

**In the General Assembly Of Indiana**

**Indiana House of Representatives  
Judiciary Committee**

**PETITION FOR AND BILL OF IMPEACHMENT**

Attention: Chair Of The Judiciary Committee, Indiana State House Of Representatives

Hon. Linda Lawson  
Indiana House of Representatives  
200 W. Washington Street  
Indianapolis IN 46204

Petitioner: Dr. Amir H. Sanjari  
  
c/o 128 Pinto Way  
Bloomington Georgia 31302

Respondent: Rex L. Reed (Judge, Kosciusko Circuit Court,  
121 North Lake Street, Warsaw, Indiana 46580-2785.)

Arising From Case # : 20 D 05 - 0010 - DR – 640 Elkhart Superior Court No. 5, Elkhart, IN

Subject: Constitutional Violations, Violations Of Separation Of Powers,  
Judicial Misconduct, Judicial Abuse, Violations Of Oath Of Office

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## PETITION FOR AND BILL OF IMPEACHMENT

*Federalist Paper No 78*

This independence of the judges is equally requisite to guard the Constitution and the rights of individuals from the effects of those ill humors, which the arts of designing men, or the influence of particular conjunctures, sometimes disseminate among the people themselves, and which, though they speedily give place to better information, and more deliberate reflection, have a tendency, in the meantime, to occasion dangerous innovations in the government, and serious oppressions of the minor party in the community. Though I trust the friends of the proposed Constitution will never concur with its enemies,<sup>3</sup> in questioning that fundamental principle of republican government, which admits the right of the people to alter or abolish the established Constitution, whenever they find it inconsistent with their happiness, yet it is not to be inferred from this principle, that the representatives of the people, whenever a momentary inclination happens to lay hold of a majority of their constituents, incompatible with the provisions in the existing Constitution, would, on that account, be justifiable in a violation of those provisions; or that the courts would be under a greater obligation to connive at infractions in this shape, than when they had proceeded wholly from the cabals of the representative body. Until the people have, by some solemn and authoritative act, annulled or changed the established form, it is binding upon themselves collectively, as well as individually; and no presumption, or even knowledge, of their sentiments, can warrant their representatives in a departure from it, prior to such an act. But it is easy to see, that it would require an uncommon portion of fortitude in the judges to do their duty as faithful guardians of the Constitution, where legislative invasions of it had been instigated by the major voice of the community.

### I. AUTHORITIES

1. *Constitution (“The Constitution”) For The United States and Statutes Thereof;* Where not provided for by the Indiana state constitution and statutes, or if provided for by same but is in conflict with the superior Constitution for, and Statutes of, the United States, the latter Constitution and Statutes, in accordance with the Article VI, Par. 2 (“The Supremacy Clause”) of

the said Constitution, are relied upon. All officers, including but not limited to, judicial and executive officers, Members of the Indiana State General Assembly have sworn oath to uphold and protect the said Constitution for the United States, allegiance to and action according to which are hereby demanded and expected. Failure to uphold and act in accordance with the said Constitution will be regarded as treason against the United States as deemed by the Constitution and US Supreme Court directives as well as remedy at election.

## II. IMPEACHMENT

### II.A Articles Of Impeachment (Indiana Constitution)

1. *Indiana State Constitution*, Article 6, §7 -- Power To Impeach:

"All State officers shall, for crime, incapacity, or negligence, be liable to be removed from office, either by impeachment by the House of Representatives, to be tried by the Senate, or by a joint resolution of the General Assembly; two-thirds of the members elected to each branch voting, in either case, therefor. "

2. *Indiana State Constitution*, Article 6, §8 -- Liability For Impeachment:

"All State, county, township, and town officers, may be impeached, or removed from office, in such manner as may be prescribed by law".

3. *Indiana State Constitution*, Article 7, *Judiciary*, §7 -- Judicial Circuits. The State shall, from time to time, be divided into judicial circuits; and a Judge for each circuit shall be elected by the voters thereof. He shall reside within the circuit and shall have been duly admitted to practice law by the Supreme Court of Indiana; he shall hold his office for the term of six years, if he so long behaves well.

*(History: As Amended November 3, 1970).*

4. *Indiana State Constitution*, Article 7, §13 -- Impeachment Of Circuit Judges:

"Removal of Circuit Court Judges and Prosecuting Attorneys. Any Judge of the Circuit Court or Prosecuting Attorney, who shall have been convicted of corruption or other high crime, may, on

information in the name of the State, be removed from office by the Supreme Court, or in such other manner as may be prescribed by law."

5. *Indiana State Code*, IC 5-8-1-1 Officers; judges; prosecuting attorney; liability to impeachment

(a) Under Article 6, Sections 7 and 8 of the Constitution of the State of Indiana, all state officers other than justices of the supreme court or judges of the court of appeals of Indiana or the Indiana tax court, all other judges, prosecuting attorneys, and all county, city, town, and township officers are liable to impeachment for any misdemeanor in office.

(b) A justice of the supreme court or a judge of the court of appeals of Indiana or of the Indiana tax court is subject to removal from office under Article 7, Section 11 of the Constitution of the State of Indiana.

6. *Indiana State Code*, IC 5-8-1-2 Method of impeachment

All impeachments must be by resolution, adopted, originated in and conducted by managers elected by the house of representatives, who must prepare articles of impeachment, present them at the bar of the senate and prosecute the same, and the trial must be had before the senate sitting as a court of impeachment.

7. *Indiana State Code* IC 5-8-1-3 Articles of impeachment

When an officer is impeached by the house of representatives for a misdemeanor in office, the articles of impeachment must be delivered to the president of the senate, saving and excepting only that in case the officer impeached be the governor, lieutenant-governor, or the acting president of the senate, such articles shall be delivered to the secretary of the senate.

8. *Indiana State Code* IC 5-8-1-4 Hearing

The senate must assign a day for the hearing of the impeachment, and inform the managers elected by the house of representatives thereof. The secretary of the senate must cause a copy of the articles of impeachment, with a notice to appear and answer the same at the time and place appointed, to be served on the defendant not less than ten (10) days before the day fixed for the

hearing.

9. *Indiana State Code IC 5-8-1-5 Service upon defendant*

The service must be made upon the defendant personally, or if he can not, upon diligent inquiry, be found within the state, the senate, upon proof of the fact, may order publication to be made, in such manner as it may deem proper, of a notice requiring him to appear at a specified time and place and answer the articles of impeachment.

10. *Indiana State Code IC 5-8-1-8 Answering articles of impeachment; judgment*

If the objection to the sufficiency of the articles of impeachment is not sustained by a majority of the members of the senate who heard the argument, the defendant must be ordered forthwith to answer the articles of impeachment. If he then pleads guilty, the senate must render judgment of conviction against him. If he plead not guilty, or refuses to plead, the senate must, at such time as it may appoint, proceed to try the impeachment.

11. *Indiana State Code IC 5-8-1-13 Suspension or removal from office*

The judgment may be that the defendant be suspended or that he be removed from office and disqualified to hold any office of honor, trust or profit, under the state.

12. *Indiana State Code IC 5-8-1-14 Disqualification of defendant from receiving salaries*

If judgment of suspension is given, the defendant, during the continuance thereof, is disqualified from receiving the salary, fees or emoluments of the office.

