

IN THE SUPREME COURT OF VIRGINIA

AT RICHMOND

Record No. \_\_\_\_\_

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IN RE: BRIAN H. CLARK,  
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VERIFIED PETITION FOR WRIT OF PROHIBITION  
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Petitioner, Brian H. Clark ("Brian Clark"), pursuant to Rule 5:7 of the Rules of the Virginia Supreme Court, petitions this Court for a writ of prohibition to prohibit the Respondent, the Honorable Martin F. Clark, Jr., Judge of the Circuit Court of Patrick County, Virginia ("Judge Clark") from an indefinite order precluding Brian Clark from entry into the office of the Clerk of the Circuit Court of Patrick County, Virginia ("the clerk's office") unless (a) accompanied by his legal counsel; or (b) after 24 hours advance notice, a restriction not placed on other members of the public.

Preliminary Statement

This petition for a writ of prohibition seeks enforcement of the following rights of Brian Clark:

1. His rights under Article 1 of the Virginia State Constitution providing that all men are "equally free." In this petition Brian Clark avers that the Respondent has treated him as having less than equal freedom, compared to other members of the general public. He contends that the Respondent has judicially treated him as deserving the status of a second class citizen, with the public disgrace attendant on such a judicial order, issued verbally, and later in writing, both in the absence of any due process hearing.
2. His right of free speech under Section 12 of the Virginia Constitution. In this petition Brian Clark avers that the Respondent has placed restrictions on his access to the clerk's office that are greater than those imposed on members of the general public because of statements made by him protected as free speech under Section 12 of the Virginia Constitution.
3. His right under Section 8 of the Virginia

Constitution which (a) requires due process in any criminal prosecution, and (b) prohibits double jeopardy as to any criminal prosecution. In this petition, Brian Clark avers that the conditions placed on his entry into the clerk's office, not placed on members of the public at large, amount to a form of punishment, and constitute a quasi-criminal sanction against him without due process of law, and, as to a particular email dated July 14, 2016 (as to which his claim of free speech does not apply) constitutes a form of double jeopardy because he was found not guilty of a contempt charge based on an allegation that he sent such email.

4. His right under the Virginia Freedom of Information Act ("FOIA"), Va. Code Ann. Section 2.2-3700 et seq. for access to the records in the clerk's office. In this petition, Brian Clark contends that the requirement that he give 24 hour advance notice for entry into the clerk's office (unless accompanied by his legal counsel) is an unreasonable restriction on

his FOIA rights, which, aside from the public branding of him (discussed in detail herein after) carries the practical effect of chilling those rights, particularly because he often travels and has good reason to be able to enter the clerk's office as his travel schedule may make such entry most convenient, so long as he meets the same condition for exercise of his FOIA rights that are imposed on other members of the general public.

#### **Statement of Facts**

1. Beginning in 2016, Brian Clark was told that he could not enter the Clerk's Office of the Circuit Court of Patrick County, Virginia ("the clerk's office"), and was barred from doing so by deputies of the Office of the Sheriff of Patrick County, Virginia ("the Sheriff's Office")
2. The said action by such deputies resulted from an oral order received by the Sheriff's Office from Judge Clark not to allow Brian Clark into the

clerk's office.<sup>1</sup>

3. Judge Clark subsequently amended that Order to provide that Brian Clark could come into the clerk's office accompanied by his legal counsel.<sup>2</sup>
4. In October 2016, Brian Clark's legal counsel wrote a letter to Judge Clark seeking rescission of the said oral order so that Brian Clark would be allowed to enter the clerk's office even if unaccompanied by his legal counsel. A copy of that letter is attached hereto marked "Exhibit A."
5. Judge Clark wrote a letter in response, copy of which is attached hereto marked "Exhibit B."
6. In October 2016, Brian Clark's counsel wrote a second letter to Judge Clark. A copy of that letter is attached hereto marked "Exhibit C."
7. On October 25, 2016, Judge Clark wrote a letter to Brian Clark's counsel. A copy of that letter is

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<sup>1</sup> Brian Clark and Judge Clark are not related.

<sup>2</sup> As set forth hereinafter, Judge Clark in 2017 amended that order again to allow Brian Clark to come into the clerk's office without counsel on 24 hours advance notice.

attached hereto marked "Exhibit D."

