



U.S. Department of Justice

Office of Professional Responsibility

950 Pennsylvania Avenue, N.W., Suite 3266
Washington, DC 20530
(202) 514-3365

October 13, 2026

By Email

Nikhel Sus
CREW



Re: OPR FOIA No. F22-00034 Final Interim Response of Records (Judicial Complaints)
EOUSA Response to Consult (53 pages enclosed)

Dear Mr. Sus:

This letter is in response to your January 30, 2022, Freedom of Information Act (FOIA) request to the Department of Justice (DOJ) Office of Professional Responsibility (OPR) seeking the following records from January 1, 2010, to the date OPR began to process your request:

1. All complaints or other submissions to DOJ's Office of Professional Responsibility ("OPR") regarding possible professional misconduct by any federal court of appeals judge, district court judge, magistrate judge, or bankruptcy judge.
2. All referrals made by OPR to any judicial disciplinary authority, state bar, or any other external entity regarding possible professional misconduct by any federal court of appeals judge, district court judge, magistrate judge, or bankruptcy judge.
3. All OPR reports, conclusions, or findings relating to items 1 or 2 above.

OPR received your request on January 20, 2022, and has assigned to it tracking number **F22-00034**. Please refer to this number in any correspondence pertaining to this matter.*

Enclosed please find 53 pages (Bates-numbered F22-00034 01740 to 01792) that OPR sent to the Executive Office for U.S. Attorneys (EOUSA) for consultation as part of judicial complaints. After consultation, we have determined these pages are appropriate for release with excisions made pursuant to Exemptions 5 and 6 of the FOIA, 5 U.S.C. § 522(b)(5) and (b)(6). Exemption 5 pertains to certain inter- and intra-agency communications protected by the deliberative process privilege. Exemption 6 pertains to information the release of which would constitute a clearly unwarranted invasion of the personal privacy of third parties. Please be advised that we have considered the foreseeable harm standard when reviewing records and applying FOIA exemptions.

* For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c) (2006 & Supp. IV 2010). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

Although I am aware that your request is the subject of ongoing litigation and that appeals are not ordinarily acted on in such situations, I am required by statute and regulation to inform you of your right to file an administrative appeal with the Office of Information Policy.

Sincerely,

A handwritten signature in black ink that reads "Margaret McCarty". The script is cursive and fluid.

Margaret McCarty
Senior Associate Counsel

Attachment: F22-00034 Processed and Produced Page Counts Chart

cc: Taylor Pitz, Trial Attorney
Federal Programs Branch
Civil Division

Attachment F22-00034 Processed and Produced Page Counts Chart						
Interim/ Monthly Interim	Bates Nos.	No. of Pages Processed	Blank, Duplicate, Non- responsive Pages	Produced to Sus=S Consult=C Referral=R Withheld in Full=WIF	No. of Pages Produced	Pages Produced and Processed
Prioritized, Referred Judges						
FEB 2023	1-66	66	62	S=4	66	66 [†]
MAR 2023	67-283	217	0	S=1 R=137 (EOUSA) R=73(FBI) WIF=6	217	217
3 rd Interim (Jan 29, 2024)	284-491	614	406	C=1 (EOUSA, CRM, FBI) R=182 (EOUSA) R=11 (CRM) R=14 (FBI)	208	614
4 th Interim (Sept. 23, 2024)	492-626	561	426	S=84 C=15 (CRM) C=17 (CRM,PRAO) WIF=19	135	561
5 th Interim	627-788	168	6	S=11 C=11 (EOUSA) C=2 (CRM) R=111 (EOUSA) W=27	162	168
Non-Referred Judges						
1 st Interim	789-872	86	2	C=11 (EOUSA, OIG) R=64 (OIG) W=9	84	86
2 nd Interim	873-01597	745	20	S=72 C=32 (EOUSA, the OIG, OIP) R=1 (CRM) R=2 (OIG) R=597 (EOUSA) W=21	725	745
3 rd Interim	01598-01644	50	3	S=2 C=33 (EOUSA, USTP, PRAO) R=11 (USTP) W=1	47	50

[†] For the February 2023 interim response, 62 of the 66 pages produced were discovered to be nonresponsive post-production, but are counted here as part of the total number of pages actually produced (and processed).

Complaints of Judicial Misconduct						
1 st and Final Interim	01645-01812	203	35	S=95 C=62 (EOUSA, ENRD, PRAO, CRM) R=11 (ENRD, EOUSA)	168	203
				Total Produced	1,812	
				Total Produced and Processed		2,710

From: [Birney, William J \(OPR\)](#)
To: [Plagenhoef, Ruth \(OPR\)](#)
Subject: FW: Magistrate Judge Thomas Smith Matter
Date: Wednesday, January 4, 2012 4:51:11 PM
Attachments: (b) (6) v. US memo.pdf
(b) (6) Case Notes.pdf

From: Birney, William J (OPR)
Sent: Tuesday, December 20, 2011 11:10 AM
To: Plagenhoef, Ruth (OPR); Hardy, Lyn (OPR)
Cc: Ashton, Robin (OPR)
Subject: Fw: Magistrate Judge Thomas Smith Matter

From: Ashton, Robin (OPR)
Sent: Tuesday, December 20, 2011 07:01 AM
To: Birney, William J (OPR)
Subject: Fw: Magistrate Judge Thomas Smith Matter

For intake. Thanks, Bill.

From: Prisco, Thadd (USAEO) [mailto:(b) (6)]
Sent: Monday, December 19, 2011 11:28 AM
To: Ashton, Robin (OPR)
Subject: FW: Magistrate Judge Thomas Smith Matter

Robin:

Per my voicemail message that I just left you, below and attached are information and a few documents relevant to the inappropriate comments allegedly made by a Magistrate Judge in Connecticut.

Thank you--

Thadd

[Thadd A. Prisco](#)

[Assistant General Counsel](#)

[United States Department of Justice](#)

[Executive Office for United States Attorneys](#)

(b) (6)

From: Macklin, Jay (USAEO)
Sent: Monday, December 19, 2011 10:07 AM
To: Prisco, Thadd (USAEO)
Cc: Anderson, Thomas (USAEO)
Subject: FW: Mag Judge Thomas Smith

Another duty matter Thadd. USA Fein advised me on the phone that he had informed the Chief Judge of these comments by the Magistrate Judge. I told him that under the USAM we needed to go to OPR and ask them to take appropriate action with the proper court disciplinary officials. Thanks much Thadd.

Jay

From: Fein, David (USACT)
Sent: Monday, December 19, 2011 9:12 AM
To: Macklin, Jay (USAEO)
Cc: Caruso, Patrick (USACT)
Subject: Mag Judge Thomas Smith

Jay,

Per our conversation this morning.

Thank you,

David Fein

<(b) (6) v. US memo.pdf>> (b) (6) Case Notes.pdf>>

From: [Tyler, Cynthia \(SES\)](#)
To: [Nash, Lauren \(USACT\)](#)
Subject: (b) (6) Case Notes
Date: Friday, December 16, 2011 1:59:40 PM

Here's the case note that I removed from (b) (6) electronic files—

Lauren called to go over what I remembered re the inappropriate comments by judge smith during the settlement conf. She has told (b) (6) and the CT US Atty about the comments and they will follow-up somehow. The inappropriate comments were:

(1) The discussion that started some of the inappropriate comments was about drug advertisements that promised all kinds of cures and then, in a low voice, mentioned the very bad side effects. This led to a discussion of the drugs for (b) (6). Judge Smith stated that he knew many drs and this led to him getting a pill/pills. (b) (6)

[REDACTED]

(2) (b) (6)

[REDACTED]

(3) (b) (6)

[REDACTED]

(4) (b) (6) -- paused -- and then said "January, February, March" Clearly this was a joke.

(5) The first instance of inappropriate comments were not (b) (6). The judge got off on a tangent about how smoking isn't really bad for your health and there aren't really any studies that show that it is. From there he went to how terrible it was to treat smokers like outcasts, making them smoke outdoors. From there he stated, turning to Franks, and said "remember when the home was the man's home and then it went to "our home," and now you see these poor men not allowed to smoke in their own homes. You see them all over, smoking outside the front door or on the deck outside."

None of these comments were about the case we were there to discuss, which was about a tear in a man's esophagus caused by anesthesia.

Cynthia L. Tyler

Regional Counsel
Region 1--Boston

(b) (6) v. U.S.; settlement conference with MJ Smith on (b) (6)

MJ made several inappropriate comments during settlement conference with opposing counsel and VA Attorney (b) (6) present.

(b) (6)

Told this joke: (b) (6)

MJ Smith also said that he missed the days when it used to be the “man’s” house; then it became “our” house; used to be a man could smoke where he wanted; thinks it is shameful how smokers are treated, having to stand outside. He talked about how great smoking was and how studies showed that smokers can live longer, and they are more sociable.