13. *Indiana State Code IC 5-8-1-15 Temporary suspension during pendency of proceedings; filling vacancies*

Whenever articles of impeachment against any officer subject to impeachment are presented to the senate, such officer is temporarily suspended from office and cannot act in the officer's official capacity until the officer is acquitted. Upon such suspension of any officer other than the governor, the office must, at once, be temporarily filled by an appointment made by the governor, with the advice and consent of the senate, until the acquittal of the party impeached, or, in case of removal,

until the vacancy is filled as required by law.

14. *Indiana State Code IC 5-8-1-17 Indictment or information not barred*

If the offense for which the defendant is convicted on impeachment is also the subject of an indictment or information, the indictment or information is not barred hereby.

15. *Indiana State Code IC 5-8-1-19 Judge or prosecuting attorney; duties of attorney general*

(a) Under Article 7, Section 13 of the Constitution of the State of Indiana, whenever a circuit, superior, probate, or county court judge or prosecuting attorney has been convicted of corruption or any other high crime, the attorney general shall bring proceedings in the supreme court, on information, in the name of the state, for the removal from office of the judge or prosecuting attorney.

(b) If the judgment is against the defendant, the defendant is removed from office. The governor, the officer, or the entity required to fill a vacancy under IC 3-13-6-2 shall, subject to:

- (1) IC 33-33-2-39;
- (2) IC 33-33-2-43;
- (3) IC 33-33-45-38; and
- (4) IC 33-33-71-40;

appoint or select a successor to fill the vacancy in office.

16. *Indiana State Code IC 5-8-3 Disqualification by Violation of Federal Law  
Indiana State Code IC 5-8-3-1 Draft dodging; sedition*

A person may not hold an office within Indiana, either by election or appointment, if the person has been convicted of:

- (1) evading the Selective Service Act (50 App. U.S.C. 451-473);
- (2) engaging in conspiracy or an attempt to defraud the government of the United States;
- (3) seditious utterances in violation of the laws of the United States; or
- (4) any other crime against the laws of the United States where the sentence imposed exceeded six (6) months.

17. *Indiana State Code* IC 5-8-3-2 Appointment or election void

Any appointment or election of any person lacking the qualification described in section 1 of this chapter is absolutely void and the person shall be removed from office under IC 34-17.

II.B Articles Of Impeachment (The Constitution For The United States)

1. *The Constitution*, Article 1, §2, Clause 5 -- The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

2. *The Constitution*, Article 1, §3, Clause 6 -- The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

*The Constitution*, Article 1, §3, Clause 7 -- Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

3. *The Constitution*, Article 2, §4 -- The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

II.C CAUSES OF IMPEACHMENT - SUMMARY

For a partial list of circuit judge Rex L. Reed's crimes see section III herein. For more details and evidence see the attached Notice of Felony.

In summary, the pertinent causes of impeachment in the case of judge Rex L. Reed are as follows:

1. "crime, incapacity, or negligence", *Indiana State constitution*, Art 6, § 7.  
2. "as prescribed by law", see below, *Indiana State constitution*, Art 6, § 8.  
3. violation of good behavior, "if he so long behaves well", *Indiana constitution*, Art 7, § 7.

4. "who shall have been convicted of corruption or other high crime", *Indiana State constitution*, Art 7, §13. There is confidence, supported by evidence, that a fair and unbiased trial by the Indiana Senate will result in such a conviction for judge Reed.

5. "or in such other manner as may be prescribed by law." *Indiana State constitution*, Art 7, §13. See IC-5-8-1-1 whereby circuit "judges, prosecuting attorneys, and all county, city, town, and township officers are liable to impeachment for any misdemeanor in office". Judge Rex L. Reed has committed many such crimes under such Articles and statutes. Also see IC 5-8-3.

6. "violation of federal law", see IC 5-8-3, specifically:  
5-8-3-1-(2) "engaging in conspiracy or an attempt to defraud the government of the United States", he knowingly issued unlawful orders with the knowledge that they defrauded the US government.  
5-8-3-1-(3) "seditious utterances in violation of the laws of the United States", he knowingly acted and issued multiple orders with the knowledge that they were and he was in violation of the Constitution for the United States (the Supreme Law of the Land). Such violations, as repeatedly declared by the US Supreme Court, constitute treason and sedition against the United States.  
5-8-3-1(4) "other crime against the laws of the United States", he deliberately and knowingly violated other laws of Indiana and the United States as well as substituting his prejudice for the enacted will of the Indiana and US legislators.

7. "Appointment or election void Any appointment or election of any person [to wit a circuit judge] lacking the qualification described in section 1 of this chapter (i.e. IC 5-8-3-1, see items 6 above) is absolutely void and the person shall be removed from office under IC 34-17."  
*Indiana State Code* IC 5-8-3-2. Underline added.

8. "Treason, Bribery, or other high Crimes and Misdemeanors", *US Constitution*, Art. II, § 4, he has committed other crimes (misdemeanors and felonies), see attached Notice of Felony. In addition, judge Reed has repeatedly and knowingly violated the US Constitution rendering him (as determined by the US Supreme Court) as having committed treason against the United States.

### III. THE COMPLAINT

#### III.A STATEMENT OF FACTS

1. The undersigned, Dr. Amir H. Sanjari, Petitioner comes before this Indiana House of Representatives with a Complaint of repeated, knowing and deliberate acts of Judicial Misconduct, Judicial Abuse and violations of: Indiana and US constitutions and laws (including criminal ones), Separation of Powers, , Oath of Office, *Bill of Rights* of both Indiana and United States, Human Rights and International Treaties by Judge Rex L. Reed of Kosciusko Circuit Court, State of Indiana, sitting unlawfully and in the absence of jurisdiction as a special judge on the aforementioned Elkhart Superior Court No. 5 case knowingly and deliberately perpetuating fraudulently, unlawfully and unconstitutionally sought and issued (*null and void ab initio*) orders and he himself knowingly and deliberately issuing further such fraudulent, unlawful and unconstitutional orders against the Petitioner and his children, committing crimes and abuse against them and depriving them of their constitutionally protected rights under the many and various provisions of the Indiana and United States constitutions and laws. (For details see accompanying Notice of Felony.)

2. Each of the crimes listed below and deliberately committed by Respondent Rex L. Reed violates one or more of the constitutional articles cited in sections IV under “OTHER RELEVANT AUTHORITIES” pertaining to Indiana State constitution (IV.A) and the Constitution for the United States (IV.B). All the said “relevant authorities” have been violated.

3. In addition to his violations in the aforementioned court case, judge R. L. Reed has committed multitude of other criminal and constitutional violations in other cases.

4. Each of the violations listed below is sufficient to satisfy the requirements of instituting impeachment procedure in the Indiana House followed by the trial of judge Rex L. Reed in Indiana Senate.

5. Respondent Rex L. Reed did knowingly, willingly and deliberately, and at times in conspiracy with others (see accompanying Notice of Felony), committed and/or allowed the following misdemeanors, felonious crimes and treasonous acts in the said case:

6. Holding sham and kangaroo court hearings and processes in the knowledge that the Petitions presented and filed by the other parties in the above-mentioned court case before him were false and unlawful and which caused injuries to the instant Petitioner Sanjari and his children. (Violation of IN constitution, Art. 1 Bill Of Rights, §1 & Art. 1, §§11, 18.)