8. In Exhibit D, Judge Clark confirmed in writing his order banning Brian Clark from entry to the clerk's office unless accompanied by his counsel.
9. In Exhibit D, Judge Clark referred, *inter alia*, to a contempt charge against Brian Clark then pending in the Circuit Court of Patrick County, Virginia in *Commonwealth of Virginia v. Brian Clark*; Case No. CR16000423-00. Attached hereto marked "Exhibit E" is a copy of a charge for contempt of court in that case served on Brian Clark. Included in Exhibit E was an email dated July 14, 2016 ("the July 14, 2016 email") stated to be from Brian Clark to the Clerk of the Circuit Court of Patrick County, Virginia.
10. On March 13, 2017, as set forth in more detail herein after, Brian Clark was tried and found not guilty of the said contempt charge on grounds the prosecution had not proven beyond a reasonable doubt that the July 14, 2016 email had been sent by Brian Clark.

11. As set forth in more detail herein after, when Brian Clark's counsel wrote Judge Clark about the March 13, 2017 not guilty verdict and requested that Judge Clark, in consideration of that not guilty verdict and the passage of time, lift the ban on Brian Clark entering the clerk's office except with his counsel, Judge Clark responded in writing by (a) amending his prior order to allow Brian Clark to come into the clerk's office without counsel on 24 hours' advance notice; (b) providing that Brian Clark could have free copies of the court papers in the files in the clerk's office of civil cases in which he is a party; (c) otherwise refusing the said request by Brian Clark's counsel; and (d) enclosing a transcript of statements regarding Brian Clark by another circuit court judge in a custody case.
12. At the March 13, 2017 contempt trial of Brian Clark, certain emails referenced in Exhibit D of this petition (in addition to the July 14, 2016 email) were introduced into evidence as an exhibit.

Attached hereto marked "Exhibit F," are copies of such emails, accompanied by an affidavit by Doris Walker, who is Brian Clark's first cousin once removed, in which she sets forth that she obtained those emails (that had been made an exhibit in the March 13, 2017 contempt trial) from the clerk's office.

13. In Exhibit D, Judge Clark cited certain pleadings or papers filed or lodged by Brian Clark in the clerk's office or in the office of the Clerk of the Circuit Court of Henry County, Virginia in civil cases. Brian Clark does not remember any such pleadings or papers filed in the Clerk's Office of Henry County, Virginia that met the description of the same in Exhibit D. Copies of what appear to be documents (other than emails) referenced in Exhibit D that were filed or submitted to the Clerk's Office of Patrick County, Virginia are attached hereto marked "Exhibit G."
14. Attached hereto marked "Exhibit H" is a transcript



of a portion of the March 13, 2017 trial in *Commonwealth of Virginia v. Brian Clark*; Case No. CR16000423-00, in which Brian Clark was found not guilty of contempt of court. In Exhibit H, the Honorable G. Carter Greer, Judge of the Circuit Court of Patrick County, Virginia stated from the bench in open court his reason for finding Brian Clark not guilty in that case.

15. After the aforesaid March 13, 2017 trial, Brian Clark's counsel wrote a letter - dated April 22, 2017 - to Judge Clark, which attached a copy of Exhibit H, and which asked Judge Clark to lift the ban on Brian Clark being able to go to the clerk's office without his counsel. A copy of that April 22, 2017 letter (without Exhibit H attached to that letter) is attached hereto marked "Exhibit I".
16. Judge Clark responded to the April 22, 2017 letter from Brian Clark's counsel by a letter dated May 5, 2017, copy of which is attached hereto marked "Exhibit J."

17. In Exhibit J, Judge Clark amended his prior order restricting Brian Clark's access to the clerk's office as follows:

A. In Exhibit J Judge Clark offered for the clerk's office to send to Brian Clark's counsel all of the pages of all of the civil cases pending in the Circuit Court of Patrick County, Virginia in which Brian Clark is a party.

B. In Exhibit J Judge Clark ruled that, going forward, Brian Clark could enter the clerk's office without his legal counsel provided he gave 24 hours advance notice of his intention to do so.

