

From: Byron Lee Trackwell; November 26, 2008

To: COL Michael W. Meier, Fort Carson Staff Judge Advocate

And

James M. Branum, Atty at Law; <http://www.girightslawyer.com/>; GIRightsLawyer@gmail.com

ONE: COL Michael W. Meier please inform me what you did with my friend of the court Motion to Dismiss on behalf of Tony Anderson?

TWO: COL Michael W. Meier, I want an acknowledgment from the JAG that the drafted federal pleading for Robbin Long was received!

THREE: James M. Branum, this is an enquiry for your services, your reply expected.

FOUR: Pederson, Angela K Mrs CIV USA IMCOM, what about FOIA number 09-0007?

FIVE: Largin, Sterling CIV USA IMCOM, since you forward my documents on behalf of Robbin Long to Major Tami Mitchell, Chief of the Trial Defense Service at Fort Carson, please have her inform me what appropriate actions she has taken!

SIX: The attachments in universal pdf format are (**Tony Anderson Motion to Dismiss.pdf**) and (**Dear Judge Advocate General.pdf**) that has a letter to the JAG with the attached drafted federal pleading for Robbin Long.

A defense lawyer in a military tribunal without subject-matter jurisdiction to hear the federal question defense challenging the president's orders is a Bill of Right breaking injustice as in this judicial circumstance the accused has no chance in a court-martial staffed by officers with chain-of-command allegiances to the president! Being conscious and having a conscience about fundamentals of subject-matter jurisdiction has been overlooked for so long that it is part of the illegal norm of the Military/Army Trial Judiciary! That illegal use of military judicial power under the color of law is extortion, obstruction of justice, an error of law, a miscarriage of justice and a violation of basic constitutional rights essential to a fair trial as demanded by due process of law.

Robbin Long and Tony Anderson, in those cases, the correct judicial procedure was a motion for dismissal due to lack of subject-matter jurisdiction and to have on record that ruling! On denial, then a motion for a continuance to allow time for a Denver Federal Court motion for a STAY until such time when the United States was willing to raise their charges against the accused in the proper judicial venue, the Denver Federal Court where the federal question subject-matter defense before a federal impartial jury would have been legally heard. Since an impartial federal jury is the issue, a federal impartial jury is mandated for deciding that federal motion!

A motion to dismiss Tony Anderson's court-martial to the Staff Judge Advocate was documented as received Friday Morning November 14, 2008 to the Fort Carson Army Trial Judiciary prior to the Monday November 17, 2008 court-martial of Tony Anderson! A federal Judge would have no problem understanding that documented proof, the reason for the request under ONE supra.

The interest(s) I represent are deep and strong and thus the Resisting GI is only an insignificant messenger of them. Receiving this message the easy way I sincerely wish you all representing the U.S. Army at Fort Carson chooses to do! Have a judicial conscious to the reality that is at hand as this written constitutional law is not mine, the power of it is not mine and has an unstoppable inertia! I am only aware of it and have chosen to spread it in hopes it will be acted upon without resistance, with dignity

as it is at a level whereas it will find its way to the Secretary of the Army, the U.S. Attorney General, the Justice Department, and the Congress within their respective Judiciary Committees within the House Subcommittee on the Constitution, Civil Rights, and Civil Liberties and the Senate Subcommittee on the Constitution! Regardless of that, this issue will reach an impartial federal jury where it is fair!

Destiny has been written on the judicial wall of truth, justice and the American way that will stop these contrary to law courts-martial and redress all these injuries to already illegally convicted resisting soldiers. The sooner that begins, the easier it will be!

Respectfully submitted.

The Resisting GI

<http://www.resistingGI.com/>

Hobbyist Constitutional Counsellor
s/Byron L. Trackwell

P.S.

These resisting soldiers of conscience have a right to their federal question subject-matter reasonable doubt defense before a federal impartial jury as it is a basic substantial essential liberty afforded by our Constitution. Therefore it is difficult to think about all the graduates of law and others in on these corrupt court-martials, how any of them, including the Staff Judge Advocate all the way to the JAG, how do any of them go home at night and have a good night peaceful sleep? How is that possible?

From: "JM Branum" <jmbzine@gmail.com> November 26, 2008

To: Byron L. Trackwell

You have written me several times in the past. I did not respond because your prior communications were unsolicited but more significantly were condescending and rude.

I will respond this time briefly to you, to discuss only the procedural issues of the Long & Anderson cases, however, since you do not represent Robin Long or Tony Anderson in any way I will not share any other information with you. --- Also, I have spoken with both of these clients about what you are trying to do and they agree that they do not want your assistance in this way.

As a defense attorney, I certainly wish that there were a valid legal reason to dismiss the counts against my clients, but my clients and I live in the land of reality. The subject matter jurisdiction of Courts-Martial over soldiers has already been well established, and both clients, after having been fully informed of their rights and the pros and cons of different courses of action, chose to waive a trial by jury and plead guilty before a judge alone.

And in the case of Tony Anderson (where you attempted to intervene before he actually pled guilty and was sentenced), the defense in a 802 hearing specifically asked that your motion not be considered as Anderson did not want to lose the benefit of his pre-trial agreement and its cap on a potential maximum sentence. Lastly, I have advised both Long and Anderson of their rights to seek further relief from both military and civilian authorities (including habeas review in federal courts, clemency actions and

Presidential pardons). They may or may not choose to exercise these rights, but your assistance with these matters is not needed.