I found these statements embarrassing and inappropriate. My client representative reported the same. I reported this to my Civil Chief on 12/13/11 and U.S. Attorney on 12/14/11.

From: [Birney, William J \(OPR\)](#)
To: [Plagenhoef, Ruth \(OPR\)](#)
Subject: FW: Magistrate Judge Thomas Smith Matter
Date: Wednesday, January 4, 2012 5:00:10 PM

From: Prisco, Thadd (USAEO) [mailto:(b) (6)]
Sent: Tuesday, December 20, 2011 1:19 PM
To: Ashton, Robin (OPR)
Cc: Birney, William J (OPR)
Subject: RE: Magistrate Judge Thomas Smith Matter

[Thank you, Robin.](#) (b) (5)

[Is that your understanding of how things will work procedurally?](#)

[Thank you—](#)
[Thadd](#)

From: Ashton, Robin (OPR) [mailto:(b) (6)]
Sent: Tuesday, December 20, 2011 7:01 AM
To: Prisco, Thadd (USAEO); Birney, William J (OPR)
Subject: Re: Magistrate Judge Thomas Smith Matter

[Thanks, Thadd. Bill Birney will look at everything and decide next steps.](#)

[Robin](#)

From: Prisco, Thadd (USAEO) [mailto:(b) (6)]
Sent: Monday, December 19, 2011 11:28 AM
To: Ashton, Robin (OPR)
Subject: FW: Magistrate Judge Thomas Smith Matter

[Robin:](#)

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[Thank you--](#)

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[Thadd A. Prisco](#)

[Assistant General Counsel](#)

[United States Department of Justice](#)

[Executive Office for United States Attorneys](#)

(b) (6)

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Sent: Monday, December 19, 2011 10:07 AM
To: Prisco, Thadd (USAEO)
Cc: Anderson, Thomas (USAEO)
Subject: FW: Mag Judge Thomas Smith

Another duty matter Thadd. USA Fein advised me on the phone that he had informed the Chief Judge of these comments by the Magistrate Judge. I told him that under the USAM we needed to go to OPR and ask them to take appropriate action with the proper court disciplinary officials. Thanks much Thadd.

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Subject: Mag Judge Thomas Smith

Jay,

Per our conversation this morning.

Thank you,

David Fein

<(b) (6) v. US memo.pdf>> (b) (6) Case Notes.pdf>>

From: [Birney, William J \(OPR\)](#)
To: [Plagenhoef, Ruth \(OPR\)](#)
Subject: FW: The Magistrate Judge Thomas Smith Matter
Date: Wednesday, January 4, 2012 4:43:36 PM

-----Original Message-----

From: Ashton, Robin (OPR)
Sent: Wednesday, December 21, 2011 10:44 AM
To: Plagenhoef, Ruth (OPR); Birney, William J (OPR)
Cc: Hardy, Lyn (OPR); Weinsheimer, Bradley (OPR)
Subject: RE: The Magistrate Judge Thomas Smith Matter

Thanks so much, Ruth. That's very, very helpful.

-----Original Message-----

From: Plagenhoef, Ruth (OPR)
Sent: Wednesday, December 21, 2011 9:17 AM
To: Ashton, Robin (OPR); Birney, William J (OPR)
Cc: Hardy, Lyn (OPR); Weinsheimer, Bradley (OPR)
Subject: RE: The Magistrate Judge (b) (6) Matter

I believe this is the first judge-referral-question that we have had in more than a year. In the past, I was assigned to these (after Mary Anne left) and I reported my conclusions to the Deputy. If we thought a referral was warranted, Margolis was notified and he approved/disapproved the referral. (b) (5)

[REDACTED]

Anyway, I am happy to look at this for you.

-----Original Message-----

From: Ashton, Robin (OPR)
Sent: Wednesday, December 21, 2011 8:41 AM
To: Birney, William J (OPR)
Cc: Plagenhoef, Ruth (OPR); Hardy, Lyn (OPR)
Subject: RE: The Magistrate Judge Thomas Smith Matter

Thanks, Bill.

-----Original Message-----

From: Birney, William J (OPR)
Sent: Wednesday, December 21, 2011 8:10 AM
To: Prisco, Thadd (USAEO)
Cc: Ashton, Robin (OPR); Plagenhoef, Ruth (OPR); Hardy, Lyn (OPR)
Subject: The Magistrate Judge Thomas Smith Matter

Thadd:

(b) (5)

[REDACTED]

Bill Birney, OPR

(b) (6)

October 21, 2017

ATTN: Honorable Council, Mrs. Robin C. Ashton
US Department of Justice, Office of Professional
Responsibility & Civil Rights Complaints Division
950 Pennsylvania Avenue N.W. Suite 3266
Washington, DC 20530-0001

USPS Certified Mail No. 7016 2140 0000 0127 6245

RE: Civil Action No. **(b) (6)** In the US District Court for the
Northern District of Georgia, Atlanta Division – Judge, Clarence Cooper

Address: 75 Ted Turner Drive S.W. Atlanta, Georgia 30303

Complaint against DOJ Employee: The Judge, Clarence Cooper

To Whom It May Concern;

In the above Case, Judge, Clarence Cooper broke the Judicial Code of Conduct when he violated the Plaintiff, **(b) (6)** right to suit and took precedence in providing the Defendant(s) support with the intent to Dismiss with prejudice, denying the Plaintiff of all rights to Judgement(s). In doing so, the Judge, Clarence Cooper included additional information into the Case File and tainted the Case. The Defendant(s) had no argument in the Case. Therefore I, the Plaintiff, **(b) (6)** also request a Default Judgement on all accounts to be made whole?

Respectfully Submitted,

(b) (6)
Plaintiff, **(b) (6)**

Enclosure; Table of Contents with the Plaintiffs Court submitted documents

Table of Contents:

1. 1 page October 21, 2017 Document w/Table of Contents – US Department of Justice Office of Professional Responsibility & Civil Rights Complaints Division, Washington, DC 20530-0001
 2. 8 pages of (b) (6) Documents – US District Court
 3. 5 pages of (b) (6) Judge, Clarence Cooper's Decision
 4. 4 pages of (b) (6) Documents w/page 2 of unemployment Appeal Form dated: (b) (6) – US District Court
 5. 6 pages of (b) (6) Documents – US District Court
 6. 5 pages of (b) (6) Documents – US District Court
 7. 4 pages of (b) (6) Documents – US District Court
 8. 6 pages of (b) (6) Documents – US District Court
 9. 7 pages of (b) (6) Documents – US District Court
 10. 9 pages of (b) (6) Documents – US District Court
-

Certification of Service

I hereby certify that on this 21 day of October 2017 I mailed the above Table of Contents Documents to the following address:

ATTN: Honorable Counsel, Mrs. Robin C. Ashton
US Department of Justice, Office of Professional
Responsibility & Civil Rights Complaints Division
950 Pennsylvania Avenue N.W. Suite 3266
Washington, DC 20530-0001
USPS Certified Mail No. 7016 2140 0000 0127 6245

(b) (6)

Signature

October 21, 2017

Date

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

FILED IN CLERK'S OFFICE
U.S.D.C. - Atlanta

(b) (6)

JAMES N. HATTEN, Clerk
By: *sw* Deputy Clerk

(b) (6)

Plaintiff,

CIVIL ACTION NO. (b) (6)

V.

USPS, Postmaster GNL (b) (6)

Postmaster, (b) (6)

HR Manager, (b) (6)

OHS Representative, (b) (6)

Assistant Medical Director, (b) (6)

Defendant(s),

(b) (6)

THE PLAINTIFF REQUESTS A DEFAULT JUDGEMENT, AND/OR
MOVE FOR AN APPEAL OF THE ABOVE CAPTIONED CASE'S
DISMISSAL DECISION FOR THE LACK OF SUBJECT MATTER IN
THE US DISTRICT COURT JURISDICTION TO BE REMANDED AND
HEARD ON THE SUBJECT MATTER

To: The Honorable Judge for the US District Court for the Northern District of Georgia,
Atlanta Division.

I got the message, it is your domain and everyone in your domain is going to either respect what you say and what you do or they're gone. You're the emperor and there is nothing, no one inside nor outside of 75 Ted Turner Drive (Spring St.) S.W. of Atlanta GA. 30303 can or will do about it. You do not have to like or get along with anyone if you do not prefer too. You've read my files and perhaps some reports on me, some true and a lot of false misleading information, information that you may have taken out of contents. If you are of good standing then your reaction to this document would result in a positive direction, if not then otherwise. You could be offensive toward me if you feel that I am aware of any unlawful and inappropriate activities that identifies or set precedence on what may have already occurred or may occur. I identify the results of my Case with your trademark, history, and how you defy yourself as the Senior Judge for the US District Court for the Northern District of Georgia, Atlanta Division.