18. Exhibit J amplified what Judge Clark stated were his grounds for placing restriction on Brian Clark's access to the clerk's office.<sup>3</sup>

19. Brian Clark has never been convicted of (a) any

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<sup>3</sup> This included enclosing a portion of a transcript of a hearing in a custody case with comments regarding Brian Clark by another circuit court judge. The said portion of the transcript with verbatim comments by another circuit court judge is included in Exhibit J.

felony; (b) any misdemeanor involving moral turpitude; or (c) any misdemeanor involving physical violence or threat of physical violence.

20. Brian Clark is a resident of Henry County, Virginia. He owns real estate in Patrick County, Virginia and has a son who attends public school in Patrick County, Virginia.

21. Brian Clark has civil cases pending in the Circuit Court of Patrick County, Virginia, as follows:  
CL15000007-00; CL15000098-00; CL15000099-00;  
CL13000030-00; and CL13000030-01. The court records in those cases are in the clerk's office. In the past, there have been instances in which a document for one of those cases has been mistakenly placed in another of those cases.

22. Prior to the order by Judge Clark banning Brian Clark from the clerk's office, Brian Clark was given no notice that he faced banning of entry to the clerk's office.

23. Brian Clark received no notice of any grounds for

banning him from the clerk's office prior to Judge Clark's oral order banning him from the clerk's office.

24. Brian Clark received no opportunity to face or to cross-examine any accuser prior to the oral order banning him from the clerk's office.

25. Brian Clark was granted no opportunity to be heard in any way prior to being banned from the clerk's office.

26. Brian Clark was granted no opportunity to present any evidence in his defense or any opportunity for legal counsel on his behalf to present any argument on his behalf, prior to the oral order banning him from the clerk's office.

27. As is demonstrated by Exhibit D, Judge Clark's written confirmation of the banning of Brian Clark from the clerk's office (which, by the date of Exhibit D had been amended to allow Brian Clark to enter the clerk's office if accompanied by his legal counsel) did not include any opportunity for any

hearing for potential reconsideration of the said banning of Brian Clark from the clerk's office.

28. Brian Clark has received no notice that the order by Judge Clark, as twice amended, and as now allowing him into the clerk's office but only when accompanied by his legal counsel or on 24 hours' notice, is limited in time. Judge Clark's current order restricting Brian Clark from entry into the clerk's office unless on 24 hours advance notice or when accompanied by his counsel is not set to come to an end on any specified date.

29. The indication in Exhibit J that Judge Clark will cause the clerk's office to send to Brian Clark all of the pages of Cases CL15000007-00; CL15000098-00; CL15000099-00; CL13000030-00; and CL13000030-01 would not allow Brian Clark to enter the Clerk's Office (without his legal counsel or without giving 24 hours' advance notice) to review other public documents in the clerk's office, which, as a part of this petition, he submits is his right under the

Virginia Freedom of Information Act, Va. Code Ann.  
Section 2.2-3700 et.seq.

30. Further, if the restriction on Brian Clark entering the clerk's Office remains, a public record will reflect that this extraordinary (and perhaps unprecedented) restriction has been placed on Brian Clark and that he is subject to such restriction for an indefinite time, which public record, if not reversed, would likely pose a risk (although not as yet specified to him) to his present and future occupation and prospects as to his occupation. At present, Brian Clark is involved in contract work for the United States government on matters related to Homeland Security.

31. Aside from issues related to Brian Clark's occupation, the net effect of the restrictions on Brian Clark's access to the clerk's office, although those restrictions have been reduced from what they were, at all times since being first imposed, by their nature, have constituted a form of public

branding imposed on him by the a court of record without any of the usual due process protections afforded citizens of the Commonwealth of Virginia. This public branding is inconsistent with the Virginia laws recited as authority in this petition, and inconsistent with the spirit of those laws, and inconsistent with the extraordinary history of Virginia jurisprudence in its respect for the rights of those among Virginia's citizenry who have dissented from the views of those in positions of authority.

32. The location of the clerk's office is such that no member of the general public can enter the clerk's office without going through a scanning process manned by deputies of the Sheriff's Office. Any member of the general public seeking to enter the clerk's office must go through the same scanning process imposed on any member of the general public seeking to enter the courtroom of the Circuit Court of Patrick County, Virginia.

