

July 3, 2014

Hearing Examiner, Clark College v James Craven and WEA

Emergency Request for Time Extension on Current Proceedings and Notice of Potential Crimes Compromising the Whole Hearing Process to Date Under Exigent Circumstances and U.S. Constitution (e.g. 1<sup>st</sup> and 14<sup>th</sup> Amendments), 18 USC 4, Chapter 73, Chapter 13 parts 241 and 242 and 28 USC 455

(Please excuse the format but due to medical disabilities and having to write pro se, also a request to be taken as a formal Request for Time Extension and other requests in the interest of justice and cited law.)

1. I have had recent and debilitating trauma to my health that included cardiac distress and extreme pain from longstanding neuropathy that recent documents show may well be due to Agent Orange exposure that I suffered on military operations and in venues newly discovered; I have a VA claim pending. The medications I have been on, plus the new medications prescribed, all impair me cognitively, and even typing is difficult, and thus I cannot immediately respond if I have to take over the case pro se. My physician of almost 20 years, Dr. Rene Santiano is not available to see me until Monday, he writes on only what he knows from direct examination and clinical evidence, and he asked that he examine me again before writing a letter so that he can fully and completely comment on my present medical condition, capacities and implications in terms of my being able to participate in, let alone conduct pro se, my defense. I will send a letter the moment I get it on Monday or Tuesday.
2. For the second time, and in a second venue (the discovery of which was effectively obstructed with a critical ruling, made verbally with no specificity on a Motion to Limit, with no written legal authority or reasoning or time to take to a federal court) president Knight testified under oath and penalties of perjury (and derivative crimes in the context of public employment and conduct of official duties) statements that directly, materially, irreconcilably contradicted the sworn testimonies of Lynn Davidson from WEA and Dr. Marcia Roi of Clark College AHE and also a public employee. Perjury, on a critical, case-foundational statement revealing extreme animus, malice and intent and my removal, was committed multiple times and at different times and venues by either president Knight or Lynn Davidson; there is no way around it.
3. That perjury was allowed to stand without re-calling all witnesses to explore further the contradictions in their sworn statements, and or if unresolved, and after the hearing finished and transcripts have been made report to law enforcement (the duties of the hearing examiner under 18 USC 4 (Misprision of a Felony and 18 USC Chapter 73 (Obstruction of Justice) if acting unwittingly (18 USC 241 and 242 if acting wittingly), but also an absolute duty of all Officers of

the Court and Members of the Bar and any AAGs involved, has occurred compromising the standing, fairness, legal or probative value of the whole hearing and those selected to conduct it.

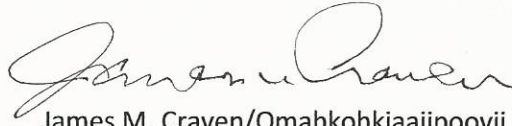
4. Despite repeated and unanswered written requests to Ms Olney, cc'd to Ms Iverson, the WEA's attorney, to accompany me to see FBI in Portland and to bring the supposed "settlement offer" of \$100,000 (per the request of an FBI Special Agent in that office) that I turned down not to break the law and my own morality she did not answer me over an expanded time, leaving me not only in considerable medical distress, without the promised back-up and delayed my own reporting without any legal advice on what I proposed to do that I asked for, thus compromised my own credibility and ability to do my own duty, as I have done before, under the RCWs and USC cites I have made over and over. RCW 42.20 (Misconduct of a Public Officer or Employee)
5. I reported to a Supervisory Special Agent, Kevin Saito, in FBI Washington DC (under 18 USC 4, 73 and 28 USC 1363) who was involved in investigation of the shutting down of my computer at the College from serial pornography spammed into my computer and has considerable background on Clark College, along with the "settlement offer" to FBI. I reported in good faith, without malice or animus, making all my statements and allegations in writing, sworn under penalty of perjury, asked to be Mirandized in order that I be held accountable for any deception, mendacity or attempts to misuse law enforcement for my own personal agenda that they believe they have found and can prove. I even noted that they should Mirandize me in that if what I am doing is under pretext, or if my allegations are malicious and untrue, those are all serious crimes for which I could and should be prosecuted. I have made myself transparent and accountable, made all my allegations in writing and invited rebuttals that never came, and never made accusations in secret, not to be written down or recorded so that those against whom I made allegations had every chance to challenge them and my and my own motives for advancing them.
6. I notified Ms Olney of my imperative to terminate her representation with specific and still-unrebutted reasons, but as yet no one from WEA has officially notified me that WEA is no longer representing me. I have a statement from Ms Iverson, but I have advised her in writing why I believe she is in material conflicts of interests (she is also mentioned in past and present complaints and has been advised she may be named personally in future civil litigation and why) and thus why, as a matter of law and her duties as Officer of the Court and Member of the Bar, as well as attorney for an organization that is not hers, involving significant possible precedents of vital concern to that union and her employer—breach of Fiduciary Duty and Responsibilities—thus the decision must be made by someone other than she in WEA. Thus I do not recognize that WEA has ceased to formally release the organization from the case until I get something formal, like this as I am required to submit as if I am already and officially pro se, having even to write this request is potentially problematic on many levels. This is most certainly not any kind of contrived or pre-textual gambit to attempt to threaten, shape or influence in any way the scope, depth, timing, content or deliberative processes of the hearing;

