streaming here from the four corners of the globe, by whatever means of transportation, and the host building. I pictured that here, but it could happen anywhere.

Indeed, it *is* happening right there in the United States Congress, and that too is fulfillment of what I wrote about in, "Death is Swallowed up in Love," one of the exhibits I included with my April 23, 2018, letter to you, "Swallowed up in Love."

Whatever was behind the sheriff's display in the natural on April 29, 2018, the spiritual meaning is, "Every warrior in camp would fight them if they tried," and the hosts the Lord has prepared to protect and provide for me and beyond that, to bless me, which requires my blessing them first, as I am doing through my writing. Bless means increase, and "Of the increase of his government and peace there shall be no end…"

(Notice) under duress of Treason (imputed by law),

Kimberly Ann Blevins
May 14, 2018, 6:52AM

Kimberly Ann Blevins

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[1] Friday, May 11, 2018, 10:29 AM EDT, insight about, "Every warrior in camp."
[2] "My God Fights for Me," (feat Micah Tyler, Kaden Slay, Charity Gayle) at: https://www.youtube.com/watch?v=JezG-ZNQXfE

EXHIBIT D

Kimberly Ann Blevins
18060 Owen Drive
Hudson, FL 34667-6659

May 20, 2019

VIA PRIORITY, CERTIFIED MAIL, RETURN RECEIPT REQUESTED

The Honorable Kimberly Ann Campbell
Judge, Sixth Judicial Circuit of Florida
West Pasco Judicial Center
7530 Little Road
New Port Richey, Florida 34654

RE: STATE OF FLORIDA V. KIMBERLY ANN BLEVINS
CASE NO. 512017CF004974CFAXWS, SECTION 4

Dear Judge Campbell:

SUBJECT: NOTICE, PETITION, AND PLEADING IN FIVE PARTS (PRO SE, EX PARTE)

This is a pro se[1] and an ex parte notice, petition, and pleading in five parts: I am not, at this time, represented by anybody. The five parts of this filing are:

1. NOTICE THAT I AM NOT REPRESENTED BY COUNSEL
2. NOTICE OF DISABILITY
3. NOTICE OF TREASON
4. ACTION FOR DECLARATORY AND INJUNCTIVE RELIEF
5. MOTION FOR APPOINTMENT OF NEW COUNSEL

The Court's lawful response to this filing will serve the interest of justice, and also will serve to reduce the strain on the judicial resources in later litigation as well as to prevent a manifest injustice, or manifest error. I ask the Court to rule first on my Action for Declaratory and Injunctive Relief and then after that on my Motion for Appointment of New Counsel.

Well over a year ago, on April 24, 2018, the Court set a precedent in the above-referenced case for recognizing my pro se, ex parte communication. On said date, during a pretrial conference in the above-referenced case, the Court recognized my ex parte notice of treason and thus formalized my standing as a judicially-cognized witness to treason committed by the State of Florida, et al, but the State has not proceeded consistent with the Court's said demarcation in this case.

[1] Pro se pleadings are to be liberally construed. See *Martin v. Overton*, 391 F.3d 710, 712 (6 th Cir.2004), citing *Haines v. Kerner*, 404 U.S. 519, 520-21, 92 S.Ct. 594, 30 L.Ed.2d 652 (1972); *Herron v. Harrison*, 203 F.3d 410, 414 6th Cir. 2000) (pro se pleadings are held to "an especially liberal standard"); Fed.R.Civ.P. 8(f) ("All pleadings shall be so construed as to do substantial justice").

EX PARTE PRECEDENT

The rule of law, including the law of notice, applies to the above and to all that follows hereinafter.

On December 4, 2018, during a pretrial conference in the above-referenced case, the bailiff admonished all present to *not* write to the judge. That captured my attention: I have written to the judge quite a bit, and with good reason. He said everyone wants to write to the judge, but do not do it because she will not read it. I knew that this Court, this judge has not only received and read my ex parte correspondence, but has even entered same into the court record in open court. When a judge waives her Court's own rules to do such as that, then that is something worth looking at closely, with understanding and respect for the full legal effect of same. That's how the law sees it, and I agree with the law.