7. Violating the Indiana Judicial Canons and Codes of Conduct for judges. Bias, prejudice, refusal to disqualify after having been sued in federal courts by a party in the case. (Violation of the Canons as well as IN constitution, Art. 1, §12.)

8. Placing himself above the law, using his dictate prejudice in his judicial duties instead of rule of law. (Violation of IN constitution, Art. 1, §§12, 26, 35.)

9. Fraud upon the court and perversion of rule of law and the said constitutions. (Repeated violations of various and many provisions of the said constitutions and laws, including but not limited to "crime, incapacity, or negligence", IN constitution, Art 6, § 7.)

10. Holding hearings and issuing orders in the absence of jurisdiction and authority in violation of the Indiana and US constitutions and laws. (Violations of IN constitution, Art. 1, and the Constitution, *inter alia*, First Amendment, Fifth Amendment, Sixth Amendment, Seventh Amendment, Eighth Amendment, Eleventh Amendment, Thirteenth Amendment, Fourteenth Amendment.)

11. Violations of Separation of Powers clauses through repeated and egregious violations of the Indiana and US Codes and laws as legislated by the Indiana General Assembly and the US Congress and replacing the said laws by his own personal prejudices, vindictiveness and criminal intents. He also did so by denying US Congressional Acts and Decrees and Acts and Decrees by Indiana General Assembly by violating and overruling and defying united States laws and Supreme Court Rules of Court and Opinions and directives of the united States Supreme Court as well as those of Indiana Codes as enacted by the Indiana General Assembly and directives by Indiana Appellate and Supreme courts. (Violations of IN constitution, Art. 3, §1, Codes and Rules of Court, and Art. III §1 of the Constitution.)

12. Depriving the Petitioner of Jury Trial when required or provided for by Indiana and/or United States laws and Constitutions. (Violation of IN constitution, Art. 1, §§13, 20, US Constitution Art. III, §2, Clause 3, the Sixth Amendment and the Seventh Amendment.)

13. Falsifying, tampering and conspiring with and co-opting others (including court staff) to falsify and tamper official court records in the case before him to deprive Petitioner, Dr. Sanjari, of his and his children's lawful and fundamental rights (*inter alia*, Due Process, access to the courts, family life and parental rights) guaranteed by the US and Indiana constitutions and laws, and to profit from and retaliate against the instant Petitioner, and not least, to cover up his (Reed's) own unlawful and criminal activities. Listen to audio evidence cited in the Notice of

Felony. (Violations of IN constitution, Art. 1, §§12, 13, "crime, incapacity, or negligence", IN constitution, Art 6, § 7, and First Amendment, Fifth Amendment and the Fourteenth Amendment.)

14. Ignoring Indiana and federal laws that require protection for parties under bankruptcy laws. Judge Reed held in contempt and unlawfully imposed jail time because Petitioner could not afford, nor was he required by law, to travel 1000 miles to attend an unlawful and kangaroo court hearing held by Judge Reed in the absence of personam jurisdiction. (Violation of IN constitution, Art. 1, §§13, 21, 22, 37, and Thirteenth Amendment.)

15. Conspiring with the opposing attorney to hold unlawful hearing and in the absence of jurisdiction, without lawful service of process and in his absence. (Violations of IN constitution, Art. 1, §12, and Due Process and Equal Protection under First Amendment, Fifth Amendment and Fourteenth Amendment to the Constitution.)

16. Conspiring with the other party's attorney (Max K. Walker, Jr., a disgraced former Elkhart county deputy prosecutor and a woman and child beater) to bring forth and admit false and fraudulent claims against Dr. Sanjari to unlawfully extort moneys from the instant Petitioner in unlawful court hearings, in the absence of jurisdiction and in the Petitioner, Dr. Sanjari's absence. (Violation of IN constitution, Art. 1, §§12, 13, 21, 22, 37, 24 also "crime, incapacity, or negligence", IN constitution, Art 6, § 7.)

17. Issuing and conspiring to issue unlawful, *null* and *void ab initio* orders upon the Petitioner, Dr. Sanjari, when the latter did not and was not able, nor required by law, to attend unlawful kangaroo court hearings, judge Reed, in the absence of jurisdiction, issued further vindictive contempt orders and other constitutional deprivations against Petitioner, Dr. Sanjari and his children as retaliation. This was even after Respondent Reed had been sued in federal and Indiana courts by Dr. Sanjari, for his criminal and constitutional misconduct and violations. (Violations of IN constitution, Art. 1, § 18, *et seq.*)

18. Engaging in obstruction of justice, conspiracy and secret and unauthorized *ex-parte* communications with the Indiana Appellate Court against Petitioner, Dr. Sanjari, (Appellant therein) to cover up his (Reed's) own misconduct and part in fraud and other violations in the said case. (Violations of IN constitution, Art. 1, §12, "crime, incapacity, or negligence", IN constitution, Art 6, § 7, and Due Process and Equal Protection, Fifth Amendment and Fourteenth Amendment.)

19. Issuing orders in direct violations of laws and Constitutions of United States and Indiana as enacted by Indiana General Assembly. Although judge Reed has falsified the case docket (Chronological Case Summary, or “CCS”), nevertheless evidence exists in support of Petitioner, Dr. Sanjari's assertions herein and elsewhere including but not limited to those on the internet. (Violations of IN constitution Art. 3, § 1, Art. 4, §1, "crime, incapacity, or negligence", IN constitution, Art 6, § 7, in conjunction with "engaging in conspiracy or an attempt to defraud the government of the United States", 5-8-3-1-(2); "seditious utterances in violation of the laws of the United States", 5-8-3-1-(3); "other crime against the laws of the United States", 5-8-3-1-(4); and "Treason, Bribery, or other high Crimes and Misdemeanors", US Constitution, Art II, § 4.)

20. Willfully neglecting his judicial duties resulting in physical and psychological abuse of Dr. Sanjari's minor children and egregious and deliberate injuries to Dr. Sanjari, his career, livelihood, family life and liberty.

21. Making misrepresentations and false representations (lies) and character assassination of Dr. Sanjari in his orders as a way of retaliating against the Petitioner's constitutional efforts to secure return of his children (who had been unlawfully kidnapped from him by Elkhart court in conspiracy with others) and seek redress, and to in order taint cases against Dr. Sanjari in Appellate and federal law suits and cover up his own (Reed's) criminal violations through implicitly and criminally misuse and abuse his office and influence the outcome of said law suits.

22. Defrauding and conspiring with others to defraud the United States government, Tax Payers of Indiana and other States, Dr. Sanjari and his children under provisions of the federal Social Security Act. ("or in such other manner as may be prescribed by law." IN constitution, Art. 7, §13, in conjunction with "engaging in conspiracy or an attempt to defraud the government of the United States", IC 5-8-3-1-(2).)

23. Gross and deliberate ignorance of official duties and carelessness in the discharge of official duties. ("crime, incapacity, or negligence", IN constitution, Art 6, § 7.)

