

Although hard to believe, we have evidence in hand, & the law cited to prove these felony crimes. Without these felonies Goodwin would not have been convicted. EVIDENCE PROVES THIS.

Suppressed evidence we can prove the prosecution has will also prove a) another 50+ prosecution/investigator felony crimes, & that b) the prosecutors/investigators knew fully well they were committing these crimes, most often Penal Code § 118, 118a, 125 & 127 perjuries, & subornations of perjuries, before they committed them.

In addition to the material felony perjuries, including by DDAs (Deputy District Attorneys) in offers-of-proof, which law rules are felony perjuries\*, evidence we have proves all of the following, including material evidence forgery, & destruction of materially exculpatory evidence.\* (HOLLOWAY V. ARKANSAS (1978) 98 S. Ct. 1173-1174-1179)

Beyond the perjuries by prosecutors (DDAs) & investigators there are 60 provable, material perjuries at trial/the prelim by four D.A. experts plus another 12+ by several lay witnesses.

Penal Code § 1473(b)(1), in re HALL (1981) 30 Cal 3d 408, 424, cited in re PRATT (1999) 69 Cal App 4th 1294, 1313-1314 requires reversal for these instances of false testimony/perjury even if the prosecutors were not aware of the falsity of the testimony.

As stated above, evidence proves that prosecutors were aware of their own perjuries/false statements-arguments, & most of the false testimony by their witnesses. So JACKSON v. BROWN (9th Cir. 2008) 513 F.3d 1057, 1075-1076 also requires reversal. More law next page.

More than two dozen National TV specials across all networks have featured this case, as well as TIME, SPORTS ILLUSTRATED, PEOPLE.

Although not a crime in itself, prosecutors contributed to the prejudice vs. petitioner, & his inability to conduct meaningful cross exam by suppressing over 30,000 pages of material evidence. Had the defense had this evidence there wouldn't be a conviction.

We have located a precisely detailed inventory of the over 3000 documents in these suppressed files, & have identified over 250 pieces of materially beneficial evidence which:

- 1) Are not redundant with any evidence on these issues that we now have.
- 2) Are available nowhere else except from the government, and,
- 3) "Had we had this evidence there is a reasonable probability that...the result of the proceeding would have been different" JACKSON V. BROWN (9th Cir. 2008) 513 F.3d 1057, 1076, (emphasis in original).

Thus, many of these pieces of suppressed evidence, that we can prove the government has will qualify as BRADY VIOLATIONS also requiring reversal.

Further, many of the BRADY VIOLATIONS will also prove additional instances of material false testimony by the D.A. witnesses, NAPUE VIOLATIONS, (NAPUE V. ILLINOIS (1959) 360 U.S. 264, 269).

"A NAPUE violation requires that the conviction be set aside whenever there is any reasonable likelihood that the false testimony could have affected the judgment of the Jury!" HAYES V. BROWN (9th Cir. 2005, en banc) 399 F.3d 972, 985.

JACKSON V. BROWN, supra, appropriately juxtaposing passages from pages 1075 & 1076 also rules as follows:

"If any of the State's representatives knew the testimony was false, reversal is virtually automatic!"

Since evidence we have proves that the prosecutors & investigators themselves knew they & their fellow "State representatives" were testifying falsely, reversal is required by this authority.

This writing is primarily focused on prosecutorial/investigatory misconduct, very little of which is included in the Direct Appeal since it was not on the record.

Because of the misconduct focus we will not go into the details of several other critical errors, without which the wrongful conviction would not have occurred.

Primary amongst those are material errors re: six jury instructions that should have been correctly given sua sponte by the trial Judge. Those are listed on the next to last page, items number 1-2-3-5-6-7. You will probably not understand the import of those jury instruction failings until you also read our 38 page brief on trial Judge bias/incompetence/misconduct, which is ready & available to you.

You also may have asked yourself how & why prosecutors & investigators would have gone to such lengths, & committed such acts of misconduct, including crimes, to falsely convict a person which the suppressed evidence, evidence of which prosecutors & investigators were well aware of, but suppressed, proved innocent.