As a witness to treason, I am a resource for the people, including of course for the jury. The Court recognized that on April 24, 2018, during a pretrial conference. Early on said date, at or about 12:23 AM, I sent an ex parte email to the Court, to Judge Kimberly Ann Campbell, which begins:

> Treason is the highest crime, the most serious offense against the United States. For that reason, it is utterly appropriate that I communicate with you ex parte about Case No. 2017CF004974CFAXWS SECTION 4 which is rife with acts of treason and treasonable acts and always has been, as I have informed the Court repeatedly from the very first hearing on the related civil matters, on October 19, 2012.

Later that morning, during a pretrial conference, the Court recognized and entered into the court record another of my ex parte letters to the Court, a notice dated April 18, 2018 and its attachments, which I had sent to Judge Kimberly Ann Campbell via Priority Mail, Certified Mail, Return Receipt Requested, with a courtesy copy sent in like manner to Pasco County Sheriff Chris Nocco. Said letter is "RE: 2017CF004974CFAXWS SECTION 4" (the case referenced above) and which has the subject line, "Treason and Misprision of Treason" and begins:

> The above-referenced case and entire matter is rife with countless acts of treason and misprision of treason. Nothing that the State of Florida has unlawfully conjured up or has artfully and craftily constructed against me can ever have survived the State's own treason and misprision of treason.

My giving such notice is consistent with the requirements of 18 U.S. Code § 2382 – Misprision of treason and Florida Statute 876.33 – Misprision of treason. I did my part, consistent with the law.

The Court conveyed my notice to the State, which is responsible for prosecuting crime, including of course, the crime of treason, and to the Defense, which is responsible for safeguarding and advancing my interests, which in this matter are inseparable from the people's interests in the security of a free state. Neither the State nor the Defense moved forward consistent with their said primary obligations.

NOTICE THAT I AM NOT REPRESENTED BY COUNSEL

This notice is to prevent from happening with this filing what has happened previously, where counsel has been appointed or changed without my knowledge and the Court would not hear my motions because I was represented. Court-appointed counsel Neil Keller has abandoned me, and I state emphatically that I am not, at this time, represented by anybody.

My aforesaid prior motions with the Court, which the Court would not hear because I was represented, are as follows: 1) Motion to Halt Prosecution, dated June 20, 2018; 2) Motion for Appointment of New Counsel, dated June 22, 2018; and 3) Petition for the War to Cease (Pro Se), dated August 8, 2018. My aforesaid Petition includes, as Exhibit A and B respectively, the other two motions, and states on the first page:

> The Court's lawful response to this Petition will satisfy my Motion to Halt Prosecution by halting prosecution permanently and will render my Motion for Appointment of New Counsel unnecessary. Enclosed herewith are copies of said motions as well as of my Certificate of Service and Declaration. (EXHIBIT A, EXHIBIT B, EXHIBIT C). That should help lessen the strain on judicial resources.

Said Petition is 40 pages, 176 with its exhibits, and includes much detail that is not repeated in this filing but which is relevant to this filing.

I am not prepared to accept any further assignments, appointments, or appearances of counsel until after the Court has ruled on this Action for Declaratory and Injunctive Relief.

Based on a cursory review of case law, I gather that there exists a precedent for me, as a private party under prosecution, and ongoing threat of prosecution, to prosecute my case not only civilly, but also criminally[2]. In appointing me new counsel, I ask that the Court appoint me counsel competent to criminally prosecute on my behalf both in state and federal court.

NOTICE OF DISABILITY

It is a matter of established fact with the Florida Department of Health, Division of Disability Determinations, and the Social Security Administration (SSA) that I am disabled as a direct result of the State of Florida, et al, levying war against my parents Ruth Elvada Denniston Blevins (1923-1997) and Robert Frank Blevins (1925-2011) and theirs, including of course against me and mine

[2] *Linda R.S. v. Richards D.* case (October Term, 1972, 410 U.S., No. 71-6078). In that case, the Court held that a private person who is neither being prosecuted nor being threatened by prosecution lacks a judicially cognizable interest in the prosecution of crimes against others. There is an implied exception for those private persons "being prosecuted or being threatened with prosecution" as having a "judicially cognizable interest": such is a continuing exception that applies Kimberly Ann Blevins, as a *judicially-cognized* witness to treason committed by the State of Florida, et al.

and others, commencing and continuing contiguously from at least as far back as September 11, 1986.