24. Abuse of power and breach of trust placed in him by the virtue of his judicial position to uphold the law and the said constitutions. ("crime, incapacity, or negligence", IN constitution, Art 6, § 7.)

25. Willful discrimination and conspiracy with others to discriminate on the basis of gender (Dr. Sanjari is a father, and by definition, a man while the other party in the case is female),

race, religion and national origin. Dr. Sanjari and his children are of Middle Eastern origin and British citizens, they were not born in the US, nor are they US citizens.

26. Unlawful imprisonment and/or unlawful attempt to effect unlawful imprisonment as retaliation in violation of Indiana and US laws and Appellate and Supreme Courts' rulings that require proof that the defendant in a case has willfully not paid some court ordered amount. (*Indiana State Constitution*, Article 1, §§11, 13, 14, 16, 18, 20, 22, Violations of Fourth Amendment and Sixth Amendment.)

27. Oppression in office and threat against the Petitioner, Dr. Sanjari, and his unfair treatment of, such as character assassination and egregious deprivation such as that of a relationship with his children without justification, a “compelling state interest” or “strict scrutiny”. A reading of the record will show that the instant Petitioner not only committed no harm, but that there have never even been any allegation of committing any harm against his children or any one else. But that Petitioner's former wife continually interfered with the Petitioner's parent-child relationship and acted with malice and forethought in a systematic campaign of parental alienation of the children against their father with knowingly aiding and abetting by judge Reed. Respondent unlawfully and unconstitutionally punished and retaliated against Petitioner, Dr. Sanjari, for trying to protect his rights and those of his children by bringing applications before Respondent.. ("crime, incapacity, or negligence", IN constitution, Art. 1, §18, Art 6, § 7.)

28. Knowingly aiding and abetting infliction of injury and abuse upon, and endangering psychological and physical safety of, minor children in violation of Indiana and federal laws and Constitutions. (Violations of IN constitution, Art. 1, §§ 1, 11, "crime, incapacity, or negligence", IN constitution, Art 6, § 7.)

29. Depriving children of their caring parental home in violation of their and their parents due process and other constitutional rights. First Amendment, Fourteenth Amendment.)

30. Violation of parent-child relationship as guaranteed by the freedom of familial association under the First Amendment. Also violation and abuse of Dr. Sanjari's parental rights as guaranteed by the Fourteenth Amendment and described by the US Supreme Court as “*liberty interest*” of highest order protected by procedural due process. Depriving and Conspiracy to deprive, under color of law, Dr. Sanjari and his children of their familial relationship in violation of the Fourteenth Amendment and Ninth Amendment. The said deprivations resulted in physical

and psychological abuse of the children under unlawful court orders including those issued by Rex Reed.

31. Violations of Dr. Sanjari's and his children's human rights as guaranteed by the said constitutions and laws of Indiana and the United States and International Charters and Treaties of the United Nations which the United States, on its own behalf and on behalf of the 50 States of the Union, including Indiana, has signed and ratified. (Violations of IN constitution, Art. 1, §16, and the Constitution, Art. VI, § 2, and Ninth Amendment.)

32. Violation of Oath Of Office and the constitutions. Hence, in accordance with the US Supreme Court's directives, committing treason by levying war against the State of Indiana and United States as a result of his constitutional violations. (Violations of IN constitution, Art. 1, §§28, 29, & Art. 15, §4, and the Constitution, Art. III, §3, Clause 1, & Art. VI §3.)

33. Failure to have bond of office as required by Indiana Code enacted by Indiana General Assembly. As a result Respondent Reed fails to qualify as a bona fide judicial judge. Hence, his orders are, furthermore, *null* and *void ab initio*.

34. Unlawful destruction of Dr. Sanjari's and his children's livelihood, career, security, family life, liberty and “pursuit of happiness”. Judge Rex L. Reed has perpetrated such violations to cover up his crimes and for profit and retaliation against Dr. Sanjari for, in the course of his efforts to secure the return of his children, having exposed and “blown the whistle” on the State actors', *to wit*, Respondent Reed's, Elkhart courts' and Elkhart prosecutor office's, *et al.*'s criminal misconduct, corruption and fraud upon the United States government, the Indiana and US citizens and tax payers. Such crimes by the said State actors under the color of law have resulted in deprivation of Dr. Sanjari's and his children's rights and family life together since 2001 given that the said children have been and continue to be abused in the unlawful custody, knowingly sanctioned and prolonged by Respondent Reed , *et al.*, of Dr. Sanjari's former spouse and alienated from him and prevented from seeing him through unlawful, knowing and direct activities and actions of Respondent Reed. Also resulted are injuries and cruel and unusual punishment (given the strong family ties between the father and his children) upon the Petitioner and his children. (Violations of IN constitution Art. 1, §§1, 11, 16, and the Constitution's, First Amendment, Eighth Amendment, Ninth Amendment, Eleventh and Fourteenth Amendment.)

35. Pre-determining the outcome of pending court cases in which Dr. Sanjari had waited for over three (3) years to have a hearing related to children, their custody and Dr. Sanjari's

parental rights. According to Indiana Appellate court rules and customs such a case normally would take no longer than a few months to dispense with, not three (3) years. (Violations of IN constitution, Art. 1, §12, and the Constitution's, Fourth Amendment, Fifth Amendment, Sixth Amendment, Seventh Amendment, Fourteenth Amendment, Due process, Equal Protection and Parental Rights- "*Procedural Due Process*" as a "*supreme liberty interest*".)

36. Allowing, and conspire with the State of Indiana and Elkhart county, through its prosecutor, to unlawfully, unjustifiably and fraudulently intervene and interfere in the Petitioner, Dr. Sanjari's family ("*liberty interest*" matter) regarding his children and their custody (not least without "*strict scrutiny*" nor "*compelling state interest*", and in violation of the Constitution and US Supreme Court's directives) and file false and fraudulent claims and charges against the instant Petitioner as a way of muzzling him and retaliating against him for exposing the corruption involving Respondent Reed and Elkhart courts. Judge Reed allowed all this knowing that the said claims and charges are false and fraudulent. (Violations of First Amendment, Fifth Amendment, Fourth Amendment, Thirteenth Amendment and Fourteenth Amendment.)

37. Violations of, and contempt and disdain for, the constitutions and laws of the United States and Indiana. (Violations of IN constitution, Art. 1, §28, and the Constitution, Art. III, §3, Clause 1.)

38. Allowing and participating in conspiracy to defraud and cover up his own criminal violations and those of the other party (a female) and the party's attorney (Max K. Walker, Jr.) in the said case and those of the State of Indiana by through Elkhart County prosecutor and his deputy. This is also obstruction and perverting the course of justice.

39. Obstruction of justice and perverting the course of justice, nepotism and cronyism. (Violations of IN constitution, Art. I, §12, *et seq.*, and provisions of the US Constitution.)

40. Intimidation of Petitioner, Dr. Sanjari, a self-represented party, in a case before him. (Violations of IN constitution, Art. I, §12, 13, *et seq.*, and provisions of the US Constitution.)

