

## **The illegal and malicious imprisonment of David Lane**

### **Appeal from Political Prisoner David Lane to the citizens of the United States of America.**

1) From the 5th Amendment to the United States Constitution:

"Nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb"

2) From the 6th Amendment to the United States Constitution:

"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"

3) From the denial of appeal for David Lane, filed in the United States Court of Appeals, 10th Circuit, August 25, 1989, No. 87-2774, Holloway, Chief Judge: (emphasis added by ed.) "in December 1985, before trial on this charge, Lane {was} convicted of RICO offenses...where one element was the ALLEGED PARTICIPATION IN BERG,S KILLING."

"There were clearly separate offenses in that the RICO prosecution {in Seattle} required proof of a pattern of racketeering activity AND THE HOMICIDE, while here {in Denver} the racial motivation and employment element had to be proven, IN ADDITION TO THE HOMICIDE."

This is the documentation of the Government's malicious and illegal imprisonment of me. In the past I have largely avoided writing about my own legal situation for several reasons, among them being that pursuit of justice in Federal Courts in the United States of America is futile. But the time has come to expose the Government's blatant violations of Constitutional law in a criminal conspiracy to destroy David Lane. The governmental conspiracy is so undeniable and well documented that it must be used in the interest of freedom for all men.

More of the story follows, including how I was tried in Seattle, Washington, once for alleged participation in the Berg homicide and again for conspiracy to commit the Berg homicide. I was given 2 twenty year consecutive sentences totaling 40 years, before the third illegal trial in Denver, for which I was given an additional 150 years. {David has served almost 18 years to date} There were no other charges, singularly or in the aggregate, that could conceivably justify the draconian sentences in either Seattle or Denver except the alleged participation in the Berg homicide. Nor was there one iota of physical evidence presented at any trial in the Federal courts that I participated in the Berg homicide. The Denver district attorney stated that there was no evidence to try me for homicide, which is normally a state crime. 100% of the evidence against me was government created perjury.

But for now, note that I was jeopardized twice in a State and District other than where the offense shall have been committed, in direct and undeniable violation of the 5th and 6th Amendments to the Constitution. That I was subjected to group trials in order to tar me with the alleged actions of others, that the alleged offense was included with other offenses in the indictments, that the offense was labled a predicate act in a RICO or conspiracy trial, and the alleged motives for the offense are totally irrelevant and are deliberate deception. In black and white, in certified Federal Court documents, the evidence is absolute and beyond denial, that I was put in jeopardy three times with illegal indictments, trials and sentences, for an alleged offense of the Alan Berg homicide. Yet with an equally undeniable determination to circumvent the U.S. Constitution and to uphold the Government's criminal conspiracy to destroy David Lane, they deny the appeal that their own words self-evidently demand.

It is well known to all scholars that the whole purpose of the prohibition against double jeopardy in the 5th Amendment was to prevent exactly the kind of repeated and malicious prosecutions shown here. The current government's machinations in trying a person virtually unlimited times for the same alleged offense by adding motives to the indictments, by changing jurisdictions from State to Federal courts, or from one Federal court to another, or by including the alleged offense with other offenses in RICO or conspiracy trials are malicious, criminal and transparent methods to circumvent both the letter and spirit of the Constitution. The clear intent of the Constitution's authors was that a person not be put in jeopardy more

than once for an alleged criminal act.

The "law" in America has become nothing but what is expedient for those who have power. Politicians invent unconstitutional statutes. Then Federal judges rule that the clearly unconstitutional statutes are enforceable, and innocent men are destroyed imply because their political views are unpopular with those in power. The unique thing about what I have shown here and a reason to use it widely in the resistance to Federal tyranny is the undeniable documentation which only a fanatically determined apologist for Government tyranny would attempt to deny. The Government can demonize victims such as those burned alive at a church in Waco, Texas, or the Weavers, so they can commit murder with impunity. They can cover up the perjured testimony created by Federal prosecutors. When all else fails, a power system will dismiss the pleadings of their victims as the " ravings of conspiracy nuts." But the evidence displayed here is shown in certified Federal Court documents, and they cannot profit by demonizing their own judges.

I hope that my personal friends and others who understand concepts like law, justice and freedom will use this expose` and spread it widely. Put lawyers, judges, bar associations, Federal, State and Local politicians, legal scholars and law professors on notice that at least some members of the public are aware of just what kind of criminal government they are running. It should be sent to newspaper editors, fax and computer networks, patriotic groups and so on. Perhaps a petition should be circulated and presented to someone in a position to use this in obtaining my personal freedom and to sue the criminal government for \$50-100 million as a lesson that the Government must not be allowed to unlawfully destroy political opponents. At any rate, it is absolute truth and is the best expose` I can devise.

**David Lane**