33. Brian Clark has never threatened bodily harm to any employee of the clerk's office.
34. Brian Clark has never made any statement to any employee of the clerk's office which constituted a threat of violence of any kind.
35. Brian Clark has never made any statement to any employee of the clerk's office that could reasonably have been construed as a threat of violence.
36. If any employee of the clerk's office has ever stated that Brian Clark made any statement that such employee construed as the basis for any reasonable fear of violence, Brian Clark (a) does not know the identity of any such accuser; (b) does not know when any such accuser stated that he made any such statement; and (c) does not know to whom he was supposed to have made such a statement.
37. If Brian Clark were given notice that a named employee of the clerk's office has ever stated any contention that he made any statement that any such employee construed as a basis for any reasonable



fear of violence, Brian Clark, if given the opportunity to do so, would vigorously defend against any such accusation because he has never made any statement to any employee of the clerk's office that could reasonably have been construed as a threat of violence of any kind, although he has made statements that were based on what he considered a potential by him to pursue one or more legal remedies, or that were based on an intent to pursue one or more legal remedies.

38. Brian Clark has never had any intention to act in any violent manner against anyone in the clerk's office or anywhere else and has never done or said anything to anyone at any location or at any time to indicate any intention to engage in any physical threat or any physical violence against anyone, either at the clerk's office or anywhere else.
39. Brian Clark has never engaged in any improper physical action against anyone and has never threatened improper physical action against anyone.

40. Brian Clark's work causes him to travel frequently. Sometimes he needs to travel on short notice. In the multiple civil cases in which he is involved, during the course of frequent communications with his legal counsel, there is some benefit to him from being able to enter the clerk's office without notice to look up records in the clerk's office. It is true that this benefit would be essentially mooted by provision by the clerk's office of all of the records of his cases - at taxpayer expense - with no charge to him or his legal counsel.

However, this alternative benefit to him would come at a cost to the public at large and on the basis of an insult to him and public branding of him and would constitute a likelihood of substantial risk to him as to his employment, in which he is engaged in work (based on government contract) involving Homeland Security.

41. If a stated alternative for Brian Clark to obtain the same access to court records in which he is a

party as would be provided to other members of the general public (who are parties in civil cases) is a special free access at the taxpayers' expense, he would be marked - by a public decision by the Respondent, clothed with the respect and deference earned by all of the judges of Virginia - with a public branding as someone undeserving of the equal treatment of the law cited in Article 1 of the Virginia Constitution, reciting that all men are "equally free." Rather, that equality of treatment would be set aside and replaced by a form of public disgrace clothed with special treatment at taxpayer expense. This public disgrace imposed judicially on Brian Clark, without any due process of law, if not reversed, will carry a likely danger to him as to his employment in work involving Homeland Security, and an undeserved public mark against him with practical effects that cannot entirely be calculated in advance, but which, at a minimum, would amount to a kind of public "casting out" of him. At present,

Brian Clark is, as a matter of a public judicial decision, the recipient of such a public judicial branding.

42. If Brian Clark were to acquiesce in derogation of such rights, he would agree that to his being marked with a kind of public branding that would, in effect, signify his being cast out from the normal treatment of public citizens of the Commonwealth.

43. Brian Clark brings this petition, in material part, as a means of declining voluntarily to accept the conclusions to be drawn - as set forth in paragraph 44 of this petition - if he did not continue to challenge the judicial orders recited above, which, although they have changed over time, have remained consistent in branding Brian Clark is not deserving of the equal treatment of the laws of those among the citizenry of the Commonwealth of Virginia who, in their daily lives are clothed with the presumption of regulatory and the presumption of innocence.

44. Brian Clark files this petition seeking a writ of prohibition in part to make a public record that he challenges (and therefore does not acquiesce) in what he submits has been a public judicial message that he has earned treatment as a second class citizen which he submits has constituted a derogation of his constitutional and statutory rights recited herein above.

