



Class of 1975

**WALTER FRANCIS FITZPATRICK, III**  
**Commander, United States Navy Retired**

412 South White Street #215  
Athens, Tennessee 37303 - 4732  
Email: [jghunter1@gmail.com](mailto:jghunter1@gmail.com)

**Monday, 9 December 2019**

**Chief Justice John Glover Roberts, Jr. \***  
**Supreme Court of the United States**  
**1 First Street, NE**  
**Washington, District of Columbia**  
**20543**

**United States Attorney General \*\***  
**William Pelham Barr**  
**United States Department of Justice**  
**950 Pennsylvania Avenue, NW**  
**Washington, District of Columbia**  
**20530-0001**

**Secretary of Defense \*\***  
**Dr. Mark T. Esper**  
**Department of Defense**  
**1400 Defense Pentagon**  
**Washington, District of Columbia**  
**20301-1400**

---

\* ORIGINAL  
\*\* COPY

***"The Power of the lawyer is in  
the Uncertainty of the law."***

~ Jeremy Bentham  
British philosopher and economist  
1748-1832

***"Harvey: Rules? In a knife fight? "NO RULES!"  
Butch: "Well if there ain't going to be any rules, let's get the fight started!  
Someone count 1,2,3  
GO...!!"***

~ William Goldman  
American novelist, playwright, and screenwriter  
1931-2008  
*Butch Cassidy and the Sundance Kid*

#### **Gentlemen:**

President of the United States Donald John Trump is under personal and physical attack.

A dedicated knot of socialist democrats in Congress strive decisively to effect a change of government illegally and by force, treason and sedition, to overthrow President Trump from office. Treason and sedition in service to an ideological philosophy of government our Founders deep-sixed in 1775.

Bullies Nancy Pelosi, Adam Schiff and Gerald Nadler are the ring leaders. The three bullies are calling their coup d'état Impeachment. In reality the three bullies are working a government not found in our Constitution but is rather a rival, foreign type of government competing with the Constitution.<sup>1</sup>

Although motives are clear enough and numerous enough, it must be said out loud and repeatedly, Nancy Pelosi's hate for President Trump is the forcing function behind the attempted state overthrow. When the federal arrests commence: Arrest Nancy Pelosi first!!

---

<sup>1</sup> Whiskey Rebellion Trials, 1795. Treason!

This entire Impeachment street theater is driven most by hatred of President Trump. Also fueling this conflagration avarice for power. It is fantastical and bizarre and lunatic.

In an extension and manifestation of Pelosi's hate Jerrold Nadler publicly said just after President Trump's election: "We cannot wait four years to vote Mr. Trump out of office...We must keep our eyes on two important goals: depressing Trump's public support and dividing the Congressional GOP from [President Trump] and from each other."

After Pelosi: Arrest Nadler next. Nasty people intend upon the destruction of America.

Then engage and arrest the rest.

This is a call to action and serves notice to all three of you men in this evil time of Constitutional Crisis that ***a government overthrow is being attempted. This is a maximum effort insurrection against the United States!*** All three of you stand in positions of power and authority to put an end to the attempted coup d'état. By way of judicial interdiction and interference and in the federal felony arrests of the perpetrators, you can and must stop this treason and sedition.

The democrat socialist false narrative spawned by the mysterious intruder and interloper (elsewhere referred to as the "whistleblower") exploding into Nancy Pelosi's vexatious and hateful utterance to draft Articles of Impeachment last Thursday (5 December). Pelosi's excoriation is hereby formally contested. There is no established crime.

To be clear: I demand the Supreme Court act to suspend and void the criminally indictable actions of members of the House of Representatives for advancing their fraudulent "Impeachment" racket. I demand federal law enforcement officials, civilian and military, to arrest declared domestic enemies who are responsible. Accept this as a formally sworn federal criminal complaint, a demand for Supreme Court interdiction and judicial oversight, and a demand for federal arrests to soundly defeat the attempted overthrow of President Trump.

A massive record of proof and evidence are in public view and in public dissemination that supports this demand for federal judicial oversight and federal law enforcement arrests. Some of the material is cited within. More is available to advance these demands.

This formally sworn federal criminal complaint extends to any House of Representatives member who votes to impeach President Trump in the event the question comes to a vote.

### **THE WIT AND WISDOM OF ABRAHAM LINCOLN**

Abraham Lincoln once asked, if Lincoln should call a dog's tail a leg, how many legs does the dog now have?

The correct answer is four.

President Lincoln's point: Calling the tail a leg does not change the tail to a leg. Call the tail what you may, the dog still has four legs and one tail.