Out of some of things that I do know is that the State of Georgia is having a crisis and at the mercy of their Resources. Name a business that is not in business to provide HELP? Answer: None, all businesses are designed to provide HELP. Throughout the years of USPS abuse, I learned many things about the State of Georgia's population while filing complaints. That is that most of the States of Georgia's Resources are taking complaints and assigning the complaints to Agents that are turning the complainant and their complaint into problems and having complaints DISMISSED, and hurting the General Population, causing them to think of other ways of coping with what they expected the resources to do, creating problems. The State of Georgia is in crisis, we are all in the need for truth, justice and the American way, it does work and it will work? We are all family when we live among one another? When you refuse HELP, you hurt yourself as well as the General Population?

The Plaintiff request a default judgement for the following reason:

1.

Canon 1 – THE JUDGE SHALL UPHOLD THE INDEPENDENCE, INTEGRITY, AND IMPARTIALITY OF THE JUDICIARY AND SHALL AVOID IMPROPRIETY AND THE APPEARANCE OF IMPROPRIETY IN ALL OF THEIR ACTIVITIES

Rule 1.1 Complying with the Law

Rule 1.2 Promoting Public Confidence in the Judiciary

Rule 1.3 Respecting the Prestige of Judicial Office

Failed to acknowledge the Plaintiffs purpose for filing suit. The Plaintiffs hardship request for a Remand response from Judge exceeded 2 and a half Months, the Defendant(s) request for the Change of Venue was instant (Application C. Time for Compliance, Rule 1.1, 1.2 and 1.3 violations of the GA. JUDICIAL CONDUCT).

Canon 2 – JUDGES SHALL PERFORM THE DUTIES OF JUDICIAL OFFICE IMPARTIALLY, COMPETENTLY, AND DILIGENTLY

Rule 2.2 Impartiality and Fairness

Rule 2.3 Bias, Prejudice, and Harassment

Rule 2.6 Ensuring the Right to Be Heard

Rule 2.8 Adjudicating Pending Proceedings Fairly

Rule 2.9 Assuring Fair Hearings and Averting EX Parte Communications

The Defendant(s) Change of venue was used to DISMISS Case, not for Just Cause. The Judge's decision to DISMISS the above styled Case was based solely on the Lack of Subject Matter to proceed in the US District Court Jurisdiction, not the Subject Matter of the Case. The JUDGE, CLARENCE COOPER, refused all of the Plaintiffs requests in the Case entirety, and GRANTED the Defendant(s) Motions for both VENUE and DISMISSAL when a REMAND was requested and required for such Cases subject matter in the Superior Court of Fulton County Georgia. The Plaintiff requests from JUDGE, CLARENCE COOPER were for the Case to be Remand for subject matter, Statue of Limitation Pardon for Plaintiffs affiliated Cases, and an Increase for Damages Claim, all for good cause. The JUDGE, CLARENCE COOPER, refused all of the Plaintiffs requests for relief showing no concern for the Plaintiffs hardship. The Defendant(s) requested the Change of Venue and disagreed with the REMAND to DISMISS Case and the JUDGE, CLARENCE COOPER conducted the delay of proceedings awaiting for the Plaintiffs attempts of desperation to use as a defense strategy against the Plaintiffs to DISMISS the Plaintiffs Case and its entirety, when the Defendant(s) have none. The JUDGE, CLARENCE COOPER then initiated the plan of action to DISMISS the Plaintiffs Case alleging for Lack of Subject Matter when the request for a REMAND could have been the Judgement call. The JUDGE, CLARENCE COOPER decision to initiate the action to DISMISS in the above styled Case against the Plaintiff was indeed intentional, elaborate and prejudice. The Plaintiffs Case was not Heard (Rule 2.2, 2.3, 2.6, 2.8, and 2.9 violations of the GA. JUDICIAL CONDUCT).

**Canon 3 – JUDGES SHALL REGULATE THEIR EXTRA-JUDICIAL ACTIVITIES
TO MINIMIZE THE RISK OF CONFLICT WITH THEIR JUDICIAL DUTIES**

**Rule 3.2 Appearances before Governmental Bodies and Consultation with Government
Officials**

Rule 3.5 Use of Non-Public Information

Rule 3.6 Avoiding Associations That Undermine the Impartiality of Judges

Rule 3.11 Financial Activities and Business Dealings

Through JUDGE, CLARENCE COOPER'S (b) (6) Decision, the Plaintiff recognized JUDGE, CLARENCE COOPERS, sarcasm, plan tactic, hospitality to the Defendant(s), abuse of authority, dishonesty, written message, self-value, disregard for Case subject matter, defense against Congressional Figures, Undermining the integrity of another Judge, thirst for control, and violations. The Judge wants the Defendant(s) to clearly understand that he has power to overturn Cases that will impact the State of Georgia's willingness to file complaints against the USPS, provoking not preventing USPS violations encourages more violations. If a problem never ends, it can never be considered the past. If JUDGE, CLARENCE COOPER is not a part of the solution, then he is a part of the problem.

The JUDGE, CLARENCE COOPER, identified the Plaintiffs Case and in written form attacked the Plaintiffs Case, avoiding the subject matter to be REMANDED. The JUDGE, CLARENCE COOPER offered the Plaintiff suggestions of facial and factual attacks for subject matter to sustain an argument at which is Long-Term Proceedings at which the JUDGE, CLARENCE COOPER has already shown intentions of not providing Judgement in favor of the Plaintiff for Damages exceeding over \$10,000.00. In JUDGE, CLARENCE COOPER'S (b) (6) Decision in the Case, JUDGE COOPER

considers it to be Styled and calls it Fundamental Precept(tion). The JUDGE, CLARENCE COOPER, used large captions to intimidate the readers and send a message. The JUDGE, CLARENCE COOPER also related in written form that the Decision is also a result of the Plaintiffs reporting to US Congress after the Case was not addressed for over 2 Months. The US Congress has been following the Case before the US District Court for the Northern District of Georgia received the Case through Change of Venue.

The JUDGE, CLARENCE COOPER has associated in secrecy with the Defendant(s) on additional information on the Case that the Plaintiff did not receive in the above styled Case File, therefore contaminated this Case. The JUDGE, CLARENCE COOPER has identified in the (b) (6) Decision a flaw that **the Plaintiff now requests a Default Judgement for the contamination of the above styles Case File.** The Plaintiff did not allege a contract agreement between USPS and the NALC, **this Case is flawed.** The Plaintiff provided the Court(s) and Defendant(s) with the US Employment Labor Relations Manual (ELM). The JUDGE, CLARENCE COOPER showed no consideration for the Plaintiffs situation, the Defendant(s) reason for a Change of Venue Lack Subject Matter for the US District Court. The JUDGE, CLARENCE COOPER, has undermined the impartiality of the Judges when he refused to Remand and added associated information into the Case File. Therefore the Plaintiff finds the JUDGE, CLARENCE COOPER'S decision to DISMISS, DENY and GRANTING the Defendant(s) Motion to be prejudice and **MOOT** (Rule 3.2, 3.5, 3.6, and 3.11).

REQUESTING REMEDY:

The Plaintiffs requests that the JUDGE, CLARENCE COOPER'S Judgements to be recognized as default Judgements and requests that JUDGE, CLARENCE

COOPER step down from proceeding with this above captioned Case? Therefore, the Plaintiff requests a reverse Judgement on all of JUDGES, CLARENCE COOPER'S entire fixed decisions and judgements on this above styled Case? The Plaintiff requests the full Co-operation of the US District Court for the Northern District of Georgia in seeking a replacement for JUDGE, CLARENCE COOPER for the filing of an Appeal request for the Plaintiff, Remanding the above Case for a Plea and/or a Default Settlement Judgement in the requested Damages Amount?

The Plaintiff requests to reverse JUDGE, CLARENCE COOPER'S Decisions on all accounts in favor of the Plaintiff for the amount requested for Damages, the Statue of Limitation Pardon Request, and the Damages increase for JUDGE, CLARENCE COOPER intent to delay and hold Plaintiff in a Non-Pay Status and for adjusting the Case to suit and support the Defendant(s)?

RE: The Plaintiffs request for a Civil Action was for probable cause, Plaintiff is without income and requested a motion for the Case to be Remand. The Plaintiff addressed the concerns for a remand to the Superior Court of Fulton County State of Georgia also, on the (b) (6).

The Defendant(s) dishonesty as USPS Management Official as well as the Judges affects the integrity of the USPS, Courts, General Public, Businesses and Organizations such as OWCP, EEOC, NLRB, Unemployment, SSI, and many others, as well as the Plaintiff, and it shall not be tolerated.

