

1 Office of the Circuit Executive  
2 United State Court for the 9<sup>th</sup> circuit  
3 James R. Browning  
4 United State Courthouse  
5 95 Seventh Street  
6 San Francisco, CA 94119-3939  
7 Susan Soong, Circuit Executive  
8 December 28<sup>th</sup> 2024

Professor Dave White  
cctruth.org  
TheLawIsYourAttorney.com  
SalmonProtectionDevice.com

9 Re: Complaint of official Misconduct

10 Dear Susan, thank you for your kind (December 18<sup>th</sup> 2024) response to my  
11 email and concern that issues with these three cases (attached) may be  
12 resolved before our two other dockets currently on appeal 24-6799 and 24-  
13 6787 are tried with similar illegal outcomes. The problem is that Justices  
14 Sidney R. THOMAS, Jay S. BYBEE, Daniel P. COLLINS illegally dismissed  
15 all three dockets where appellees failed to even register and appear. A  
16 default summary judgement was required and requested, so in each case,  
17 Pro Se Appellant should have prevailed under Federal law. Instead, the  
18 judge stepped in to argue on behalf of the “no-show” appellee using  
19 administrative law to override obvious violations of federal law.

20 This is an illegal protocol that appellant has encountered in a total of seven  
21 unique Complaints filed this year, indicating a systemic problem in the 9<sup>th</sup>  
22 Circuit Court system. Consequently, judges expose themselves to charges  
23 of Misprision of Felony for ignoring and dismissing clear and convincing  
24 evidence of federal crimes in the Complaint.

25 Appellant leads a volunteer group that includes a retired Federal attorney of  
26 40 years and an investigative Journalist who serves as legal editor. It is  
27 possible that this is resulting in discrimination against such extreme bias  
28 against pro-se Appellant. Because of the court’s procedural irregularities  
29 and disregard for the Supreme Court’s recent Loper Bright decision  
30 appellant is calling for a mistrial. Reconvening with a new panel of  
31 randomly selected judges, warning of the procedural anomalies at stake,  
32 would ensure that justice is more likely to be served. It would also erase  
33 any suspicion of illegalities or liability on the part of the previous panel.

1 If this is not possible, I would urge the Chief Magistrate to intervene as a  
2 Minister of Equity and interject the element of mercy under Article III of the  
3 U.S. Constitution. An injunction is needed for the plight of residents in  
4 Cave Junction, whose homes will soon be submerged under two to four  
5 feet of flood water if the dam is not rebuilt soon. Similar unintended  
6 consequences of these crimes affect all three venues.

7

8 Judicial Bias Against Litigants in Dam-Removal Cases  
9 <https://thelawisyourattorney.com/judicial-bias-against-litigants-in-dam-removal-cases/>  
10

11

12 Docket 24-6799 is the lawsuit concerning my divorce where the county  
13 judge showed extreme bias, colluding with my ex-wife's attorney on many  
14 occasions. The dissolution paperwork was 83% perjuries. Appellee 4 is the  
15 attorney who spoke untruthfully 65 times in Court. He encouraged his client  
16 and witnesses to commit well-document perjury for \$44,000, wrongly added  
17 to Appellant's side of the ledger. In addition, Appellee 4 wrote an illegal  
18 Writ of Execution, which violated three Oregon laws to illegally remove  
19 fixtures, and other items Appellant paid for when Appellant purchased the  
20 home from Appellee 1. Appellant filed a MOTION for Miscellaneous Relief  
21 on 12/4/2024, which lists the law broken and requirement to restore all  
22 property. Appellees have been in default since 12/15/2024; therefore,  
23 Appellant expects to prevail, The Federal Trial Court Judge failed to  
24 adjudicate the Appellee felonies. He also failed to provide a requested  
25 hearing. Appellees have been in default since 12/16/2024. Therefore, on  
26 12/28/2024 Appellant filed for Summary Judgement. The Federal trial court  
27 failed to provide the requested hearing, which is a violation of the 14<sup>th</sup>  
28 amendment to the constitution.

29

30 Docket 24-6787 is a lawsuit against Oregon State University, who failed for  
31 two years to accept my application to complete the remaining 22 credits for  
32 my doctoral degree. The Federal Trial Court Judge failed to adjudicate  
33 correctly and ignored the appellee's *confession* of rejecting me on the basis  
34 of illegal Affirmative Action and DEI criteria, with extreme bias. The

1 Opening Brief filed on 11/14/24 included debunking the perjury ruling of the  
2 Trial Court Judge who has two Circuit Court Complaints pending against  
3 him. On 11/18/24, Appellees filed notice that no answering brief will be filed.  
4 On 12/4/2024 Appellant therefore, filed MOTION FOR DECISION (FRCP  
5 55) AND REQUEST FOR AFFRIMATIVE RELIEF. Appellees have been in  
6 default since 12/15/2024. Therefore, an appellant prevailing is the legal  
7 justified ruling to make. In addition, the Federal Trial Court did not provide  
8 the requested hearing. This is a violation of the 14<sup>th</sup> amendment to the  
9 Constitution.