41. Quashing, suppressing and denying all the valid, lawful and appropriate filings made by the instant Petitioner, while knowingly allowing the false, untrue and fraudulent (sworn) filings and petitions by the other party and Elkhart county prosecutor and his deputy. (Violations of IN constitution, Art. I, §12, 13, *et seq.*, and the Constitution's Fifth Amendment, Sixth Amendment, Seventh Amendment, *et seq.*)

42. Unlawful and undue suppression of violations and incriminating evidence and

testimony by the other party in the case, and preventing Dr. Sanjari from conducting his examination of witnesses. (Violations of IN constitution, Art. I, §§ 11,12, 13, *et seq.*, and the Constitution's Fifth Amendment, Sixth Amendment, Seventh Amendment, Fourteenth Amendment, conspiracy and gender (and other) discrimination by judge Reed.)

43. Maliciously denying Dr. Sanjari's Due Process and Equal Protection rights and access to the courts by preventing and forbidding him from filing any motions in the case and/or refusing to accept the Petitioner's duly and lawfully filed motions. This took place after Petitioner, Dr. Sanjari had filed a suit in federal court against Respondent Reed. Prior to this event, judge Reed had unlawfully denied and/or dismissed all of Dr. Sanjari's duly and lawfully filed papers. (Violations of IN constitution, Art. I, §§ 11,12, 13, 18, 20, *et seq.*, and the Constitution's Sixth Amendment, Seventh Amendment, Eighth Amendment, Fourteenth Amendment).

44. As a direct and proximate result of Respondent's knowing and deliberate violations, activities, actions and (mis)conduct, in violation of 18 U.S.C. §1962 (a-d) of R.I.C.O., Petitioner, Dr. Sanjari, and his children have been unlawfully, unduly and egregiously harmed, damaged, injured, oppressed, threatened, discriminated against, coerced, menaced, intimidated, badgered, and harassed, their constitutional rights severely violated and their livelihoods destroyed. Petitioner has suffered intentional infliction of emotional distress, loss of Liberty, loss of Freedom and business financial losses and the children have suffered severe and irreversible infliction of parental alienation, physical (e.g. leading to self-mutilation and other abuses in the unlawful custody of former wife) and psychological abuse and damage, as a direct result of Respondent Reed's knowing judicial and criminal misconduct, obstruction of justice and racketeering.

45. In addition to the above, judge Rex L. Reed has committed violations of Indiana constitution Art. 3, § 1, Art. 4, §1, "crime, incapacity, or negligence", and Art 6, § 7, in conjunction with "engaging in conspiracy or an attempt to defraud the government of the United States", IC 5-8-3-1-(2); "seditious utterances in violation of the laws of the United States", IC 5-8-3-1-(3), and "other crime against the laws of the United States", IC 5-8-3-1-(4); and "Treason, Bribery, or other high Crimes and Misdemeanors", US Constitution, Art. II, § 4.

46. It maybe noted that none of Dr. Sanjari's lawsuits against Respondent Reed (and other State actors) has been dismissed on merits or substance. Dr. Sanjari's assertions are supported by documentary, audio and personal testimonies and evidence.

47. Although without jurisdiction, having committed multitude of criminal and

constitutional violations, having been sued by the Petitioner, judge Rex L. Reed still refuses to disqualify himself from the case, continues the pretense of jurisdiction and has been issuing unlawful and *void* orders against Dr. Sanjari depriving him and his children of many of their constitutional rights, family life, livelihood, career, means of supporting his children and even his liberty (*inter alia*, unlawful order of contempt after Dr. Sanjari sued Respondent Reed).

48. Dr. Sanjari has filed complaints with US Congressional committees, federal law enforcement agencies and relevant United Nations organizations (re: violations of his and his children's human rights) to have investigations (e.g., "Greyford" by the FBI, as well as others by US Congress) into the corrupt and criminal practices (see Notice of Felony for the role of Indiana Appellate and Supreme Court in the said violations) of the Indiana judiciary.

49. Committing fraud by operating the courts as Corporations (and not judicial courts as sanctioned by Indiana constitution / legislature) traded under, "REX REED", "RANDALL T SHEPHERD", "INDIANA SUPREME COURT", "ELKHART COUNTY SUPERIOR COURT", etc, in foreign state position and surreptitiously treating unsuspecting litigants as Corporations for the courts' own profit to wit from federal government "incentive". This additionally renders the said courts and judges without jurisdiction. **Exhibits # 35.A,B,C.**

### III.B GENESIS OF THE COMPLAINT

The criminal and constitutional violations and human rights atrocities perpetrated by judge Rex L. Reed have arisen during his presiding (unlawfully) as a "special judge" over the aforementioned Elkhart superior court No. 5 case. The facts of the case are (very) briefly as follows:

1. Dr. Sanjari, a Nuclear Physicist, upon invitation came to the US to work in 1993. He brought his wife (then Alison Sanjari) and two daughters all of whom were, and the two children and he still are British citizens. He was a researcher and faculty at University of Notre Dame. He and his former wife, now married to John Gratzol, had equal physical and legal custody of their two daughters in Elkhart, Indiana (IN) upon separation (1999) and divorce (2000).

2. In July 2001 during a short absence in England, former wife lied to Elkhart court that Dr. Sanjari was not returning to Indiana, and she got "sole legal and physical custody" in his absence (unlawful order date August 27, 2001).

This fraudulent order was issued by special judge Michael D. Cook of Marshall Circuit court in violation of Dr. Sanjari's procedural due process ("*liberty interest*") rights as well as without lawful

service of process and solely based upon the lie that Dr. Sanjari was not returning to Indiana. It was based upon no other allegation whatsoever. Therefore, it is *null* and *void ab initio* and without force of law, and all orders based upon it (since 2001) are also *void* and unlawful [see US Constitution and Supreme Court case laws].

3. Dr. Sanjari returned to the USA in October 2001 after having delayed by September 11, 2001 events. The fraudulent "sole custody" order was already in place.

4. In January 2002, in the unlawful "sole custody" of Gratzol, the older daughter had started self-mutilating as a result of psychological and physical abuse by the Gratzols. The two girls had been inflicted Parental Alienation (PA) by the Gratzols against their father much earlier.

5. In September 2002 Dr. Sanjari filed for change of custody, at the time not having been aware that the "sole custody" order was *void ab initio* and therefore unlawful and invalid (fraud).

6. Upon disqualification of special judge Cook, special judge Rex L. Reed was appointed to the case in June/July 2003.

7. Multitude of constitutional and criminal violations by the Elkhart court and special judges thereof (first by Michael D. Cook and then continued, perpetuated and added to by Rex L. Reed). Violations include extensive fraud and conspiracy by Indiana county, Appellate and Supreme Courts to cover up the said judges' fraud and other criminal activities (evidence available and provided) under the color of law.

8. In September 2005, Dr. Sanjari filed one of several law suits in federal court in Boston, MA, and South Bend, IN, against judge Reed (the presumed judge in the "custody case") for multiple criminal and constitutional activities. Respondent judge would not disqualify himself.

9. In November 2005 judge Reed convened a kangaroo court hearing after over 3 years (filed in Sep. 2002, see above) and only after Dr. Sanjari sued him in federal court. By this time judge Reed had lost jurisdiction which was an additional reason for his orders, already *void ab initio* due to being based upon the *void* "sole custody" order, being *void ab initio* in themselves.