but the damage is so extensive as to call into question the integrity, fairness, justice or investigative competence of the whole hearing.

For the above mentioned reasons, facts and under the authority of the cited laws above, I hereby formally request:

1. That the present hearing examiner make a last ruling either to suspend and create a new process as the present one has been legally contaminated on many levels, or, if not, then rule only for time extension and then turn over the case to another examiner per 28 USC 455 (Recusal of all Justices, Judges and Magistrates mandatory if even an appearance of material conflict of interest), 18 USC 4 (Misprision of a Felony and duty to report on all citizens as well as law enforcement, judges and attorneys) 18 USC Chapter 73 (Obstruction of Justice that flows inexorably from perjury and dereliction of duty of judges, law enforcement officers and attorneys as well as citizens) and on the basis of the unrebutted and relevant facts in points 2,3, 5 and 6 previously that apply also to the hearing examiner that have been reported to FBI and will also be to the Washington State Bar, and thus the hearing examiner is compromised from further participation in this case as a result of his own apparent conduct and lack of conduct in some cases at least on the issue of certain perjury has been committed on a very material and important issue no less, and possibly or even highly likely by the president of the College. The president of the College being a potential perjurer is critical to the whole process and case as he was shown to be in testimony-and-documents, the initiator, coordinator, "judge", assessor of discipline, appeal authority (on two of three possible levels of appeal) and authority and recommender on the findings of the whole process, and appeal authority in all the steps of progressive discipline leading up to termination.
2. That all attorneys simply do what 18 USC 4, 18 USC Chapter 73, RCW 42.20, the U.S. Constitution, Bar Canons of Ethics, Duties of an Officer of the Court demand they do and report what they believe they have or have not witnessed vis-à-vis the alleged crimes mentioned here and elsewhere in writing over and over. Those who think and take steps to ensure, that they can never be held accountable, simply do more of the same and even worse once the lines between law and no law or respect or no or only convenient respect for the law are crossed. Those who do not are not only in direct conflict with the law themselves, but also compromising due process and possibly helping to set precedents on false and illegal foundations.
3. Because of the potential precedents involved, and the material conflicts of interest with Ms Iverson having anything more to do with this case, which includes refraining from using her opinion and connections covertly, that my pro se status, if that is the case, be formally presented to me by WEA, an attorney other than Ms Iverson, with the full accompanying legal reasoning and authority for a legal "opinion" that I can take further to challenge legally as is my right before terminating their representation in a case over factors that are serious, over which I

had no control given my legal duties and the effects of ongoing crimes on innocents, and with a new hearing, hearing examiner (not selected and paid for by a potential perjurer up to his neck in conflicts of interest in that role) and that I get a new attorney paid for by WEA. None of this is to be taken as any kind of statement of non-intent to go also to WA Human Rights, WA DOP, Washington Ethics Commission, Washington State Bar, EEOC and law enforcement as is my duty under the laws I have cited over and over without rebuttals from legal professionals.

A handwritten signature in cursive script, appearing to read "James M. Craven".

James M. Craven/Omahkohkiaaiipooyii

Professor of Economics and Geography