Respectfully Submitted,

(b) (6)

(b) (6)

(b) (6)

Plaintiff/Examinee

Civil Action No. (b) (6)

(b) (6)

Date

Copies to the following:

Honorable Congressman, John Lewis

100 Peachtree Street N.W. Ste. 1920

Atlanta, Georgia 30303-1906

USPS Certified Mail No. 7016 2140 0000 0127 6214

Honorable Senator, David Perdue

relocated at: 3280 Peachtree Road Ste. 2640

Atlanta, Georgia 30305

USPS Certified Mail No. 7016 2140 0000 0127 6238

Tiffany R. Johnson

United States Attorney

600 U.S. Courthouse

75 Ted Turner Drive S.W.

Atlanta, Georgia 30303

USPS Certified Mail No. 7016 2140 0000 0127 6221

CERTIFICATE OF COMPLIANCE

I hereby certify in pursuant to the local rule 5.1 and 7.1D that the 4 page requested Motion for an Objection to the Defending Attorney, Tiffany R. Jackson's request for a dismissal in the United States District Court of Georgia was prepared using the 13 point font.

Respectfully Submitted,

(b) (6)

(b) (6)

(b) (6)

Plaintiff/Examinee

(b) (6)

Date

CERTIFICATE OF SERVICE

I hereby certify that I have provided copies of this request for Default Judgement and/or Motion for a Remand request to the United States District Court for the Northern District of Georgia Atlanta Division Civil Action Case No. (b) (6) to the following as addressed:

Copies to the following:

Honorable Congressman, John Lewis

100 Peachtree Street N.W. Ste. 1920

Atlanta, Georgia 30303-1906

USPS Certified Mail No. 7016 2140 0000 0127 6214

Honorable Senator, David Perdue

relocated at: 3280 Peachtree Road Ste. 2640

Atlanta, Georgia 30305

USPS Certified Mail No. 7016 2140 0000 0127 6238

Tiffany R. Johnson

United States Attorney

600 U.S. Courthouse

75 Ted Turner Drive S.W.

Atlanta, Georgia 30303

USPS Certified Mail No. 7016 2140 0000 0127 6221

Respectfully Submitted,

(b) (6)

(b) (6)

(b) (6)

Plaintiff/Examinee

(b) (6)

Date

Enclosure; Copy of JUDGE, CLARENCE COOPER'S (b) (6) Decision on the above styled Case.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

(b) (6)

Plaintiff,

vs.

U.S.P.S.,

Defendant.

CIVIL ACTION NO.

(b) (6)

ORDER

This matter is before the Court on Defendant's Motion to Dismiss [Doc. No. 2], Plaintiff's motions for remand [Doc. Nos. 4 and 8], Plaintiff's motions for a statute of limitations pardon [Doc. Nos. 9 and 10], and Plaintiff's motion for remand, a statute of limitations pardon, to object to argument, and to request a damages increase [Doc. No. 11]. For the reasons stated below, the Court grants Defendant's Motion to Dismiss, denies Plaintiff's motions for remand, and denies the remainder of Plaintiff's motions and requests for relief as moot.

I. BACKGROUND

Plaintiff (b) (6) ("Plaintiff"), an employee of Defendant United States Postal Service ("Defendant" or "USPS"), filed the above-styled action in the Superior Court of Fulton County on (b) (6). Plaintiff alleges in this case that she took a fitness for duty examination on April 19, 2016, and that Defendant, by not authorizing the release of her fitness for duty examination results, has failed to comply with contractual provisions between USPS and the National Association of Letter Carriers. Plaintiff alleges she has been in non-pay status for over three years and cannot receive unemployment benefits, workers' compensation benefits, and/or employment, as a consequence of Defendant's failure to provide her results. Plaintiff seeks damages in the amount of \$500,000.

On (b) (6), Defendant removed the action to this Court, pursuant to 28 U.S.C. § 1442(a)(1), which provides, in pertinent part, the following:

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

(b) (6),

Plaintiff,

vs.

U.S.P.S.,

Defendant.

CIVIL ACTION FILE

NO. (b) (6)

JUDGMENT

This action having come before the court, Honorable Clarence Cooper, United States District Judge, for consideration of Defendant's Motion to Dismiss, and the court having granted said motion, it is

Ordered and Adjudged that the action be, and the same hereby, is **dismissed** without prejudice for lack of subject matter jurisdiction..

Dated at Atlanta, Georgia, this (b) (6)

JAMES N. HATTEN
CLERK OF COURT

By: s/Debbie Burkhalter
Deputy Clerk

Prepared, Filed, and Entered
in the Clerk's Office

(b) (6)
James N. Hatten
Clerk of Court

By: s/Debbie Burkhalter
Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

FILED IN CLERK'S OFFICE
U.S.D.C. Atlanta

(b) (6)

JAMES N. HATTEN, Clerk
By: *Sub* Deputy Clerk

(b) (6)

Plaintiff,

CIVIL ACTION NO. (b) (6)

V.

USPS, Postmaster GNL, (b) (6)

Postmaster, (b) (6)

HR Manager, (b) (6)

OHS Representative, (b) (6)

Assistant Medical Director, (b) (6)

Defendant(s),

This (b) (6)

**PLAINTIFF REQUESTS A MOTION FOR A REMAND, A PARDON FOR
AFFILIATED CASES STATUE OF LIMITATIONS, TO OBJECT TO
DEFENDANT(S) RECENT ARGUMENT, AND DAMAGES INCREASE?**

To: The Honorable Judge for the US District Court for the Northern District of Georgia,
Atlanta Division.

1.

The Plaintiff has no income? The Defending Parties in part are refusing the Plaintiff /Pro Se Financial relief? The fact that the Defendant(s) with their Attorney, Tiffany R. Johnson requested to dismiss this Case provides that the Defendant(s) had no intentions on move forward with this Case in The US District Court for the Northern District of Georgia, Atlanta Division, The Superior Court of Fulton County Georgia nor any Court for this matter, confirms that the Defendant(s) are putting off Judgment for the Plaintiff? Plaintiff /Pro Se requests a Motion that the US District Court for the Northern District of Georgia, Atlanta Division grants the Plaintiffs above Motions in conjunction with The Superior Court of Fulton County Georgia for a Judgment?

2.

All of the defendant(s) are receiving an income while the request for a Remand of this Case is pending? Plaintiff /Pro Se requests an increase in the Damages Award that was requested on or about the (b) (6) in The US District Court for the Northern District of Georgia to what the Judge deems appropriate for the Defending Parties intentionally delaying all of the Plaintiffs Resource Cases to deprive the Plaintiff from having income relief and to initiate proceedings in order for this Possession Case to be pending of the Plaintiffs request for this Case to be Remanded? The Defendant(s) are receiving Constituent help with delaying of Plaintiffs Cases, and increased the Damages? Plaintiff /Pro Se also requests a Statue of Limitation Pardon for the Defendant(s) delay all of the Plaintiffs Resource Cases that could provide the Plaintiff with financial stability?

3.

Respectfully Submitted,

(b) (6)

(b) (6)

Civil Action No. (b) (6)

Date: (b) (6)

Copies to the following:

Honorable Congressman, John Lewis

100 Peachtree Street N.W. Ste. 1920

Atlanta, Georgia 30303-1906

USPS Certified Mail No. 7016 3560 0000 0588 2470

Honorable Senator, David Perdue

relocated at: 3280 Peachtree Road Ste. 2640

Atlanta, Georgia 30305

USPS Certified Mail No. 7016 3560 0000 0588 2456

Tiffany R. Johnson

United States Attorney

600 U.S. Courthouse

75 Ted Turner Drive S.W.

Atlanta, Georgia 30303

USPS Certified Mail No. 7016 3560 0000 0588 2449

CERTIFICATE OF COMPLIANCE

I hereby certify in pursuant to the local rule 5.1 and 7.1D that the 4 page requested Motion for an Objection to the Defending Attorney, Tiffany R. Jackson's request for a dismissal in the United States District Court of Georgia was prepared using the 13 point font.