10. IN Deputy Attorney General (David Arthur) went to MA to defend judge Reed in federal court. He lied (January 2007) to federal court judge to save judge Reed.

11. In January 2006, Dr. Sanjari filed another law suit against judge Reed (the presumed judge in the "custody case"). Judge Reed continued to refuse to disqualify himself.

12. Judge Reed, soon after having been sued twice by Dr. Sanjari, carried on issuing unlawful, fraudulent and fabricated orders against Dr. Sanjari to remove his liberty and parental rights and time with his children as retaliation against him. As a result of Respondent Reed's unlawful actions under the color of law, Dr. Sanjari, inexplicably lost his 6-figure salaried job in 2006, since which time he has not been able to find another position. In reality, Dr. Sanjari still has equal legal and physical custody of his children, as the "sole custody" orders are *void ab initio*.

13. The Elkhart court and judge Reed have fabricated and falsified the court dockets to contrive an excuse to put Dr. Sanjari away (fabricated "child support" arrears), they have unlawfully and in the absence of jurisdiction taken body attachment / warrant against Dr. Sanjari and IN Attorney General and county prosecutor have unlawfully appeared as "intervenor" under the fabricated pretext of Title IV-D.

14. Dr. Sanjari's children have been inflicted with Parental Alienation and physical and psychological abuse by and in former wife's unlawful "sole-custody". Dr. Sanjari has been prevented from seeing his older daughter for the past 5 years and his younger child for the past 3 years through *void* court orders issued by judge Reed "allowing" Gratzol to prevent, at will, the children from associating with their father. In spite of repeated attempts, Dr. Sanjari has not been able to establish verbal communication with the younger child, who may well be under physical and psychological abuse ( a similar fate to that of her sister's) with the knowledge and acquiescence of Elkhart court and judge Reed as a way of "punishing" Dr. Sanjari for seeking the return of his children and his rights. Dr. Sanjari has worked tirelessly to get his children back. As a result he's had to blow the whistle on, expose and combat family court and judicial corruption in Indiana for the past 7 years. Dr. Sanjari will not cease or desist from his efforts and aim in this regard.

15. Dr. Sanjari has, through unlawful and fraudulent orders, been targeted by Indiana judiciary for retaliation some of which have resulted in the violations described herein.

16. Dr. Sanjari has been conducting his legal activities since 2002 as self-represented.

17. Dr. Sanjari has abundant and solid documentary (available on the Internet and elsewhere) and audio evidence as well as witness testimony of fraud, conspiracy, and many other criminal violations by Indiana judiciary (judge Reed, *et al.*) including the Elkhart court, Indiana Appellate and Supreme Courts. Various copies of said evidence are distributed internationally.

#### IV. OTHER RELEVANT AUTHORITIES

The following are the relevant Articles of State of Indiana constitution and statutes and the Constitution For The United States and Federal Statutes knowingly violated and which correspond to the deliberate criminal and constitutional violations perpetrated by judge Rex L. Reed of Kosciusko Circuit Court, Respondent herein.

##### IV.A INDIANA STATE CONSTITUTION

1. *Indiana State Constitution, Preamble -- TO THE END, that justice be established, public order maintained, and liberty perpetuated; WE, the People of the State of Indiana, grateful to ALMIGHTY GOD for the free exercise of the right to choose our own form of government, do ordain this Constitution.*

2. *Indiana State Constitution, Article 1 Bill Of Rights, §1 -- WE DECLARE, That all people are created equal; that they are endowed by their CREATOR with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness; that all power is inherent in the people; and that all free governments are, and of right ought to be, founded on their authority, and instituted for their peace, safety, and well-being. For the advancement of these ends, the people have, at all times, an indefeasible right to alter and reform their government.*

*(History: As Amended November 6, 1984)*

3. *Indiana State Constitution, Article 1, §9 -- No law shall be passed, restraining the free interchange of thought and opinion, or restricting the right to speak, write, or print, freely, on any subject whatever: but for the abuse of that right, every person shall be responsible.*

4. *Indiana State Constitution, Article 1, §10 -- In all prosecutions for libel, the truth of the matters alleged to be libelous, may be given in justification.*

5. *Indiana State Constitution*, Article 1, §11 -- The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable search or seizure, shall not be violated; and no warrant shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the person or thing to be seized.

6. *Indiana State Constitution*, Article 1, §12 -- All courts shall be open; and every person, for injury done to him in his person, property, or reputation, shall have remedy by due course of law. Justice shall be administered freely, and without purchase; completely, and without denial; speedily, and without delay.

(History: As Amended November 6, 1984).

7. *Indiana State Constitution*, Article 1, §13 -- (a) In all criminal prosecutions, the accused shall have the right to a public trial, by an impartial jury, in the county in which the offense shall have been committed; to be heard by himself and counsel; to demand the nature and cause of the accusation against him, and to have a copy thereof; to meet the witnesses face to face, and to have compulsory process for obtaining witnesses in his favor. (b) Victims of crime, as defined by law, shall have the right to be treated with fairness, dignity, and respect throughout the criminal justice process; and, as defined by law, to be informed of and present during public hearings and to confer with the prosecution, to the extent that exercising these rights does not infringe upon the constitutional rights of the accused.

(History: As Amended November 5, 1996).

8. *Indiana State Constitution*, Article 1, §14 -- No person shall be put in jeopardy twice for the same offense. No person, in any criminal prosecution, shall be compelled to testify against himself.

9. *Indiana State Constitution*, Article 1, §16 -- Excessive bail shall not be required. Excessive fines shall not be imposed. Cruel and unusual punishments shall not be inflicted. All penalties shall be proportioned to the nature of the offense.

10. *Indiana State Constitution*, Article 1, §18 -- The penal code shall be founded on the principles of reformation, and not of vindictive justice.

11. *Indiana State Constitution*, Article 1, §20 -- In all civil cases, the right of trial by jury shall remain inviolate.

12. *Indiana State Constitution*, Article 1, §21 -- No person's particular services shall be demanded, without just compensation. No person's property shall be taken by law, without just compensation; nor, except in case of the State, without such compensation first assessed and tendered.

*(History: As Amended November 6, 1984).*

13. *Indiana State Constitution*, Article 1, §22 -- The privilege of the debtor to enjoy the necessary comforts of life, shall be recognized by wholesome laws, exempting a reasonable amount of property from seizure or sale, for the payment of any debt or liability hereafter contracted: and there shall be no imprisonment for debt, except in case of fraud.

14. *Indiana State Constitution*, Article 1, §23 -- The General Assembly shall not grant to any citizen, or class of citizens, privileges or immunities, which, upon the same terms, shall not equally belong to all citizens.

15. *Indiana State Constitution*, Article 1, §24 -- *No ex post facto* law, or law impairing the obligation of contracts, shall ever be passed.

16. *Indiana State Constitution*, Article 1, §26 -- The operation of the laws shall never be suspended, except by the authority of the General Assembly.

17. *Indiana State Constitution*, Article 1, §28 -- Treason against the State shall consist only in levying war against it, and in giving aid and comfort to its enemies.