As a disabled person, I have certain rights under the Americans with Disabilities Act (ADA) and I assert those rights in this petition and pleading. I also assert other rights not stated in said law, but elsewhere, including my rights as a victim of and witness to genocide perpetrated by the State of Florida against my parents and theirs, against me and mine and others. I also assert rights that I hold as one disabled by the State, and as a senior citizen, age 63 at present, having suffered continuously under the aforesaid reign of treason since I was 30 years old.

NOTICE OF TREASON

The timeline of my testimony to treason committed by the State of Florida, et al, is from September 11, 1986 to date, and includes the entirety of the tenure of Bernard Joseph "Bernie" McCabe, Jr., who was first elected to the office of State Attorney, Sixth Judicial Circuit of Florida, in 1992 and took office in January of 1993[3]. Shortly after June 23, 1994, Mr. McCabe became identified in writing to my family and me as one of the ones personally involved in the aforesaid treason. On or about September 28, 1995, 9:15 AM, was revealed as presiding over a culture of treason at the Office of the State Attorney a culture that self-evidently continues to operate to date through all of the assistant state attorneys assigned to the above-referenced case.

A centerpiece of said treason is that in 1994 the State, et al, aided and abetted William R. "Bill" Webb, my parents' attorney as of December 24, 1987 (case executory, unsettled *still*) in running for judge by fraud and felony, and becoming likewise elected and likewise sworn in on or about January 27, 1995.

According to the Public Information Officer Stephen Thompson, via email correspondence dated January 16, 2019, Mr. Webb's start date was January 3, 1995, and he retired as of December 31, 2015, and they do not have a document with the number of cases over which he presided as judge, nor a breakdown of said cases. Nearly 21 years, 7,668 days; 20 years, 11 months, 29 days. The number of cases is bound to be enormous, and when my testimony of treason against the aforesaid is, at last, lawfully handled, each of those cases stands to be challenged in court, and the weight of same figures to be sufficient to collapse the court system, state and federal, which has no one but itself to blame as my family and I have kept up a campaign of giving notice of treason for decades.

I find it necessary to spell out some, though not all, of the magnitude of the matter in terms that a jury of my peers can well understand. In fact, it is likely that a jury of my peers in this area has been peripherally, if not directly, impacted by the aforesaid. They will need to understand, for

[3] Dates confirmed personally by Supervisor of Elections Brian E. Corley, through email correspondence with Kimberly Ann Blevins on December 14, 2017.

example, that the progress of the case has not been consistent with my judicially-cognized standing as a witness to treason, but rather has been in further violation of the law, including but not limited to in violation of Florida Statute 876.35:

> **876.35 Combination against part of the people of the state.**—If two or more persons shall combine to levy war against any part of the people of this state, or to remove them forcibly out of this state, or to remove them from their habitations to any other part of the state by force, or shall assemble for that purpose, every person so offending shall be guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
>
> History.—s. 6, ch. 1637, 1868; RS 2375; GS 3200; RGS 5030; CGL 7132; s. 705, ch. 71-136; s. 65, ch. 74-383.
> Note.—Former s. 779.04.

The jury will need to be provided with enough information about the history of said treason, September 11, 1986, to date, that they will be able to see that the aforesaid is consistent with what the State has done, not only in the relatively short timeline of this case, but across decades of time and generations of my family, and generations of the jury's families too, of course.

My strongest defense is the fact that the State has no jurisdiction, in other words is not competent to prosecute the above-referenced case against me, a fact that I communicated to my original court-appointed counsel Patrick Marshall Brannon in writing as far back as November 3, 2017, and to subsequent counsel Jonathan Chinchilla as of February 28, 2018, the day of the arraignment. Yet, Mr. Chinchilla responded to my thus informing him of same by taking measures that he did not discuss with me and that I did not approve, calling into question my competence to proceed to trial, as though the State does have jurisdiction and as though the State is competent to proceed.

All of this is most serious for everyone involved in the aforesaid, for under the law, each one is considered a principal in having committed treason.