Respectfully Submitted,

(b) (6)

(b) (6)

Date

CERTIFICATE OF SERVICE

I Plaintiff, (b) (6) hereby certify that I have provided a Motion for a
Statute of Limitation Pardon of Civil Action Case No. (b) (6) in the United
States District Court for the Northern District of Georgia Atlanta Division to the
following as addressed:

Copies to the following:

Honorable Congressman, John Lewis
100 Peachtree Street N.W. Ste. 1920
Atlanta, Georgia 30303-1906
USPS Certified Mail No. 7016 3560 0000 0588 2470

Honorable Senator, David Perdue
relocated at: 3280 Peachtree Road Ste. 2640
Atlanta, Georgia 30305
USPS Certified Mail No. 7016 3560 0000 0588 2456

Tiffany R. Johnson
United States Attorney
600 U.S. Courthouse
75 Ted Turner Drive S.W.
Atlanta, Georgia 30303
USPS Certified Mail No. 7016 3560 0000 0588 2449

Respectfully Submitted,

(b) (6)

(b) (6)
Date

Enclosure; September 22, 2017 GDOL, **Unemployment Benefits Appeal Request Form**
Pg. 2, dated: October 3, 2017.

APPEAL REQUEST FORM

REASON FOR APPEAL

Describe in the space provided below, the reason for appeal. If you failed to participate in a previous hearing, include the reason for failure to participate.

I disagree with the decision because:

I Applied for Unemployment back in the year 2004 and has not received income since the year 2014. The Department (USDS) has not provide me with any type of relief. Please Assist

AVAILABILITY

List any dates and/or times you cannot participate in a hearing.	MM/DD/YYYY	Time	AM/PM
			☐ AM ☐ PM
			☐ AM ☐ PM
			☐ AM ☐ PM

ACCOMMODATIONS

Do you need a language interpreter for your hearing? ☐ Yes ☐ No
(If needed, an interpreter will be provided at no cost.)

IF YES, what language?

The Georgia Department of Labor provides accommodations for people with disabilities to participate in appeal hearings. If such accommodations are needed, please describe below.

IMPORTANT NOTICE

You must continue claiming (certifying for) benefits and submitting work search reports, if required, for each week you wish to receive benefits, either by Internet, by telephone, or in person. Failure to do so may result in a denial of your benefits, even if you win your appeal.

ACKNOWLEDGEMENT

By witness of my signature below, I acknowledge I have been advised and understand I must claim benefits and submit work search reports, if required, for each week I wish to receive benefits as stated above. I further attest the information I have provided is true and complete to the best of my knowledge and belief.

Signature

(b) (6)

Date

October 3, 2017

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

(b) (6)

JAMES N. HATTEN, Clerk
By: *JB* Deputy Clerk

(b) (6)

Plaintiff,

CIVIL ACTION NO. (b) (6)

V.

USPS, Postmaster GNL, (b) (6)

Postmaster, (b) (6)

HR Manager, (b) (6)

OHS Representative, (b) (6)

Assistant Medical Director, (b) (6)

Defendant(s),

This (b) (6)

PLAINTIFF REQUESTS A MOTION FOR A STATUE OF LIMITATIONS

PARDON FOR ANY AND ALL CASES AFFILIATED WITH THIS CASE?

To: The Honorable Judge for the US District Court for the Northern District of Georgia,
Atlanta Division.

1.

Plaintiff, (b) (6) requests a motion for a **Statue of Limitation(s) Pardon** from the Honorable Judge for the US District Court for the Northern District of Georgia, Atlanta Division for any and all Cases that are affiliated with and in reference to the contents of the Plaintiffs US District Court Case Civil Action No. (b) (6) and the Superior Court of Fulton County Georgia Case Civil Action No. (b) (6)?

2.

Plaintiff filed this Civil Action with the Superior Court of Fulton County Georgia around or about the (b) (6)? The Defending Party was provided 30 days to

respond to the Court? On or about the Defending Parties 30th day the Defending Party requested a change of venue to the US District Court for the Northern District of Georgia, Atlanta Division? On or about the (b) (6) the Case was moved to the US District Court for the Northern District of Georgia, Atlanta Division? On or about the (b) (6) the Defending Parties Attorney, Tiffany R. Johnson requested a motion to dismiss and the Plaintiff entered a motion to object to a dismissal of the Case?

3.

Plaintiff requested a motion to remand the Possession Case back to the Superior Court of Fulton County on or about the (b) (6) for the Defending Parties Plea? Plaintiff requested another motion for a remand of the Possession Case on or about the (b) (6), the Defending Party continues to hold the Plaintiff in a Non-Pay Status?

4.

Plaintiff moves the Court that the Defending Parties **Time Extension(s)** for this Gross Negligence Possession Case is affecting the Plaintiffs **Statue of Limitation(s)** for the Plaintiffs Cases in relation to the contents, contexts, documents, and other associated matters associated with the staffing of the working history of the Plaintiff? The Plaintiff therefore requests a **Statue of Limitation(s) Pardon** from the Court?

5.

Plaintiff moves that the Plaintiffs Georgia Department of Labor Unemployment Claim Case No. 22473-14 was file on or about the 27th of June of 2014, the Defending Party denied Plaintiffs request for Unemployment on or about the 21st of July of 2014 and

Continues to disapprove of the Plaintiffs Workers Compensation Claim (OWCP).

Plaintiff filed another Unemployment Claim on or about the 22nd of September of 2017, USPS Employee ID No. 01973560 for Leave of Absence since the year 2014? Plaintiff did not request to be in a Leave With-Out Pay Status. The Defendant(s) placed the Plaintiff in a Leave With-Out Pay Status (LWOP). Plaintiff submitted a return to duty PS Form CA-17 on or about the 24th of March of 2017 to return to Work-Pay Status and did not receive a response.

6.

Plaintiff filed this Case on or about the (b) (6), and has been in a Leave With-Out Pay Status (LOWP) since the year 2014. The Plaintiffs request was also for a remand? Plaintiff Gross Negligence Possession Case in the Superior Court of Fulton County, Georgia did not receive a Plea of guilty or not guilty from the Defending Party? Respectfully Submitted,

(b) (6)

Copies to the following:

Honorable Congressman, John Lewis

100 Peachtree Street N.W. Ste. 1920

Atlanta, Georgia 30303-1906

USPS Certified Mail No. 7016 3560 0000 0588 2340

Honorable Senator, David Perdue

relocated at: 3280 Peachtree Road Ste. 2640

Atlanta, Georgia 30305

USPS Certified Mail No. 7016 3560 0000 0588 2302

Tiffany R. Johnson

United States Attorney

600 U.S. Courthouse

75 Ted Turner Drive S.W.

Atlanta, Georgia 30303

USPS Certified Mail No. 7016 3560 0000 0588 2333

CERTIFICATE OF COMPLIANCE

I hereby certify in pursuant to the local rule 5.1 and 7.1D that the 4 page requested Motion for an Objection to the Defending Attorney, Tiffany R. Jackson's request for a dismissal in the United States District Court of Georgia was prepared using the 13 point font.

Respectfully Submitted,

(b) (6)

(b) (6)

Date

CERTIFICATE OF SERVICE

I Plaintiff, (b) (6) hereby certify that I have provided a Motion for a Statue of Limitation Pardon of Civil Action Case No. (b) (6) in the United States District Court for the Northern District of Georgia Atlanta Division to the following as addressed:

Copies to the following:

Honorable Congressman, John Lewis
100 Peachtree Street N.W. Ste. 1920
Atlanta, Georgia 30303-1906
USPS Certified Mail No. 7016 3560 0000 0588 2340

Honorable Senator, David Perdue
relocated at: 3280 Peachtree Road Ste. 2640
Atlanta, Georgia 30305
USPS Certified Mail No. 7016 3560 0000 0588 2302

Tiffany R. Johnson
United States Attorney
600 U.S. Courthouse
75 Ted Turner Drive S.W.
Atlanta, Georgia 30303
USPS Certified Mail No. 7016 3560 0000 0588 2333

Respectfully Submitted,

(b) (6)

(b) (6)

Date

Enclosure; Return to Work-Pay Status Request header, dated: March 24 2017

USPS City Carrier,

Attended Physician,

(b) (6)

(b) (6)

March 24, 2017

USPS, Health & Resource Mngt. Office
P.O. Box 599355
Duluth, Georgia 30026-9355
P: (770) 717-3400 F: (770) 935-2204
Certified Mail No. 7013 3020 0001 1069 2179

Office of Workers' Compensation Programs
U.S. Dept. of Labor, District No. 6
P.O. Box 8300
London, Kentucky 40742-8300
Certified Mail No. 7013 3020 0001 1069 2186

RE: My April 19, 2016 Fitness for Duty Examination Results request, and Physical for OWCP and Return to Work-Pay Status.

Subject: With this Notarized, Certification, Certified Document of recognition and my enclosed **PS Form CA-17:** I am requesting that Management provides me with the OWCP back-pay from the time of my injury to the date of my return for a full Work-Pay Status or the straight Back-Pay to include the rights to my Full Enclosure of my April 19, 2016 Fitness for Duty Examination Results from the Examiner, (b) (6), himself with a review soon.