Evidence we have proves that this was done to cover up crimes by a powerful local politician & her attorneys who stole over \$2,000,000 from the petitioner, his then wife's provably separate property, their Federally protected pension plan, & two Bankruptcy estates. Again, irrefutable evidence proves these thefts via frauds.

We have the cause/effect on this plotted out in meticulous detail leading up to petitioner being charged 13½ years after the murders just 3 days after he had opened litigation to expose the politician & her lawyers of massive civil frauds that would have evolved into criminal charges vs. her & her lawyers.

The at-risk politician who, along with her lawyers, had stolen petitioner's \$2,000,000+ via massive frauds on the courts & perjuries, was Colleen Campbell, an anti-crime crusader, & also the victims' sister. The victims were race car great Mickey Thompson & his wife Trudy who were killed in the driveway of their Bradbury Hills home on 3/16/88 by unknown killers.

Campbell's lawyers who had helped her loot the \$2,000,000+ from petitioner & people/entities associated with him became key murder trial experts vs. petitioner. Evidence proves 39 material instances of false testimony/perjury by two of them, 35 of these by one, Dolores Cordell, acknowledged by the D.A. as the:

"#1 SOURCE OF CASE INFORMATION...SHE LAID OUT THE FINANCIALS!"

Meaningful cross-examination was impossible on these two lawyers because they claimed to have lost the 80 boxes of legal files they used to develop the opinions to which they testified.

These files contained not only hundreds of pages of JENCKS materials that were required to be produced by Title 18 § 3500, but there were also hundreds of pages of materially exculpatory evidence therein that would have allowed the defense to eviscerate many of the State allegations supporting guilt, & to prove false testimony.

We see beginning on the next page, 21 different areas of crimes & misconduct by the State representatives, many if not most grossly violating their oaths of office, & many qualifying as felony crimes.

Penal Codes § 115, 118, 118a, 125, 127, 132, 133, 134 & others were repeatedly knowingly violated in a Penal Code § 182 (1) thru (5) FELONY OBSTRUCTION OF JUSTICE/CONSPIRACY TO FALSELY CONVICT.

They also violated Federal Statutes §§ 1341 & 1346, DEPRIVING THE PUBLIC OF THEIR INTANGIBLE RIGHT TO HONEST/IMPARTIAL GOVERNMENT.

EVIDENCE PROVES THE FOLLOWING CRIMES & MISCONDUCT

1. FORGERY of a material piece of evidence from a trial witness, actually a changing of the critical time in a witness statement.
  2. Destruction of several pieces of materially exculpatory evidence.
  3. 16 DDA (Deputy District Attorney) knowing material false statements in offers-of-proof to the trial Judge. The law rules these are felony perjuries<sup>1</sup>. These laid the foundation for many if not most of the about 60 false closing arguments & opening statements noted in # 9 below. \*These require reversal; law bottom of pp. 2/11.
  4. Over 150 material perjuries by the lead investigator in live testimony & the five sworn affidavits of his we have. Evidence proves at least three more affidavits by him. We expect to find far more perjuries in those. One of those we have, with more than a dozen perjuries in it is in the initial arrest affidavit.
  5. About 90 other material instances of false testimony or perjury at the trial, the preliminary hearing & to the Grand Jury.
  6. About 76 of those are by the four D.A. experts & an investigator, in addition to the investigator in #4 above.
  7. 55 of the false testimonies/perjuries<sup>2</sup> are by the acknowledged by the D.A. "#1 source of case information...she laid out the (motive) financial case!" 19 RT 6939, also at bp 032369. The Judge ruled that the motive was the case, 10 RT 4053:16.<sup>3</sup>
  8. The DDAs materially misstated the law eight (8) times.
  9. The DDAs perpetrated about 30 each materially false closing arguments & opening statements. Not even any permissive inferences.
- 1) HOLLOWAY V. ARKANSAS (1978) 98 S. Ct. 1173-1174-1179, People v. MROCKO (1983) 35 Cal 4th 86, 112, People v. MIRENDA (2009) 174 Cal App 4th 1313, 1332.
- 2) 35 of her perjuries were at the L.A. trial & prelim. Balance to the Grand Jury.
- 3) The grossly, provably false motive allegation was the case.