### **THE TAIL AND THE TALE**

Calling their attempted coup d'état an "IMPEACHMENT" does not alter the character or nature of the attempted coup d'état.

Call it what you may: The coup d'état is still a coup d'état.

### **WHAT'S REAL. WHAT'S MADE UP.**

What's real (the tail): Treason and sedition in the attempted overthrow of President Trump. It is a coup d'état!

What's made up (the tale): Impeachment! Affirmed as recently as Saturday, 7 December 2019, there is no evidence President Trump committed a crime. There is no evidence President Trump violated any law.<sup>2</sup>

### **THE ROLE OF THE SUPREME COURT**

Impede the further advance of the attempted government overthrow. Void House Resolution 660.<sup>3</sup> Then terminate the Impeachment burlesque.

---

<sup>2</sup> REPORT BY THE MAJORITY STAFF OF THE HOUSE COMMITTEE ON THE JUDICIARY released 7 December 2019.

<sup>3</sup> *Marbury v. Madison*, 5 U.S. 137 (1803): The United States Supreme Court commands power to declare an act of Congress unconstitutional. The 1803 Supreme Court used the words "act" and "rule" and "law" in a way they can be exchanged. "...it is apparent the framers of the Constitution contemplated that instrument [the Constitution] as a rule for the government of courts, as well as of

Reaching beyond the constitutional limits of their power and authority, in the passage and exploitation of House Resolution 660, socialist democrats macheted due process, authored their own special unlawful rules of evidence, and set up an impossible obstacle course for any President Trump defender.

For instance: In the same process of overthrow socialist representatives socialist reject the House Rule allowing for the Minority demand to obey separate mandates in place allowing for Republican Members participation to select and call witnesses in defense. <sup>House Rule</sup>

## **IMPEACHMENT**

When it comes to IMPEACHMENT, there are no checks. There is no balance. It is in this area the Supreme Court finds good cause to interfere and interdict.

We suffer through a terrible time of chaos and mayhem.

Consequently, named domestic enemies of the United States are free to use "Impeachment" as a duck blink to conceal the real hateful purpose that is to oust President Trump from office.<sup>5</sup>

The process of Impeachment leading to Senate "trial" goes unchallenged and is judicially infirm and untested. The phrase "High crime and Misdemeanor" is an unreliable term of art. As it stands, Impeachment does not require an indictable crime. Impeachment requires no crime at all.

Begging for judicial oversight and established resolution, meaningless terms and phrase run about brazenly naked searching for concrete definition.

Domestic enemies are out to destroy President Trump and his family. They promise repeated Impeachments. Bill Clinton advisor and Democrat functionary Paul Begala predicts Democrats may have to continue additional Impeachments. Texas Representative Al Green reports there is no limit on the number of times a president may be Impeached and demands future Impeachments address "the original sin of slavery."

---

the Legislature." Constitutionally commanded rules of evidence shall not be departed from. "Thus, the particular phraseology of the Constitution of the United States confirms and strengthens the principle, supposed to be essential to all written Constitutions, that a law repugnant to the Constitution is void, and that courts as well as other departments, are bound by that instrument [the U.S. Constitution]. The rule must be discharged."

<sup>House Rule</sup> Rules of the House of Representatives. Rule XI Clause 2(j)(1).

<sup>5</sup> A list of declared domestic enemies is separately filed with Attorney General Barr and Defense Secretary Esper dated 8 November 2019.

Obama's former campaign manager David Plouffe says: "It's not enough to simply beat Trump. He must be destroyed thoroughly. His kind must not rise again."

It's a coup d'état! Pre-planned, rehearsed and choreographed.

The situation is way out of control. Socialist democrats promise saturation Impeachment. The Supreme Court must interdict now and establish legal constitutional norms, standards and procedures for Impeachment and the Senate "Trial."

Restore order!

### **THE SENATE "TRIAL"**

The Senate "trial" is identified here as an administrative hearing by jury, an administrative removal for cause hearing.

The words "conviction" and "acquittal" take on a different aspect and meaning in this non-criminal, administrative setting.

Senatorial judgement during this phase of administrative inspection of an office holder's conduct is administrative in nature only. It is not guided or influenced by the federal criminal code.

"Judgement 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, Judgement, and Punishment according to Law." <sup>6</sup>

The conduct of the Senate "Trial" is the conduct of an administrative hearing before a jury only. It is not a criminal trial. It is an administrative process which may only render an administrative removal from office, a relief for cause...or not.