This Document is to assure the Court(s) that a request to return to Work-Pay Status was indeed mailed out to the Addresses above on or about the 24th of March of the year 2017, and Plaintiff did not receive a response. The USPS Managing Officials of the Cap-Metro Atlanta and Duluth Georgia location are refusing and denying the Plaintiff the right to receive income by denying the Plaintiffs request for Unemployment, Workers Compensation (OWCP), and a Work-Pay Status since the year 2014. For any and all cases affiliated with this Case, the Plaintiff requests a Statue of Limitation Pardon?

CERTIFICATION OF SERVICE

I hereby certify that I mailed the above Document with the enclosed PS Form CA-17 on this day March 24, 2017 and that the information provided is true, complete and correct to the best of my knowledge.

(b) (6)

Signature

(b) (6)

Date

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

FILED IN CLERK'S OFFICE
U.S.D.C. - Atlanta

(b) (6)

JAMES N. HATTEN, Clerk
By: [Signature] Deputy Clerk

(b) (6)

Plaintiff,

CIVIL ACTION NO. (b) (6)

V.

USPS, Postmaster GNL, (b) (6)

Postmaster, (b) (6)

HR Manager, (b) (6)

OHS Representative, (b) (6)

Assistant Medical Director, (b) (6)

Defendant(s),

This (b) (6)

PLAINTIFF REQUESTS A MOTION FOR A STATUE OF LIMITATIONS

PARDON FOR ANY AND ALL CASES AFFILIATED WITH THIS CASE.

To: The Honorable Judge for the US District Court for the Northern District of Georgia,
Atlanta Division.

1.

Plaintiff, (b) (6) requests a motion for a **Statue of Limitation(s) Pardon** from the Honorable Judge for the US District Court for the Northern District of Georgia, Atlanta Division for any and all Cases that are affiliated with and in reference to the contents of the Plaintiffs US District Court Case Civil Action No. (b) (6) and the Superior Court of Fulton County Georgia Case Civil Action No. (b) (6)

2.

Plaintiff filed this Civil Action with the Superior Court of Fulton County Georgia around or about the (b) (6) The Defending Party was provided 30 days to

respond to the Court. On or about the Defending Parties 30th day the Defending Party requested a change of venue to the US District Court for the Northern District of Georgia, Atlanta Division. On or about the (b) (6) the Case was moved to the US District Court for the Northern District of Georgia, Atlanta Division. On or about the (b) (6) the Defending Parties Attorney, Tiffany R. Johnson requested a motion to dismiss and the Plaintiff entered a motion to object to a dismissal of the Case.

3.

Plaintiff requested a motion to remand the Possession Case back to the Superior Court of Fulton County on or about the (b) (6) for the Defending Parties Plea. Plaintiff requested another motion for a remand of the Possession Case on or about the (b) (6), the Defending Party continues to hold the Plaintiff in a Non-Pay Status.

4.

Plaintiff moves the Court that the Defending Parties **Time Extension(s)** for this Gross Negligence Possession Case is affecting the Plaintiffs **Statue of Limitation(s)** for the Plaintiffs Cases in relation to the contents, contexts, documents, and other associated matters associated with the staffing of the working history of the Plaintiff. The Plaintiff therefore requests a **Statue of Limitation(s) Pardon** from the Court.

5.

Plaintiff moves that the Plaintiffs Georgia Department of Labor Unemployment Claim Case No. 22473-14 was file on or about the 27th of June of 2014, the Defending Party denied Plaintiffs request for Unemployment on or about the 21st of July of 2014 and

Continues to disapprove of the Plaintiffs Workers Compensation Claim (OWCP).

Plaintiff filed another Unemployment Claim on or about the 22nd of September of 2017, USPS Employee ID No. 01973560 for Leave of Absence since the year 2014. Plaintiff did not request to be in a Leave With-Out Pay Status. The Defendant(s) placed the Plaintiff in a Leave With-Out Pay Status (LWOP). Plaintiff submitted a return to duty PS Form CA-17 several months ago to return to Work-Pay Status and did not receive a response back.

6.

Plaintiff filed this Case on or about the (b) (6), and has been in a Leave With-Out Pay Status (LOWP) since the year 2014. The Plaintiffs request was also for a remand? Plaintiff Gross Negligence Possession Case in the Superior Court of Fulton County, Georgia did not receive a Plea of guilty or not guilty from the Defending Party? Respectfully Submitted,

(b) (6)

Copies to the following:

Honorable Congressman, John Lewis
100 Peachtree Street N.W. Ste. 1920
Atlanta, Georgia 30303-1906
USPS Certified Mail No. 7016 3560 0000 0588 2272

Honorable Senator, David Perdue
relocated at: 3280 Peachtree Road Ste. 2640
Atlanta, Georgia 30305
USPS Certified Mail No. 7016 3560 0000 0588 2296

Tiffany R. Johnson
United States Attorney
600 U.S. Courthouse
75 Ted Turner Drive S.W.
Atlanta, Georgia 30303
USPS Certified Mail No. 7016 3560 0000 0588 2289

CERTIFICATE OF COMPLIANCE

I hereby certify in pursuant to the local rule 5.1 and 7.1D that the 4 page requested Motion for an Objection to the Defending Attorney, Tiffany R. Jackson's request for a dismissal in the United States District Court of Georgia was prepared using the 13 point font.

Respectfully Submitted,

(b) (6)

Plaintiff/Examinee

(b) (6)

Date

CERTIFICATE OF SERVICE

I hereby certify that I have provided copies of this request for a Motion to Remand
the United States District Court for the Northern District of Georgia Atlanta Division
Civil Action Case No. (b) (6) to the following as addressed:

Copies to the following:

Honorable Congressman, John Lewis
100 Peachtree Street N.W. Ste. 1920
Atlanta, Georgia 30303-1906
USPS Certified Mail No. 7016 3560 0000 0588 2272

Honorable Senator, David Perdue
relocated at: 3280 Peachtree Road Ste. 2640
Atlanta, Georgia 30305
USPS Certified Mail No. 7016 3560 0000 0588 2296

Tiffany R. Johnson
United States Attorney
600 U.S. Courthouse
75 Ted Turner Drive S.W.
Atlanta, Georgia 30303
USPS Certified Mail No. 7016 3560 0000 0588 2289

Respectfully Submitted,

(b) (6)

Plaintiff/Examinee

(b) (6)

Date

Enclosure; Request for remand in the Superior Court of Fulton County State of Georgia.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

FILED IN CLERK'S OFFICE
U.S.D.C. - Atlanta

(b) (6)

JAMES N. HATTEN, Clerk
By: *RB* Deputy Clerk

(b) (6)

Plaintiff,

CIVIL ACTION NO. (b) (6)

V.

USPS, Postmaster GNL, (b) (6)

Postmaster, (b) (6)

HR Manager, (b) (6)

OHS Representative, (b) (6)

Assistant Medical Director, (b) (6)

Defendant(s),

This (b) (6)

PLAINTIFF REQUESTS A MOTION TO OBJECT TO DEFENDANT(S)

ENTRY STATEMENT

To: The Honorable Judge for the US District Court for the Northern District of Georgia,
Atlanta Division

1.

The Defending Attorney, Tiffany R. Johnson filed with the United States District Court in the Northern District of Georgia Clerk a NOTICE OF REMOVAL OF ACTION TO THE UNITED STATES DISTRICT COURT from the Superior Court of Fulton County State of Georgia on or about (b) (6) in pursuant to the Federal Rule of Civil Procedure 12(b)(1) to request on or about (b) (6) for a motion to dismiss the Plaintiff's Civil Action for lack of subject matter jurisdiction.

2.

The Defending Attorney, Tiffany R. Johnson states in part that the Plaintiff's Civil Action stands on the Plaintiff's request for a full enclosure of the Plaintiff's April 19, 2016 Fitness for Duty Examination Results, "misleading the Court(s) to think the

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

FILED IN CLERK'S OFFICE
U.S.D.C. - Atlanta

(b) (6)

JAMES N. HATTEN, Clerk
By:  Deputy Clerk

(b) (6)

Plaintiff,

CIVIL ACTION NO. (b) (6)

V.

USPS, Postmaster GNL, (b) (6)

Postmaster, (b) (6)

HR Manager, (b) (6)

OHS Representative, (b) (6)

Assistant Medical Director, (b) (6)

Defendant(s),

This (b) (6)

**PLAINTIFF REQUESTS A MOTION TO OBJECT TO DEFENDANT(S)
REQUEST TO DISMISS CASE**

1.

The Defending Attorney, Tiffany R. Johnson filed with the United States District Court in the Northern District of Georgia Clerk a NOTICE OF REMOVAL OF ACTION TO THE UNITED STATES DISTRICT COURT from the Superior Court of Fulton County State of Georgia on or about (b) (6) in pursuant to the Federal Rule of Civil Procedure 12(b)(1) to request on or about (b) (6) for a motion to dismiss the Plaintiff's Civil Action for lack of subject matter jurisdiction.