> "In treason there are no accessories; all who engage in the rebellion at any stage of its existence, or who designedly give to it any species of aid and comfort, in whatever part of the country they may be, stand on the same platform; they are all principals in the commission of the crime; they are all levying war against the United States." [*United States v. Greathouse et al.*, 26 F. Cas. 18, Case No. 15,254 (October 17, 1863): "FIELD, Circuit Justice (charging jury).]

Moreover, particularly as of the above-referenced date of demarcation, April 24, 2018, the State's levying war against my family and me by continuing to unlawfully prosecute the above-referenced unlawful case against me, is their doing so against us maliciously and specifically against us *as witnesses to treason, based on the same overt acts*, and therefore constitutes high treason.[4]

[4] High treason -- CHARGE TO GRAND JURY— TREASON. Case No. 18,270. [4 Blatchl. 518; 23 Law Rep. 597.] Circuit Court, S.D. New York. Jan. 14, 1861.

> That persons owing allegiance to the United States have confederated together, and with arms, by force and intimidation, have prevented the execution of the Constitutional acts of Congress: have forcibly seized upon and hold a custom-house and post-office, forts, arsenals, vessels and other property belonging to the United States, and have actually fired upon vessels bearing the United States flag and carrying United States troops. This is a usurpation of the authority of the Federal Government; it is high treason by levying war. Either one of those acts will constitute high treason. There can be no doubt of it.
>
> The fact that any or all engaged in the commission of these outrageous acts, acted under the pretended authority of the Legislature, or a convention of the people of any State, or of the officers appointed thereby, or acting thereunder, does not change nor affect the criminal character of the act. No man or body of men can throw off their allegiance to their Government in that way. Nor can any State, or the people of any State, acting in any capacity whatever, absolve any person therefrom.

The State of Florida, in unlawfully prosecuting the above-referenced unlawful case against me, is acting on pretended authority, failing to recognize and respond lawfully to my real authority, including as a witness to treason that the State has committed.

The State of Florida, in flagrantly going ahead with prosecuting the above-referenced unlawful case against me, is depriving the people of me as a resource for them and their interest in the security of a free state. Moreover, the State of Florida is usurping the authority of the federal government to obtain a conviction for treason. In other words, the State, in unlawfully prosecuting the above-referenced unlawful case has levied war against the legitimate government of the State of Florida and of the United States of America.

If I am somehow deemed by the Court to be restored to competence so that this case can proceed to jury trial, all of the aforesaid facts and more must be put before the jury, and either I, representing myself pro se, or counsel appointed to represent me, must be given free reign to do so.

ACTION FOR DECLARATORY AND INJUNCTIVE RELIEF

The progress of the above-referenced case, to date, is not consistent with my recognized standing in this Court as a judicially-cognized witness to treason committed by the State of Florida. That constitutes an untenable circumstance, and I am asking the Court for declaratory and injunctive relief from the State of Florida's unlawful prosecution of me and from the preceding unlawful injunctions against me.

The Court's obligations in this are very great, including to protect me from stealthy encroachment on my constitutionally-guaranteed rights, as I covered in my aforementioned August 8, 2018 Petition for the War to Cease (Pro Se) from which the following section, "Stealthy Encroachment" (pp. 31-34) is taken verbatim.

STEALTHY ENCROACHMENT

Many of the acts of treason and misprision of treason I write about have been carried out by stealth. I appeal to the Court to be mindful of that and to remember that "...it is the duty of courts to be watchful for the constitutional rights of the citizen, and against any stealthy encroachment thereon." [Byars v. United States 273 US 28 (1927)]. Such stealthy encroachment is what I had in mind when I wrote my aforesaid April 18, 2018 letter to the Court which includes:

> The above-referenced case and entire matter is rife with countless acts of treason and misprision of treason. Nothing that the State of Florida has unlawfully conjured up or has artfully and craftily constructed against me can ever have survived the State's own treason and misprision of treason.

The following selected timeline reveals some of what I had in mind when I wrote that.

December 5, 2006 – Phillip Johnson and Elizabeth Johnson and their church SonCoast Pentecostal Church, unlawfully disfellowshipped me and in so doing breached at least five distinct contracts against me. Within a month, I began publishing online updates of my spiritual insights and by September 2007 I began blogging about same nearly every day, sometimes many times per day.