18. *Indiana State Constitution*, Article 1, §29 -- No person shall be convicted of treason, except on the testimony of two witnesses to the same overt act, or upon his confession in

open court.

19. *Indiana State Constitution*, Article 1, §31 -- No law shall restrain any of the inhabitants of the State from assembling together in a peaceable manner, to consult for their common good; nor from instructing their representatives; nor from applying to the General Assembly for redress of grievances.

20. *Indiana State Constitution*, Article 1, §35 -- The General Assembly shall not grant any title of nobility, nor confer hereditary distinctions.

21. *Indiana State Constitution*, Article 1, §37 -- There shall be neither slavery, nor involuntary servitude, within the State, otherwise than for the punishment of crimes, whereof the party shall have been duly convicted.

*(History: As Amended November 6, 1984).*

22. *Indiana State Constitution*, Article 3, *Distribution of Powers*. §1 -- The powers of the Government are divided into three separate departments; the Legislative, the Executive including the Administrative, and the Judicial: and no person, charged with official duties under one of these departments, shall exercise any of the functions of another, except as in this Constitution expressly provided.

23. *Indiana State Constitution*, Article 4, *Legislative*. §1 -- The Legislative authority of the State shall be vested in a General Assembly, which shall consist of a Senate and a House of Representatives. The style of every law shall be: "Be it enacted by the General Assembly of the State of Indiana"; and no law shall be enacted, except by bill.

24. *Indiana State Constitution*, Article 4, §16 -- Each House shall have all powers, necessary for a branch of the Legislative department of a free and independent State.

25. *Indiana State Constitution*, Article 4, §28 -- Provision may be made, by general

law, for bringing suit against the State; but no special law authorizing such suit to be brought, or making compensation to any person claiming damages against the State, shall ever be passed.

*(History: As Amended November 6, 1984).*

26. *Indiana State Constitution, Article 5, Executive. §16 --* The Governor shall take care that the laws are faithfully executed.

*(History: As Amended November 6, 1984).*

27. *Indiana State Constitution, Article 5, Executive. §18 --* When, during a recess of the General Assembly, a vacancy shall happen in any office, the appointment to which is vested in the General Assembly; or when, at any time, a vacancy shall have occurred in any other State office, or in the office of Judge of any Court; the Governor shall fill such vacancy, by appointment, which shall expire, when a successor shall have been elected and qualified.

28. *Indiana State Constitution, Article 15, Miscellaneous. §4 --* Every person elected or appointed to any office under this Constitution, shall, before entering on the duties thereof, take an oath or affirmation, to support the Constitution of this State, and of the United States, and also an oath of office.

#### IV.B THE CONSTITUTION FOR THE UNITED STATES (“The Constitution”)

1. *The Constitution, Article I, §1, Clause 1--* All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

2. *The Constitution, Article I, §2, Clause 5 --* The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

3. *The Constitution, Article I, §3, Clause 6 --* The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

4. *The Constitution*, Article I, §3, Clause 7 -- Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

5. *The Constitution*, Article I, §9, Clause 3 -- No bill of attainder or *ex post facto* law shall be passed.

6. *The Constitution*, Article I, §9, Clause 8 -- No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

7. *The Constitution*, Article I, §10, Clause 1 -- No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, *ex post facto* Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

8. *The Constitution*, Article I, §10, Clause 3 -- No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.

9. *The Constitution*, Article III, §2, Clause 3 -- The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

10. *The Constitution*, Article III, §3, Clause 1 -- 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.

11. *The Constitution*, Article III, §1, Clause 1 -- The judicial power of the United States, shall be vested in one supreme court, and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services, a compensation, which shall not be diminished during their continuance in office.

12. *The Constitution*, Article III, §2, Clause 3 -- The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the state where the said crimes shall have been committed; but when not committed within any state, the trial shall be at such place or places as the Congress may by law have directed.

13. *The Constitution*, Article III, §3, Clause 1 -- 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 open confession in open court.

14. *The Constitution*, Article III, §3, Clause 2 -- 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.

15. *The Constitution*, Article IV, §2, Clause 1 -- The Citizens of each state shall be entitled to all privileges and immunities of Citizens in the several states.

16. *The Constitution*, Article VI, §2 -- This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

17. *The Constitution*, Article VI, §3 -- The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial

Officers, both of the United States and of the several States, shall be bound by oath or affirmation, to support this constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

18. *The Constitution*, Amendment I (1791) -- Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

19. *The Constitution*, Amendment IV (1791) -- The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

20. *The Constitution*, Amendment V (1791) -- No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

21. *The Constitution*, Amendment VI (1791) -- In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

22. *The Constitution*, Amendment VII (1791) -- In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and

no fact tried by a jury, shall be otherwise reexamined in any Court of the United States, than according to the rules of the common law.

23. *The Constitution*, Amendment VIII (1791) -- Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

24. *The Constitution*, Amendment IX (1791) -- The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

25. *The Constitution*, Amendment X (1791) -- The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

26. *The Constitution*, Amendment XIII, §1 (1865) -- Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

27. *The Constitution*, Amendment XIII, §2 (1865) -- Congress shall have power to enforce this article by appropriate legislation.

28. *The Constitution*, Amendment XIV, §1 (1868) -- All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

29. *The Constitution*, Amendment XIV, §3 (1868) -- No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature,

or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

30. *The Constitution*, Amendment XIV, §5 (1868) -- The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

## V REQUIREMENT FOR THE GENERAL ASSEMBLY TO ACT PROMPTLY

1. The instant Complaint is being made as a Constitutional complaint. In order to present more fully for your consideration of the Respondent, judge Rex L. Reed's violations, including but not limited to those of criminal nature (felonious and misdemeanor), the Complaint is complemented by the attached "VERIFIED AND EVIDENTIARY NOTICE OF FELONY" containing, *inter alia*, some of the corresponding violated Federal Codes, the Case For Impeachment and supporting exhibits. Hence, presenting both the constitutional violations as well as those of the Federal and Criminal Codes knowingly and deliberately perpetrated by an Indiana public officer, Rex L. Reed. Such atrocities and injustice by a judge can not be permitted to stand and continue.

2. By its conduct, the judicial branch has acted as if it has control and jurisdiction over all three branches of government, which is not only unconstitutional, but it also violates the judicial code as some of the violations have been in the nature of the role of purported legislator and executive officer by the said Respondent. The judicial branch can not make laws, disregard or violate them, or enforce them from the bench as judge Rex L. Reed has been doing since, at least, 2003, and not just in the instant case alone either. Judges are required to swear at least one Oath to uphold both the federal and State constitutions and not to disregard and violate them when convenient or when they need to extricate themselves and the court from their unlawful violations and activities. No person can trust or have confidence in the rule of law and integrity of the judicial system when judges themselves are violators of the law and the Constitution. In *Chambers v. Baltimore & Ohio R.R. Co.*, 207 U.S. 142, 148-149, 28 S.Ct. 34, 35, 52 L.Ed.143, 146 (1907), The Court stated:

“The right to sue and defend in the courts is the alternative of force. In an organized society it is the right conservative of all other rights, and lies at the foundation of orderly government. It is one of the highest and most essential privileges of citizenship, and must be allowed by each state to the citizens of all other states to the precise extent that it is allowed to its own citizens. Equality of treatment in this respect is not left to depend upon comity between the states, but is granted and protected by the Federal Constitution.”  
(Citations omitted.)