10

11 Docket 24-6015 (complaint attached) is a lawsuit Appellant filed against  
12 Water Watch for removing the Pomorey Dam on the Illinois River in Oregon  
13 without any legally acquired permits. This dam was not an impediment to  
14 salmon or any fish migration. Appellees fraudulently obtained permits,  
15 which have been withdrawn by Oregon agencies. Appellant has the  
16 required permits to reinstall the dam with a fish ladder and a water wheel to  
17 generate power. This is an emergency because starting in March 2025 over  
18 10,000 cubic feet of spring runoff will flood the valley where the town of  
19 Cave Junction is located. Defendants were in default for failing to register  
20 and appear in the Federal Court. Nonetheless, the federal judge illegally  
21 dismissed the case when Appellant filed for Summary Judgement. The Trial  
22 Court did not provide the requested hearing. This is a violation of the 14<sup>th</sup>  
23 amendment to the Constitution. In Appeal court, the Appellees were in  
24 default since 11/24/2024. However, it was illegally dismissed on 11/20/24  
25 by Sidney R. THOMAS, Jay S. BYBEE, Daniel P. COLLINS.

26

27 Docket 24-5275 (complaint attached) is a lawsuit filed against Klamath  
28 River Restoration Corporation for removing four Klamath River dams.  
29 Appellees have been in default since 10/6/2024. Appellant filed a Writ of  
30 Mandamus, Summary Judgement and Emergency Motion. Appellees  
31 *confessed* to killing 2000 fish and a herd of elk and bragged about it in the  
32 press. They released 5000-cubit yards of contaminated silt from the Iron  
33 Gate Dam and killed all aquatic life in 120 river miles to the Coast. The silt  
34 on the banks of the river is contaminated 40-200 times the EPA's limit for  
35 arsenic. The Federal Trial Court Judge failed to adjudicate these felonies

1 and failed to provide a requested hearing. This is a violation of the 14th  
2 Amendment to the Constitution and felony Misprision. However, it was  
3 illegally dismissed on 11/20/24 by Sidney R. THOMAS, Jay S. BYBEE,  
4 Daniel P. COLLINS.

5

6 Docket 24-5811 (complaint attached) is a lawsuit Appellant filed against  
7 FERC commissioners for illegally (by cherry picking data) providing permits  
8 to remove Klamath River dams. The Opening Appeal Brief was filed  
9 10/17/2024. On 10/8/2024, Appellant filed Klamath-river- MEMORANDUM  
10 OF IGNORED STAKEHOLDER TESTIMONY as CORRESPONDENCE.  
11 This is a complete debunking of the 2018 FERC baseline document on 21  
12 specific points (P-14803-000). They used this document to provide the  
13 permits illegally, with no Congressional approval. The Appeals Court should  
14 and must declare the 2018 baseline document null and void. The Federal  
15 Trial Court Judge failed to adjudicate these felonies properly and failed to  
16 provide a requested hearing. This is a violation of the 14th amendment to  
17 the constitution and felony Misprision. However, it was illegally dismissed  
18 on 11/20/24 by Sidney R. THOMAS, Jay S. BYBEE, Daniel P. COLLINS. In  
19 addition to the relief requested herein, the Court is urged to issue a Circuit-  
20 wide notification to all court officials at every level to correct these three  
21 vital aspects of abuse:

22



23

12/29/24

24

(Signature) \_\_\_\_\_

(Date)

25

26

27

28 P.S. In addition to the relief requested in the dockets described, herein, the  
29 Court is urged to issue a Circuit-wide notification to all court officials at  
30 every level to correct these three vital aspects of abuse: The following  
31 points 1 & 2 apply to dockets 24-6015, 245-275 and 24-5811 related to  
32 preservation of dams under Section 71A2,3 of the Wild and Scenic Rivers  
33 Act.

1 1.-All future river reclamation projects within the purview of the Ninth Circuit  
2 Court shall comply with the intent of the Wild and Scenic Rivers Act,  
3 Section 71A2,3 to preserve existing dam projects from removal, by the far  
4 less draconian strategy of:

5  
6 2.- The only effective solution for regular dam maintenance, every 25-50  
7 years:

- 8 1. Dredging behind the dam and
- 9 2. Heat-scrubbing silt on-site,
- 10 3. Installing or repairing fish ladders on each dam,
- 11 4. Installing Salmon Protection Device cages at the foot of the fish  
12 ladder on the lower dam if needed to deter predatory Sea Lions  
13 Treating reservoirs for algae or other contaminants, if necessary

14  
15 [https://www.rivers.gov/rivers/rivers/sites/rivers/files/2023-07/section-](https://www.rivers.gov/rivers/rivers/sites/rivers/files/2023-07/section-7.pdf)  
16 [7.pdf](https://www.rivers.gov/rivers/rivers/sites/rivers/files/2023-07/section-7.pdf)

17  
18 3.- Administrative Law shall no longer take precedence over Article III,  
19 Section 2 of the U.S. Constitution, or standing case law and statute law  
20 made in pursuance thereof (U.S. Supreme Court, Loper Case 22-451).  
21 Chevron Doctrine is reversed, No government agency can cherry pick data  
22 for their false agenda, Horizontal stare decisis is unreliable because it can  
23 never be guaranteed to be the exact same case with the same history  
24 without studying the transcripts and exhibits of the previous case. This is  
25 like comparing Apples to Oranges; they are both fruits, but different. This  
26 court must

27 Therefore, convene as a Court under Article III of the US Constitution.  
28