2.

The Defending Attorney, Tiffany R. Johnson alleged lack of subject matter jurisdiction yet, acknowledges that Plaintiff has not receive income since May of 2014. During her August 2, 2017 phone conversation with the Plaintiff, she alleged that Plaintiff can only receive Payroll income by Working or receiving Workers Compensation (OWCP), and the Plaintiff cannot receive neither when her Fitness for

Duty Examination Results are withheld. The Defending Attorney, Tiffany R. Johnson also indicated that the Plaintiff will not get her money.

3.

The Defendant(s) refuse to authorize the release of the Plaintiff's results, a response, a reply, a review and copy to avoid exposure of falsifying the Plaintiff's April 19, 2016 Fitness for Duty Examination Results and any other medical documents of record(s).

4.

Defending Attorney, Tiffany R. Johnson knowingly understands that Plaintiff cannot afford an Attorney to pursue a Civil Action without income in the United States District Court.

5.

The Defending Attorney, Tiffany R. Johnson did not enter a plea of guilty or not guilty in the Superior Court of Fulton County State of Georgia on or about the 30 day provided by the Court.

6.

The Defending Attorney, Tiffany R. Johnson requested a NOTICE OF REMOVAL OF ACTION TO THE UNITED STATES DISTRICT COURT on or about (b) (6) (b) (6)

7.

The Defending Attorney, Tiffany R. Johnson again, did not enter a plea of guilty or not guilty in the United States District Court for the Northern District of Georgia Atlanta Division on or about (b) (6) to avoid incrimination and perjury.

8.

The Defending Attorney, Tiffany R. Johnson shortly requested in the United States District Court for the Northern District of Georgia Atlanta Division to dismiss the Plaintiff's Civil Action for possession damages on or about (b) (6) to avoid sanctions by the Court(s), a plea and Court Judgment.

9.

The Plaintiff requests to reflect that the Defendant(s) have no case argument, yet requests in the United States District Court for the Northern District of Georgia Atlanta Division to dismiss the Plaintiff's Civil Action claiming the grounds of jurisdiction to deny Plaintiff Judgment. If the Defending Party had a case argument then a plea would have been entered not a motion to dismiss.

10.

The USPS-HR Manager, (b) (6) July 25, 2016 document alleges that the Plaintiff did not pass her April 19, 2016 Fitness for Duty Examination, yet the Defendant(s) refused to provide the Contracted Examiner, (b) (6) with authorization to provide the Plaintiff/Examinee with the results, response, reply, review, and a copy of the Plaintiff's Fitness for Duty Examination that the Plaintiff requested in both writing and Medical Release Forms.

11.

The Plaintiff requests to reflect that the Defendant(s) did not honor the Employee and Labor Relations Manual (ELM) Fitness for Duty Examination Contractual Agreement. Under Article 568.132 (b) the employee may review any medical information and obtain copies of any records at no expense. Under Article 568.133 any

other documents required to show that the cause for removal is due to a medical condition.

12.

The Plaintiff requests to reflect that the Defendant(s) are aware of the ELM's Contractual Agreement Article 568.132 (b) and 568.133. The Defendant, Pamela Mauldin addressed the ELM's Contractual Agreement in her July 25, 2016 letter to the Plaintiff.

13.

The Plaintiff requests to reflect that the Defendant(s) have not returned the Plaintiff to a Work-Pay Status nor Provided the Plaintiff with a Worker Compensation (OWCP) Authorization. Instead, the USPS Management Officials is holding the Plaintiff in a Non-Pay Status after 15 plus years of serving the USPS. The Plaintiff has no income since May of 2014.

14.

The Plaintiff submitted a PS Form CA-17 Physical Examination Report to the Medical Department on or about March 24, 2017 for a back to Work-Pay Status and the Defendant(s) refuse to respond. The Defendant(s) are still keeping the Plaintiff without income. Therefore, the Plaintiff filed a Civil Action for possession in the Superior Court of Fulton County State of Georgia for damages and requests a Motion to object to a dismissal of Civil Action No. (b) (6) In the US District Court of Georgia.

15.

The Plaintiff, Pro Se, requests to reflect that her Benefits are being affected daily as a result of being kept out of work. Therefore, Plaintiff requests an additional restoration fee that the Judge deems appropriate. Page 4

**PLAINTIFF REQUESTS A MOTION TO REFER THIS CASE BACK TO THE
SUPERIOR COURT OF FULTON COUNTY STATE OF GEORGIA**

WHEREFORE, PLAINTIFF requests a Motion to return this Action to the Superior Court in Fulton County for the appropriate claim, Civil Action No. (b) (6) ? The Defending Attorney, Tiffany R. Johnson requested the removal for Just Cause purposes with the intent to have the Plaintiff's Civil Action Case No. (b) (6) dismissed by the United States District Court to avoid a plea, judgment, and addressing the Plaintiff's income status in the Superior Court of Fulton County State of Georgia. The Plaintiff cannot afford an Attorney for Long-Term Court Proceedings. This (b) (6)

Respectfully Submitted,

(b) (6)

Copies to the following:

Honorable Congressman, John Lewis
100 Peachtree Street N.W. Ste. 1920
Atlanta, Georgia 30303-1906
USPS Certified Mail No. 7016 3560 0000 5261 4444

Honorable Senator, David Perdue
relocated at: 3280 Peachtree Road Ste. 2640
Atlanta, Georgia 30305
USPS Certified Mail No. 7016 3560 0000 5261 4420

Tiffany R. Johnson
United States Attorney
600 U.S. Courthouse
75 Ted Turner Drive S.W.
Atlanta, Georgia 30303
USPS Certified Mail No. 7016 3560 0000 5261 4406

CERTIFICATE OF COMPLIANCE

I hereby certify in pursuant to the local rule 5.1 and 7.1D that the 4 page requested Motion for an Objection to the Defending Attorney, Tiffany R. Jackson's request for a dismissal in the United States District Court of Georgia was prepared using the 13 point font.

Respectfully Submitted,

(b) (6)

(b) (6)
Date

CERTIFICATE OF SERVICE

I hereby certify that I have provided this request for Motion to object to the
Defending Attorney, Tiffany R. Jackson's request to dismiss Plaintiff's Civil Action Case
No. (b) (6) in the United States District Court for the Northern District of
Georgia Atlanta Division to the following as addressed:

Copies to the following:

Honorable Congressman, John Lewis
100 Peachtree Street N.W. Ste. 1920
Atlanta, Georgia 30303-1906
USPS Certified Mail No. 7016 3560 0000 5261 4444

Honorable Senator, David Perdue
relocated at: 3280 Peachtree Road Ste. 2640
Atlanta, Georgia 30305
USPS Certified Mail No. 7016 3560 0000 5261 4420

Tiffany R. Johnson
United States Attorney
600 U.S. Courthouse
75 Ted Turner Drive S.W.
Atlanta, Georgia 30303
USPS Certified Mail No. 7016 3560 0000 5261 4406

Respectfully Submitted,

(b) (6)

(b) (6)
Date

To the United States District Court
for the Northern District of Georgia
Atlanta Division

(b) (6)

Civil Action No. (b) (6)

Plaintiff,

✓

USPS Postmaster General (b) (6)

Postmaster (b) (6)

HR Manager (b) (6)

DHS Representative (b) (6)

Assistant Medical Director (b) (6)

FILED IN CLERK'S OFFICE
U.S.D.C. Atlanta

(b) (6)

JAMES N. HATTEN, Clerk
By: *[Signature]* Deputy Clerk

Plaintiff's Motion to object to a dismissal and a Motion
for a change of venue to return case to the Superior
Court of Fulton County State of Georgia

Plaintiff moves the Court that an objection to enter against
the Defendants request to dismiss for the following reasons:

1. The Defendant(s) had a change of venue to the U.S.
District Courts from the Superior Court of Fulton County
on the final day to reply back to the Superior Courts to
avoid answering the Superior Courts request to reply within
30 calendar days of the served date.

2. The Defendants did not provide their reply to the Superior Court of Fulton County for Civil Action No. (b) (6) within 30 calendar days.

3. The Defendants entered a Notice of Removal of Action to the United States District Court on the 30th day of the Sheriff's entry of Service date for the Superior Court of Fulton County.

4. The Plaintiff provided Contractual Agreement Articles with the Sheriff's entry of Service, Employee and Labor Relations Manual & LM 36-567.332 through 569.12 referring to the Agreement in the USPS Publications to provide possession.

5. The Plaintiff provided release forms in request for possession of Plaintiff's April 19, 2016 Fitness for Duty Examination Results and it was not received, Management Officials above refused.