As implied above by the US Supreme Court, interference with this “right”, judicial tyranny and egregious injustice and violation of rule of law by miscreant judges, such as Respondent Rex L. Reed, could lead but to one end, i.e. anarchy and/or rebellion (*c.f.* 1776 A.D.).

Therefore, it befalls upon the members of the Indiana General Assembly, to carry out their constitutional and legal duty<sup>1</sup> through consideration of and initiating action upon the instant Writ and Bill of Impeachment for, the peace and prosperity of the people of Indiana and *proper* administration of justice in the courts depends upon adherence by the judiciary to, and their respect of, the rule of laws and constitutions from which they derive their authority and which they have sworn to uphold. For, if those who are charged with maintaining and applying the laws and constitutions of the Land and dispensing the rule of law violate the very same laws and constitutions, how, then, can the common man be expected to obey them?

3. Judges may be removed from office through procedures in both houses of the General Assembly. See II.A, II.B and II.C above, where the relevant authorities and procedure are presented for your convenience. It befalls upon the Indiana House of Representatives and its Judiciary Committee to initiate forthwith impeachment proceedings and issue Articles of Impeachment, upon which, the Indiana Senate would convene the appropriate session for trial of judge Rex L. Reed.

4. You and your colleagues in the Indiana General Assembly have the legal and constitutional obligation to protect and uphold the Indiana constitution and the Constitution for the

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<sup>1</sup>Failure to act upon the instant Petition violates Indiana and U.S. Constitutions and laws, to wit

18 U.S.C. §§ 2381 (Treason- Violation of Oath of Office and the US Constitution is War Against the United States, and Therefore, Treason- *Cooper v. Aaron*, see Notice of Felony), ), 2382 (Misprision of Treason), 2383 (Rebellion or insurrection- inciting, assisting, or engaging in any rebellion or insurrection against the authority of the United States or the laws thereof, or giving aid or comfort thereto).

United States, and to stop such injustice and abuse and violation of the law and the constitution from being perpetrated upon the multitude of current and former citizens and residents of Indiana and others who have been and/or are being subjected to such judicial atrocities by Indiana judges. These offices are offices of trust and honor whose effectiveness depends upon the confidence they exude amongst the citizenry. Staining and dishonoring them through bad and unlawful “behaviour”, as Respondent judge Rex L. Reed has, will be egregiously detrimental to their good performance and administration for the benefit of the State and its citizenry.

5. The Constitution provides the President with a 10-day period from the date of the receipt of a Bill to comply. Similarly, the Indiana “Governor shall have seven [7] days after the day of presentment [by the General Assembly] to act upon such bill”, (Indiana constitution, Art. 5, § 14). Moreover, The Supreme Court allows a 10-day time limit for filing a response. Being cognizant of these legal and official standards, however, you are hereby provided a 20-day period in which to consider the instant Writ and Bill and initiate an investigation and articles of impeachment and related proceedings in the Indiana General Assembly.

## VI CONCLUSION

1. Supported by evidence, it has been shown, see above and attached Notice of Felony, that Respondent Rex L. Reed, has knowingly, deliberately, wantonly and egregiously violated the tenets of “good behaviour” (II.A, II.B, II.C, III.A and Notice of Felony) that are prerequisite to holding office as a public officer and a judge by Indiana (and federal) constitution(s) and laws. As a result, judge Rex L. Reed's impeachment is warranted, required, and indeed, demanded as per requirements of the laws and constitution of Indiana (and that of the United States).

2. Therefore, the instant Petitioner, Dr. Amir H. Sanjari, and others named below in support, demand that impeachment procedures be forthwith instituted against judge Rex L. Reed in accordance with the Indiana constitution and laws. Any delay in this matter (see V above), will render the relevant members of the General Assembly in violation of the Indiana and federal laws

and constitutions (to wit see footnote 1 above), and the resulting prolongation of judge Reed's in office will continue to inflict further and unnecessary pain, injustice and oppression upon Indiana residents.

3. Dr. Sanjari, *et al.*, will not cease or desist from their efforts in pursuing redress nationally or internationally in this regard and, along with a coalition of other groups aggrieved by Indiana judges, intend to make judicial misconduct, and the Indiana legislators' response to it (to wit your response to the instant Petition for Impeachment), an election issue in Indiana, with particular focus on the districts of those General Assembly Members responsible for action regarding the instant Petition. Additionally and concurrently with filing of this Petition with the Indiana General Assembly, the Petitioner, *et al.*, will issue a press release nationally and particularly inside Indiana with the same district focus.

Furthermore, Dr. Sanjari, a citizen (as are his children) of the European Union (EU), would work to dissuade and prohibit EU corporations (such as through EU laws, courts, Parliament and other organizations) from trading with the State of Indiana (USA) for the State of Indiana's human rights violations of EU citizens such as Dr. Sanjari and his children.

4. Respondent judge Rex L. Reed's pattern of willful, malicious, criminal conduct presents a picture of an unfair and out of control judicial system for litigants (especially the self-represented ones), and in particular in the domestic relations courts, and has irredeemably damaged the integrity of the courts in Indiana. Because of his demonstrated pattern of willful judicial and criminal misconduct, fraud, fraud upon the court, due process violations, incompetence, lack of integrity, lack of impartiality, his physical and psychological disabilities, his vindictiveness and his discrimination and hateful bias (on the basis of gender, race and national origin), Respondent Reed must be removed from the bench, not only as a punishment, but to maintain the honor and dignity of the judiciary and the proper administration of justice in the courts, as well as a sign of support for honorable judges who apply the rule of laws and constitutions without violating them.

**WHEREFORE**, Petitioner, Dr. Amir H. Sanjari, respectfully demands an investigation to immediately and forthwith ensue against the Respondent judge Rex L. Reed to clean up the judicial misconduct, fraud, unlawful practice of double standards, institution of unlawful personal agendas into positions of authority, violations of oath of office and other criminal acts he has

committed, to wit:

a. Upon a finding of reasonable cause or suspicion, for the proscribed conduct demonstrated herein, forthwith impeach, remove and forever suspend without pay and pension, the above named Respondent judge Rex L. Reed;

b. During the interim, the Respondent Reed be suspended from his duties.

c. If good and sufficient cause be found against the above named Respondent for Impeachment, immediately seize and put into the custody of the law, all property, assets, salaries, pensions, and holdings of or belonging to or in the possession of Respondent, pending final resolution on the merits of this Petition, for damages sustained by the Petitioner.

d. Upon conviction and impeachment of Respondent Reed by the Indiana Senate, the State Attorney General carry out his duty, in accordance with the Indiana constitution and laws, to investigate, charge and prosecute the said Respondent for crimes, felonies and misdemeanors he has perpetrated.

Further documentary and audio evidence as well as witness testimonies are available upon request.

I hereby state: "*Under penalties of perjury, I declare that I have read the foregoing complaint and statements, and that the facts stated within it are true, to the best of my knowledge and belief.*"

Respectfully submitted,

Dated: July 03, 2008

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Dr. Amir H. Sanjari