10. There were about three dozen each closing arguments & opening statements which had no evidentiary support on the record. Nor is there any evidence available anywhere to support these arguments.
11. At least one 100% confirmed key witness threat/bribe offer (we have a sworn declaration from the witness on that, & her testimony also confirming these to the Grand Jury).

Because 24 trial witnesses materially changed their stories for trial from their prior witness statements that we have, we believe that investigation will prove more threats, intimidation, possible bribes (with the \$1,000,000 reward the victims' sister offered, targeted on petitioner), & subornation of perjury.

12. Within about 30,000 pages of suppressed evidence, over 3000 documents that the D.A. has for which we have a precisely detailed inventory, prepared by an attorney for different proceedings, we have absolutely identified over 250 materially beneficial documents that will qualify as BRADY VIOLATIONS per the definitions on page 2. There are also over 100 suppressed JENCKS documents.

We are positive that within these documents, when they are discovered, we will identify more BRADY VIOLATIONS.

13. We have "tracked" these BRADY VIOLATIONS which we know exist to more than 80% of the a) witness, prosecutor & investigator false testimonies, & b) the prosecutor false closing arguments/opening statements, & they will prove the testimony/arguments are false.
14. Evidence proves more than 300 one hundred percent confirmed interviews for trial witnesses for which the statements are suppressed. Penal Code § 1054(1)(f) & extensive authority rule that these must be produced.

15. Multiple filings of materially false police reports, provably intentionally, to wrongly implicate petitioner.
16. The prosecution copied thousands of pages of the discovery that was produced completely illegible, including many pages right in the midst of other pages that demonstrate that the illegible pages would have been exculpatory.
17. In one particular instance a page that absolutely will be exculpatory, materially so, based on the page that leads into it, the referenced page was removed, bp 034923, & replaced by a "red herring" page. Just a few pages later, the obviously exculpatory "flip-side" noted to bp 034925 is suppressed.
18. Key pages/passages of the discovery have been wildly scrambled, destroying in some cases their usefulness. In some cases we can't even tell who the witness statement was taken from.

We have a chart of this all plotted out. It damns the D.A.

19. The D.A. illegally alleged 14 uncharged, provably untrue crimes.
20. A dozen & a half blatant false statements of fact, misstating what was stated at trial, by the A.G., in their reply brief.
21. Although extensively plead in our AOB, the D.A. grossly violated the attorney-client privilege by illegally seizing, reading, & incorporating what they'd learned into their trial strategy/case, confidential attorney-client records.

Although not prosecutorial misconduct, there are 24 material judicial errors. See the next page here for a summary.

I Michael Goodwin swear under penalty of perjury under the laws of the State of California that the above is of my own personal knowledge, is true, & if required I could & would testify truthfully thereto. Executed \_\_\_\_\_ in \_\_\_\_\_.

Michael Goodwin

LIST OF ISSUES SHOWING JUDGE SCHWARTZ BIAS

	Pgs
1	
2	General law establishing Constitutionally unacceptable Judge Bias...1-7
3	1. Failure to give the very most critical Jury instruction on motive.
4	Had this been given it would have proven <u>NO MOTIVE</u> , totally
5	eviscerated the State case & stopped the trial right there. 7
6	2. Failure to give the also required Jury instruction on a complex 8
7	term of Bankruptcy law that the Jury could not possibly fathom.
8	3. Failure to also give required Jury instructions re: Bankruptcy 9
9	law on what was required for assets to belong to the bankruptcy (BK).
10	4. Failure to vet Bankruptcy experts as is required by law.....11
11	5. Failure to give required Jury instructions on surety law.....12
12	6. Failure to include the word "immediately" in the filed instruction,13
13	7. Judge Schwartz gave patently illegal conspiracy instructions....14
14	8. Judge Schwartz continually allowed the D.A. to lead witnesses...15
15	This was over repeated objection & acknowledgement by the Judge.
16	9. She, obviously to the Jury, & others, favored the D.A. on her .....15
17	rulings re: objections, sustaining or overuling them.
18	10. She obviously favored the D.A. on allowing in/keeping out .....15
19	evidence, letting in bad D.A. evidence, denying good defense evidence.
20	11. She was either asleep during key testimony or lied about it ....16
21	12. She cited bogus law & evidence to deny our Speedy Trial motion.17
22	13. She violated the law in refusing to recuse the L.A.D.A. office.18
23	14. She ignored her own order put in place as a condition of not ...19
24	recusing the L.A.D.A. office, & allowed in prohibited "evidence!"
25	15. She wrongly ruled that "Fraud is not a legal term!" <u>IT IS!</u> .....20
26	16. She illegally allowed allegations of 14 uncharged/untrue crimes.20
27	17. She illegally prohibited our compelling 3rd party culpability..21
28	evidence that someone else committed the murders. <u>OTHERS ARE GUILTY.</u>
29	18. She illegally allowed expert testimony that wasn't qualified ...22
30	19. Judge Schwartz, over strong & repeated objections, allowed D.A. 24
31	evidence in that <u>clearly was not authenticated &amp; was unreliable.</u>
32	20. She refused to acknowledge <u>MATERIAL PERJURY</u> by the lead Detective 29
33	21. She "lost" parts of the trial file, delaying our appeal 4½ years.30
34	22. She repeatedly violated the law by denying 6 discovery motions. 31
35	23. Judge Schwartz had conflicts for which she should have recused..33
36	Petitioner isn't certain re: law on #23-24 so they are placed last.
37	24. She poisoned the Jury pool by her misleading statements that...36
	were published in the media. She knew her statement was misleading.