In all that I have done, I have claimed and have exercised my constitutional rights, including under the First Amendment. By breaching contract against me, the Johnsons have waived their right to privacy concerning what I write about them. The contract they had with me was to protect the rights of all parties, but they rejected that by breaching that contract. They also waived the right or jurisdiction to have anything to say about what I say prophetically about them because the purpose of that contract, the *explicit* purpose was for Pastor Johnson to help me to manage that (See my September 19, 2017 motions to the Court in Exhibit D).

July 6, 2009 – Two Pasco County Sheriff's officers unlawfully trespassed at my home. While they were at my home, my son Josiah Robert Fornof and I attempted to serve them with notice that we have knowledge of treason, but they refused to take our complaint. Most of that trespass was recorded by us, and a video posted entitled "Sheriff Trespass" was posted on YouTube. I also blogged about it, including publishing correspondence that I had sent immediately, within the hour, to the Sheriff and about a year later, the above-referenced July 6, 2010 letter that Josiah had sent to the State Attorney as an official criminal complaint against Sheriff Bob White. To date, both entities practice designed abstinence from inquiry, a longstanding pattern throughout all branches of government at all levels.

It was not always like that. I recall when government worked as it should, not perfectly, but lawfully. I *worked* in government from 1985 to 2001. I know how it *can* work because I was part

of how it can work, actively involved in interagency coalitions, task forces, working groups, at many levels, local, regional, state, national, international.

2009 to 2010 – Local authorities reached out to the federal authorities, the FBI, and an interagency task force was formed to investigate my family and me. Not to investigate our legitimate complaints against the government, but to investigate us as thought we were, what? They even claimed, falsely, that we were members of some group we never even *heard* of until they came up with that lie and the local news printed it, and it is still online even though eventually the FBI reversed itself and entered a report to say that we weren't part of that or any other such group (and my writing poses no threat to anyone). The damage was done, *real* damage.

We learned through one who the FBI interviewed that they were livid about the aforesaid video and my blogging, and while they ended up unlawfully arresting Mr. Fornof, I am the one who they wanted most to get, because of my writing, much of which is written to expose their crimes.

On or about January 21, 2010 – The FBI interviewed Phillip Johnson and Elizabeth Johnson specifically because of my blog posts, so the Johnsons knew about my blogging about them, their family, and their church from at least as far back as that time. Phillip Johnson has mentioned this FBI interview in at least two different court hearings (October 19, 2012, and January 2, 2018, as I recall). He also said that the FBI attempted to recruit him to work undercover with them, against my family and me, but he declined.

August 17, 2010 – Josiah Fornof spoke with the FBI for nearly three hours by telephone and in that conversation, let them know that he has knowledge of the commission of acts of treason by the State of Florida, et al. The conversation was recorded, but this evidence has been suppressed to date, including at trial, when the jury was deprived of the opportunity to hear the truth about why Josiah Fornof had exercised his Second Amendment rights and had armed himself

August 19, 2010 – The FBI responded to said notice by unlawfully arresting Josiah Fornof at a location away from home, and by raiding my home and terrorizing and injuring my elderly father in his sick bed where he lay sleeping. The U.S. Department of Justice subsequently unlawfully prosecuted Josiah Fornof and the U.S. District Court unlawfully sentenced him to 10 years.

September 2012 – Nearly three years after the aforesaid FBI interview, Elizabeth Johnson filed a complaint against me in civil court but that was canceled, either on the court side or her side. The court docket should have the details.

On or about October 3, 2012 – Phillip Johnson and Elizabeth Johnson filed civil suits against me (2012DR005009DRAXWS and 2012DR005008DRAXWS, respectively).

I believe it was during the first hearing, October 19, 2012, that the Johnsons revealed an important and relevant detail. They said that they had been counseled to wait until after October 1, 2012 to file their cases because a new law was going into effect then which would make it easier for them to prevail against me.

That was the same hearing where I immediately gave notice to the Court that I am both a witness to and victim of genocide. The judge said well, she could not do anything about that. Genocide is a crime, a treasonable offense, prosecutable under 18 U.S. Code § 1091 – Genocide. I had done my part, including under 18 U.S. Code § 2382 - Misprision of treason, but the Court did not.