I don't know if there is anything else that needs to be said to you, but wanted you to know that I have received your communications and where things stand.

Also, I want you to know that while I think your actions are ill-conceived and potentially harmful to these defendants, I do appreciate your motive to help GI's.

James Matthew Branum

From: Byron Lee Trackwell; November 28, 2008

To: James Matthew Branum,

My Motion to Dismiss was not heard as the Defense in an 802 hearing asked that my motion not be considered as Tony Anderson, the accused, did not want to lose the benefit of his pre-trial agreement and its cap on a potential maximum sentence. My motion has "no legitimate legal ties" to pre-trial agreements or sentencing, thus your written words have confessed to extortion! Do not hear the Resisting GI's friend of the court Motion to Dismiss, Tony Anderson, as if you do, your sentencing will be increased! Wow, you are now in a position to be subpoenaed. THANK YOU! Perhaps the Staff Judge Advocate needs to jump in on this one as he had to when Robert Grote, just like you, stuck his foot in his mouth! Mr. Branum you have confessed in writing on behalf of the Fort Carson Army Trial Judiciary the oppressive use of power under the color of law, a guilty plea to tyrannizing behavior!

Extortion continues on and you are part of it, how does that make you feel? If you do not plead guilty, Tony Anderson and Robbin Long, you will get this and that! Should not these illegal pressures be placed before a federal impartial jury when the subject-matter obviously involves the Federal Question? If there were no power within the subject-matter defense resisting soldiers of conscience have; the United States would not bother offering these illegal enticements for a plea of guilty!

The subject-matter jurisdiction of Courts-Martial over resisting soldiers of conscience has not been established, just overlooked by sheer aggression since March 17, 2003 when the president crushed our Constitution that alleges within constitutional dimensions that orders associated with the Iraq war are illegal. This brings in the factor of reasonable doubt within the subject-matter Federal Question. Soldiers with orders to fight have the judicial standing to challenge the legality of a war! It is Case LAW! And that challenge has merit as established within the Boston Federal Appellate Court by Doe v. Bush (2003) that activates the Federal Question when a resisting soldier chooses not to follow alleged illegal orders.

Both of your clients were not informed of their rights and were simply extorted which is classified as a felony! Plead guilty or else and you say to your clients to accept this! WOW, that is real legal defense work! It is a good thing LT Watada did not choose you as he pleaded not guilty and requested a jury and now he is free! I guess lawyers at a ten grand retainer at 500 bucks an hour think differently than you do and we resisting soldiers who worked for a living in the Army are just unable to afford real judicial bravery!

Your clients are not guilty and their Courts-Martial did not have jurisdiction! Are you unable to fathom all the authorities in the drafted federal habeas corpus pleading for Robbin Long and the Motion to Dismiss on behalf of Tony Anderson that suggest your blockade of them is accommodating, encouraging and adding to the corruption of these kangaroo Courts-Martial; plead guilty or you will be put away for a whole lot of years!

Before your clients were sacked with you along with the spotlight of extortion, they felt in their hearts that they were not guilty and wanted to plead not guilty and should have had real sixth amendment counseling but look what they got! Don't you know that a federal question defense before an impartial federal jury are inalienable rights we soldiers fight for on the battle field as well as here at home and you were given a perfect opportunity to fight along side we resisting soldiers of conscience to protect that right, but what do you do(?)! NOTHING!

It does not impress me that you and the system have made slave puppets out of your clients and have blocked my pleadings on their behalf! All those that have heard the brave words of Robbin Long and Tony Anderson prior to the spotlight of extortion, know that these young resisting soldiers of conscience wanted to resist this war by pleading not guilty and to have had a fair and impartial chance within the Bill of Rights but now I have a written confession that you in cahoots with the Army Trial Judiciary that you all have shattered those Bill of Rights by tyrannizing Robbin Long and Tony Anderson that has lost them their essential liberties afforded by our Constitution.

I bet you still do not get it as when one is brainwashed by the system and suddenly are made aware, the natural reaction is one of hatred! I am not a shrink and am unable to help you out on that one! The truth hurts; so deal with it in that church of yours and come to terms with the fact that your actions demonstrate that you are lost and are smothering our Constitution and the gospel of the Bill of Rights!

2 Corinthians 4:3 "But if our gospel be hid, it is hid to them that are lost"

The Resisting GI

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Hobbyist Constitutional Counsellor
s/Byron L. Trackwell

P.S. I do apologize to you Mr. James Matthew Branum for what I don't know and my straightforwardness. I know more than anyone that I do not have complete knowledge of law as nobody does! And when I am in those Law Books, reading a ruling, looking at those doctrines and reading Case Law, I certainly am aware that there are only so many hours in a day, and that is overwhelming. Condescending aspirations and law do not mix and thus I object to that, alleging rudeness was arbitrary and pointless! There is plenty of room to interpret the law, but little room for self-doubt. All I know within my constitutional heart that Robbin Long and Tony Anderson are in jail contrary to common sense and I have no self-doubt on that one! Consider this email as a gift as one that is pleasing and agreeable offers nothing new! We have argued and if twelve ordinary people read what was said and voted on who has walked away with the upper hand, what would that vote be? Well at least we are not in jail wondering on that one, are we?