6. Plaintiff has been in a No-Pay Status as a result of her April 19, 2016 Fitness for Duty Examination Results since 2014.

7. Plaintiff cannot receive OWBP and cannot return to a Work-Pay Status without her results.

8. The Defendants request for a long-term Court Decision to deny Plaintiff's claim and income.

9. The Defendants are receiving income.

10. The Defendants notified DWCP of Plaintiff's decision for a Fitness for Duty Examination to deny Plaintiff's claim.

11. The Defendants refuse to provide DWCP with a copy of Plaintiff's Fitness for Duty Examination Results for Workers Compensation Income.

12. Other Employing Agencies will not hire Plaintiff as a Conflict of interest.

13. Plaintiff needs an income for living expenses and damages of 3 years without an income since May of the year 2014 has occurred.

14. Plaintiff filed a Civil Case for the Possession of her Fitness for Duty Examination Results in the amount seeking \$500,000.00 in damages.

15. Plaintiff requested in the Superior Court of Fulton County State of Georgia Civil Action No. (b) (6)

16. Plaintiff cannot afford an Attorney and/or Time to attend the Defendants' request for a hearing to the U.S. District Court Civil Action No. (b) (6)

17. Plaintiff has and had cases that are pending the results of Plaintiff's Fitness for Duty Examination, April 19, 2016.

18. Plaintiff requests a Motion for a change of venue to return the Civil Action to the Superior Court of Fulton County State of Georgia.

19. Defendant(s) did not provide their response to the Plaintiff's request for damages to the Superior Court of Fulton County State of Georgia.

20. Plaintiff is requesting a relief for damages in the United States District Court to be returned to the reply in the Superior Court of Fulton County State of Georgia.

21. Defending Attorney, Tiffany R. Johnson, GA Bar No. 638051 requested a change of venue to avoid a reply to the Superior Court of Fulton County State of Georgia.

22. Defending Attorney, Tiffany R. Johnson's request for a dismissal to close any case to avoid payment to the Plaintiff for Civil Action Possession Claim Damages.

23. Defending Attorney, Tiffany R. Johnson told Plaintiff on Wednesday, August 2, 2017 during a phone conversation of change of venue that Plaintiff was not getting her money, and that she did not have the contractual Agreement that was served with the initial Sheriff's Service.

24. Plaintiff requests a Motion for a change of venue return to the Superior Courts of Fulton County not to dismiss case.

(b) (6)

Certificate of Service

I, the Plaintiff certify that I have this (b) (6) of (b) (6) provided the contents of this Motion to the following as Addressed:

Copies to the following:

Honorable Congressman, John Lewis
100 Peachtree Street N.W. Ste. 1920
Atlanta, Georgia 30303-1906 By Certified Mail

Honorable Senator, David Perdue
3280 Peachtree Road Ste. 2640
Atlanta, Georgia 30305

U.S. Attorney, John A. Hood & Tiffany R. Johnson
600 U.S. Courthouse
75 Ted Turner Drive S.W.
Atlanta Ga. 30303

Respectfully Submitted,

(b) (6)

Per S.

(b) (6)

Date

Civil Action No. (b) (6)

CASE SUMMARY

CASE NO. (b) (6)

(b) (6) VS. U.S.P.S.

§
§
§
§
Location: EJ17
Judicial Officer: LAGRUA, SHAWN ELLEN
Filed on: (b) (6)

CASE INFORMATION

Statistical Closures

(b) (6) Do Not Report

Case Type: OTHER CIVIL CAUSE OF ACTION

Case Status: (b) (6) Closed

PARTY INFORMATION

PLAINTIFF

(b) (6)

Pro Se

(b) (6)

DEFENDANT

U.S.P.S.

DATE

EVENTS & ORDERS OF THE COURT

INDEX

(b) (6)

☒ NOTICE OF REMOVAL TO DISTRICT COURT
Removal of Action to the United States District Court

(b) (6)

REMOVAL TO ANOTHER COURT (Judicial Officer: LAGRUA, SHAWN ELLEN)

(b) (6)

☒ SHERIFF'S ENTRY OF SERVICE
SERVED (b) (6) ON 6/29/2017

(b) (6)

☒ SHERIFF'S ENTRY OF SERVICE
SERVED (b) (6) ON 6/29/2017

(b) (6)

☒ SHERIFF'S ENTRY OF SERVICE
SERVED (b) (6) ON 6/29/2017

(b) (6)

☒ SHERIFF'S ENTRY OF SERVICE
SERVED (b) (6) ON 6/29/2017

(b) (6)

☒ SHERIFF'S ENTRY OF SERVICE
SERVED (b) (6) ON 6/29/2017

(b) (6)

☒ NON EST SERVICE
NO SERVICE - CANNOT ACCEPT SERVICE

(b) (6)

☒ ORDER GRANTING FORMA PAUPERIS
ORDER GRANTING IN FORMA PAUPERIS

(b) (6)

☒ AFFIDAVIT OF POVERTY
OF INDIGENCY

(b) (6)

☒ CASE INITIATION FORM
DISTRESS-OTHER CIVIL ACTION-DAMAGES FOR NON PAYMENT

(b) (6)

☒ PLAINTIFF'S ORIGINAL PETITION

CASE SUMMARY
CASE NO. (b) (6)

FOR POSSESSION

DATE

FINANCIAL INFORMATION

PLAINTIFF (b) (6)

Total Charges

215.00

Total Payments and Credits

215.00

Balance Due as of 7/28/2017

0.00

In the United States District Court
for the Northern District of Georgia
Atlanta Division

(b) (6)

Plaintiff

CIVIL ACTION

NO. (b) (6)

v. U.S.P.S. Postmaster General (b) (6)
Postmaster, (b) (6)
HR Manager, (b) (6)
OHS Representative, (b) (6)
Defendant Assistant Medical Director, (b) (6)

MOTION FOR OBJECTION TO THE CHANGE OF VENUE
Requested on (b) (6) by the U.S.P.S. Defendants

Defendant (Plaintiff, (b) (6)) moves the court that ~~for~~ an objection to
be entered to the Defendants' request for the following reasons:

1. The Defending Party did not file the above Action.
The Defendants was provided 30-Days for their response to the Action.
The Defendants did not provide their response in the 30-Days provided
to the above case Action. The Defendants request to have the
Plaintiff close the above case on (b) (6) the 30th day to delay
Court Proceedings and to reopen another in another Court of their
choice is an unacceptable response for the 30 days provided for a response
to the Court.

To the Superior Court of Fulton County, I (b) (6) request that
the Defendants motion on (b) (6) for a change request for venue
be denied and that the 30-Days to enter a response to the above
case Action: (b) (6) be upheld in honor for the Awarding
Plaintiff, (b) (6) to be paid in the Amount of \$500,000.00
for damages. A motion should not be an acceptable response for the case above.

In support of this motion, _____ are attached
hereto and made a part hereof.

Dated (b) (6)

(b) (6)
Signature

Add ess

Telephone number _____

Contents:

1. 4 pages of (b) (6) Motion to object to a dismissal of Civil Action No. (b) (6)
2. 1 Certificate of Service for (b) (6)
3. 1-2 page Case Summary Filed (b) (6)
4. 10 page of Motion to US District Court and the Superior Court of Fulton County State of Georgia

Respectfully Submitted,

(b) (6)

Memorandum



Subject	Date
Call from (b) (6), (b) (6) to the Hon. Arthur Schwab, United States District Judge	October 24, 2019
To	From
(b) (6) Assistant United States Attorney	(b) (6) Assistant U.S. Attorney

Re: United States v. (b) (6)

(b) (6) pled guilty on (b) (6) to two counts of the thirteen count Indictment at Criminal No. (b) (6). The sentencing has been scheduled for (b) (6).

On October 23, 2019, I received a call from (b) (6), the (b) (6) to the Hon. Arthur Schwab, United States District Judge, concerning (b) (6). (b) (6) advised that Judge Schwab had authorized her to tell me and co-counsel, Assistant U.S. Attorney (b) (6), that Judge Schwab was thinking about sentencing (b) (6) to probation of two years with one year of home detention at the sentencing scheduled for (b) (6). (b) (6) also asked whether the United States intended to file a supplemental sentencing memorandum in light of the defendant's health condition. I advised (b) (6) that AUSA (b) (6) had just told me that he was unable to attend the sentencing on (b) (6) and that I would be handling the sentencing on behalf of the United States. I told (b) (6) that I had to review the file and ended the call.

On (b) (6), (b) (6) filed documents from two medical doctors indicating that (b) (6) was post radical prostatectomy to high-grade prostatic carcinoma with a high risk of recurrence and may require potential radiation therapy, and that he also suffered from heart problems.