Again, the Johnsons waited *nearly three years* after finding out about my blogging to file suit, during which time the Florida legislature met for sessions in 2010, 2011, and 2012. That was plenty of time for some very powerful people to "artfully and craftily" custom-tailor a new law to get at me under color of law, and there are many powerful people with means, motive, and opportunity to have done just that.

> "If a law has 'no other purpose…' than to chill the assertion of constitutional rights by penalizing those who choose to exercise them, then it [is] patently unconstitutional." [United States v. Jackson 390 US 570 (1968)].

I have been relentlessly pursued and punished for exercising my constitutional rights, not only for my own benefit, but for the benefit of my country itself, as did my parents before, as Josiah Fornof is doing from his unlawful incarceration in federal prison and was doing so before said unlawful incarceration.

As recently as last summer, I asked the Court to refer the civil matter to a certified family mediator, but the Court denied my request. (See my correspondence dated June 20, 2017 in the court record of the civil cases). I wrote that letter about a month after my beloved sister Connie's death and about 10 days after her memorial service. Connie had been an active member of SonCoast Pentecostal Church too, for slightly longer than I had been. My sister was witness against said acts of treason too, and now she is gone, eliminated as a witness.

The court record itself is a documentation of the unlawful escalation of aggression against me that led to my unlawful arrest on September 6, 2017, and criminal charges being filed against me by the State which certainly had been lying in wait for that for years, at least since 2012. That is why I urged Congress to look at the cases closely, at the court records.

End of section excerpted from August 8, 2018, Petition for the War to Cease (Pro Se)

The above-referenced unlawful criminal case emanated from two unlawful civil cases[5] whereby the Petitioners obtained, by fraud, an injunction against me that never should have been granted and which was not granted lawfully. Publicly-accessible blogs are a kind of press or media, and writing therein is a constitutionally guaranteed right. The Petitioners Phillip Johnson and Elizabeth Johnson pastor a church, SonCoast Pentecostal Church, which is open to the public, and therefore, they are public figures and thus writing about them in said capacity, particularly to expose their fraud, is also a constitutionally guaranteed right.

The injunction that the Petitioners obtained in 2012 and which they had ratcheted up through the Court to be even more restrictive in 2017 and whatever law they relied on to do so constitutes a prior restraint on my publication and a violation of freedom of the press as protected under the First Amendment. [*Near v. Minnesota*, 283 U.S. 697 (1931)].

A LEGAL PROBLEM

On August 14, 2018, just prior to the pretrial conference in the above-referenced case scheduled for that day, my then-defense counsel Jonathan Chincilla spoke to me and told me that he had gone over "with a fine-toothed comb" the law that the State was attempting to charge me under, and that he did not believe they could do so. He said that he had written a letter to the State presenting that defense. When Mr. Chincilla and I stood before the Court that day, he discussed that argument, and the need for a hearing on that, and asked the Court to excuse my appearance at same as it would be strictly a legal argument and there would not be any new facts for me to certify, and the Court granted that request. He was to tell me of the date that said hearing was to take place, but never did so. Mr. Chincilla left the public defender's office on or about October 12, 2018, which I found out on October 15, 2018, when my emails to him started bouncing.

When the October 16, 2018 pretrial conference came around, Brittany Adams-Jones, standing in for new counsel Neil Keller who was not there that day, indicated to me that the State has a legal problem with the case, so it all was still in progress as of that time. Moreover, when I finally spoke with Mr. Keller by phone, he indicated that he was going to pick up where Mr. Chinchilla had left off and file a motion to dismiss on the basis of said legal argument, but he said that I would still need to be evaluated for competence by the second doctor. I relied on his promise to my injury.

The second doctor evaluated me and concurred with the first doctor's findings, that I am not competent to proceed to trial. At the December 4, 2018 pretrial conference, when I asked my then-defense counsel Mr. Keller about the status of the promised motion to dismiss, he now told me that since two doctors have reached that determination that I am not competent, he cannot file *any* motions on my behalf.