DECLARATION

1 I Michael Goodwin swear that the following is of my own personal  
2 knowledge, & if required, I could & would testify truthfully thereto  
3 under oath.

4 1. First & foremost I swear that all statements made in the  
5 foregoing, not equivocated/"qualified", or attributed to others, are  
6 true & correct. I understand the rule/penalties of failing to comply  
7 with Penal Code § 125, UNQUALIFIED STATEMENTS OF FACT.

8 2. Any statements/representations by me which do not come under  
9 item #1 above, & there are very few, I swear to under information &  
10 belief, in other words that I have good reason to, & do believe them.

11 3. I am completely innocent of any involvement in the murders of  
12 Mickey & Trudy Thompson, & I swear that A) I was framed by law  
13 enforcement in violation of Penal Code § 182 (1) thru (5) & that  
14 B) I can prove in spades that I was intentionally framed.

15 4. I swear under PENALTY OF PERJURY TO EVIDENCE PROVING ALL  
16 OF THE FOLLOWING<sup>1</sup>, & MAKE THIS SEPARATE SWEARING, IF I CANNOT PROVE  
17 ANY OF THE FOLLOWING I WILL FORFEIT ALL APPEALS, HABEAS CORPUS  
18 PETITIONS, MOTIONS FOR NEW TRIAL, ETC; & ACCEPT MY SENTENCE.

19 A) There are over 70 (seventy+) trial & preliminary hearing perjuries  
20 by 14 D.A. (District Attorney) witnesses. Over 60 of those were by  
21 four D.A. experts & two investigators.

22 B) There were 20 more perjuries to the 2001 GRAND JURY by the #1  
23 D.A. expert, Dolores Cordell, the victims' sister's attorney.

24 C) There were 15+ lies in offers-of-proof to the Judge by the D.A.

25 D) There were 150+ perjuries by the lead Detective, Mark Lillienfeld.

26 All of the above & the following qualify per the law as material.

27 The above all formulated/fabricated a knowingly false motive.

28 E) Evidence also proves i) criminal forgery, ii) a threat & a thinly  
29 veiled bribe offer to a key witness to fabricate incriminating  
30 testimony when they honestly had only exculpatory testimony, iii)

31 wholesale destruction of many pieces of exculpatory evidence, etc;

32 F) 311+ suppressed, but 100% confirmed trial witness statements.

33 G) 30+ D.A. closing arguments with no support on-the-record, & 30+  
34 opening statements with no support. 60+ can be proven false.

35 H) 250+ BRADY VIOLATIONS. Yes, hard to believe. Make me prove it!

36 I swear under Penalty of Perjury under the laws of California that the  
37 above is true & correct. Executed \_\_\_\_\_ in \_\_\_\_\_.

Michael Goodwin

1) Some rely on the D.A. producing evidence, evidence proves they have, but we have evidence for most of them now.

1/30/14