A Senate "Trial" conviction is not a criminal conviction.

---

<sup>6</sup> U.S. Constitution, Article I, § 3, Clause 7

## **ROLES OF ATTORNEY GENERAL BARR AND DEFENSE SECRETARY ESPER**

Listed below is an incomplete catalog of indictable crimes under the federal criminal code.

Federal arrests are a separate and distinct feature of our government's machinery apart from the administrative separation jury hearing process consequent an Impeachment.<sup>7</sup>

U.S. Representatives presently advancing President Trump's overthrow are subject to federal arrest for treason and other federal felony offenses.

Participating military officers may be brought under federal arrest consequent the Uniform Code of Military Justice (UCMJ) or the civilian federal criminal code and prosecuted accordingly.

Immunity does not extend to persons committing any act in furtherance of the attempted presidential overthrow. Immunity does not extend to personages committing the federal crimes of treason or sedition.

## **ESTABLISHED HIGH CRIMES AND MISDEMEANORS ARE COMMITTED BY DECLARED DOMESTIC ENEMIES, CIVILIAN AND MILITARY: TREASON AND SEDITION**

Attorney Mark S. Zaid called the duck blind Impeachment a coup d'état in January 2017!

The insurrection against the United States aimed at removing President Trump from office began immediately following the presidential election.

Paraphrasing Attorney Mark S. Zaid public declaration (30 January 2017): The coup is begun. First of many rebellious steps underway. Impeachment will follow ultimately. Alerts anti-Trump Lawyers to gear up!

The presumption of guilt from the start based on an artificial construct.

No due process.

---

<sup>7</sup> U.S. Constitution, Article I, § 6, Clause 1

Adam Schiff's forged recitation into the Congressional Record of a deliberate exaggeration of a make-believe phone conversation.

The issuance of secret subpoenas.

The conduct of secret hearings by a camouflaged committee, subdivided into an unconstitutional working group, moving in and out of secret holdings, working out their secret minds. The introduction and conduct of a new form of state secrecy, medieval in its nature and character.

Perseverance in purposeful factual ignorance.

No fact witnesses.

Prohibitions against calling fact witnesses.

No retort allowed. Not allowed to be physically present so as to answer.

Blocking the Minority Members from issuing subpoenas.

Invention of new, unconstitutional legal standards and procedures (the machinery of a rival and competing government: Treason).

Expressions of hateful and extreme prejudice inflicting harm and injury.

Prohibitions from confronting and cross-examining the accuser!

Sequestering the accuser, aka "The Whistle Blower." Or whatever. Referred to here instead as the interloper / intruder. What standing does s/he hold to advance the accusation? What interactions did s/he have with Adam Schiff's staff? When? How many meetings? When was the interloper / intruder ever under oath? What security clearances are relevant? A domestic spy? Recruited hit man (gender neutral)?

Unfolding reports of former Ambassador Yovanovitch perjured congressional testimony.

Adam Schiff's illegal capture and public release of private phone records of Devin Nunes, Former Mayor Rudy Giuliani, and journalist John Solomon.

Treasonous offenders Pelosi, Schiff, Nadler and so many more domestic enemies must be held to criminal consequences.



Otherwise they plan to proceed with unending, repeated unconstitutional duck-blind Impeachments with no more cause than exists at present.

This is a coup d'état! Pure Evil! Our president is under attack! Our government is under attack!

And there are no rules!

Well, if there ain't no rules let's get this fight started!

The American People are shouting: One, two three...GO!!

Relentless, as always,

*Walter Francis Fitzpatrick, III*

Cc: President Trump, wide distribution

This writing is a criminal complaint demanding your immediate Supreme Court judicial oversight and urgently necessary federal law enforcement actions. This extends and renews all previously filed, extant local, state and federal felony criminal complaints. I hold standing in all criminal matters reported to date.

SWORN AND SIGNED BEFORE ME THIS MONDAY, THE 9<sup>TH</sup> DAY OF DECEMBER 2019:

TIME: 0915 hours (local) 9:15 (a.m. ET)

STATE OF TENNESSEE  
COUNTY OF McMINN

Before me, the undersigned authority, a Notary Public in and for MCMINN County and Tennessee State, personally appeared Walter Francis Fitzpatrick, III, who proved to me on the basis of satisfactory evidence, and who acknowledge that he executed this writing for the purpose herein contained.

*Christine P. Gephart*  
\_\_\_\_\_  
Notary signature

*Christine P. Gephart*  
\_\_\_\_\_  
Notary printed name



*com ex  
19 October 2021*