[5] Elizabeth Johnson -vs- Kimberly A. Blevins, Case No.: 2012DR005008DRAXWS; and Phillip G. Johnson -vs- Kimberly A. Blevins, Case No.: 2012DR005009DRAXWS

At said pretrial conference, I expressed to Mr. Keller my concern about being about to proceed with filing my case against the State, et al, with the Supreme Court of the United States, and he said he did not think that it would matter. To verify for myself, I called the Supreme Court, and then wrote to him about that call.

---------- Forwarded message ---------
From: **Kimberly Blevins** <kimberly.blevins@gmail.com>
Date: Thu, Dec 6, 2018 at 11:58 PM
Subject: My Call Today to the Supreme Court of the United States
To: Neil Keller <neilkeller@co.pinellas.fl.us>

Dear Mr. Keller:

Today I called the Supreme Court of the United States and spoke with a case analyst who was most helpful. He confirmed what you said to me, that the ruling of this lower court regarding my competence has absolutely no bearing whatsoever on my filing my case pro se with the Supreme Court against the State of Florida for treason against the United States.

I do need some specific information about my case. Please call me Friday to answer a few questions that I will have ready in order to conserve your time and mine. I expect 10 minutes more or less will be sufficient for what I need to ask you.

Thank you.

(Notice) under duress of treason (imputed by law),

Kimberly Ann Blevins

727-216-8748 (home)
727-808-3227 (cell)

Mr. Keller did not respond to that email or call me or communicate with me in any manner save silence since December 4, 2018, in court. Neither has his office returned my call requesting to schedule an appointment to meet with him. My last attempt to contact him by email was on January 4, 2019.

All in all, it is painfully obvious that what is happening with the progress of the above-referenced case is the very thing I expressed grave concern about in my above-referenced June 22, 2018, Motion for Appointment of New Counsel, which includes on the second of three pages:

> The State of Florida, against whom I have a longstanding claim of treason going back to well before my July 11, 2001 Sworn Affidavit, which I have previously provided to the Court, is on track to permanently deprive me of my rights.
>
> > **Deprive permanently**. To "deprive permanently" means to: (a) Take from the owner the possession, use or benefit of his property, without an intent to restore the same; or (b) Retain property without intent to restore the same or with intent to restore it to the owner only if the owner purchases or leases it back, or pays a reward or other compensation for its return; or (c) Sell, give, pledge or otherwise dispose of any interest in property or subject it to the claim of a person other than the owner." Black's Law Dictionary, 5th Ed. (1979)
>
> Depriving me permanently of my rights may occur through any one of a number of ways already inherent in the State of Florida's unlawful prosecution of the above-referenced case against me, and concomitant abuse of the Court, including but not limited to by: 1) unlawfully incarcerating me; 2) unlawfully committing me to a state mental hospital; or 3) finishing the State of Florida's in-progress murdering of me (see Exhibit D of my Motion to Halt Prosecution, previously submitted to the Court).

For months, my own counsel has left me in a void to believe, as I do believe, that the aforesaid permanent deprivation of my rights is exactly the direction that the above-referenced unlawful case against me is going. That is not effective representation: that is abandonment.

MOTION FOR APPOINTMENT OF NEW COUNSEL

I ask the Court to appoint me counsel who is willing and able to represent me as befits my true lawful standing and circumstances, and not the alternate scenario that has taken over the progress of this case. All things considered, I believe it would be best if that counsel is *not* from the Office of the Public Defender, and they should be competent to represent me in prosecuting criminal and civil cases against the State, et al in both state and federal court.

As a pro se, ex parte filing, I have provided this copy only to this Court; the Court is at liberty, of course, to distribute copies as the Court sees fit to do so, as this Court has done so previously.

I declare, certify, verify, and state–with like force and effect as a sworn declaration, certification, statement, oath, or affidavit (P.S. 1315.07. section 16; and, 28 U.S.C. § 1746)–under penalty of perjury that the foregoing is true and correct. Executed on this 20th day of May, 2019.

(Notice) under duress of treason (imputed by law),
Nevertheless, I am able to do all things through the help of Christ, which strengthens me,

Kimberly Ann Blevins
May 20, 2019, 3:50 PM

Kimberly Ann Blevins

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TO:
The Honorable Paula S. O'Neil, PhD
Clerk & Comptroller, Pasco Co.
West Pasco Judicial Center
7530 Little Road
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