45. Brian Clark files this petition seeking a writ of prohibition, in significant part, to challenge what appears to constitute a judicial disgrace of him by a court of record, which he submits he has not earned and which has been imposed upon him without any semblance of due process.<sup>4</sup> In such challenge, by means of this petition seeking a writ of

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<sup>4</sup> Brian Clark will also file a complaint in federal court pursuant to 42 U.S.C. Section 1983 which, inter alia, will contest the different treatment of him as to access to the clerk's office on federal grounds. That complaint will attach a copy of this petition as an exhibit, but will recited that, just as Brian Clark does not seek any remedy in this petition under federal law, he will not seek any remedy in his federal complaint under state law.

prohibition, Brian Clark submits that the current order of Judge Clark stated in Exhibit J, is in derogation of Brian Clark's rights guaranteed by the Virginia Constitution of (a) free speech; (b) due process; (c) freedom from double jeopardy; and right to "equal freedom" under the law; and is also in derogation of Brian Clark's statutory FOIA rights.

**Contention that An Evidentiary Hearing is Not Necessary**

Brian Clark submits that the taking of evidence is not necessary for a proper disposition of this petition.

**Legal Argument In Favor of Petition**

Brian Clark sets forth the following legal argument in favor of this petition:

**1. This Court Has Original Jurisdiction and Is A Proper Venue For Consideration of this Petition**

This Court has original jurisdiction as to this petition pursuant to Article IV, Section 1 of the Constitution of Virginia.

The rights invoked by Brian Clark in this petition include those set forth in the Virginia Freedom of Information Act, Va. Code Ann. Section 2.2-3700 et.seq.

("the FOIA") which, in pertinent part, sets forth that, for purposes of access to public records, constitutional officers as defined in Va. Code Section 9.1-101 shall be considered "public bodies." Va. Code Ann. Section 9.1-01-101 defines "constitutional officers" to include clerks of circuit courts. The FOIA at Va. Code Ann Section 2.2-3701 defines "public records to include written documents in the possession of a public body (and therefore in the possession of a clerk of a circuit court). As a general matter, the FOIA provides that "public records" (thus records in the possession of clerks of circuit courts) shall be open to public inspection. Va. Code Ann. Section 2.2-3704. Therefore, Brian Clark is entitled, as a citizen of the Commonwealth of Virginia, to access the clerk's office with a right to view the public records in that office, not limited to those in which he is a party litigant, in the same way and to the same degree that such records (not limited to records of his cases) are available to be viewed by the public generally.

Enforcement of the FOIA may be by a petition to a circuit court for a writ of mandamus or injunction brought against, *inter alia*, a clerk of a circuit court for violation of the FOIA by denial of the public right (as a general matter) to inspect the records in the possession of such a clerk (thus, for violation of the right to inspect court records and other public records in a clerk's office), pursuant to Va. Code Ann. Section 2.2-3713. However, in this petition Brian Clark seeks redress against denial of his rights under the FOIA by order of a circuit court. Brian Clark submits that the denial of his right to inspect public records in the clerk's office has not been by the Clerk of that Court, or by the Sheriff of Patrick County, rather by order of Judge Clark, which the Clerk of the Circuit Court and the Sheriff of Patrick County, Virginia are bound to obey, unless Judge Clark's order is reversed by a court with competent jurisdiction to overrule him as to his ban of entry of Brian Clark to the clerk's office unaccompanied by his legal counsel. Therefore, Brian



Clark submits that it is appropriate for him to seek enforcement of his FOIA rights through this petition rather than through a complaint filed in the Circuit Court of Patrick County, Virginia seeking an injunction or writ of mandamus. Also, this petition, in addition to seeking enforcement of FOIA rights, is based on Brian Clark's right of free speech under Section 12 of Article 1 of the Virginia Constitution. In this petition, Brian Clark contends that this Court has grounds to grant him a Writ of Prohibition in this case because Judge Clark's letters of October 25, 2016 and May 5, 2017 setting forth his reasons for barring Brian Clark from the clerk's office without his counsel is based, in material part, on Brian Clark's exercise of his Virginia state constitutional right of free speech.

Judge Clark's October 25, 2016 letter (Exhibit D) referred to Brian Clark as making statements reminiscent of Lyndon Larouche ("Larouche"). However, at least before Larouche was convicted (as he was) of a felony, there is no record of Larouche being banned from any

public place. To the contrary, despite his infamous and lamentable public statements (including a contention that the Queen of England was a drug dealer) Larouche was allowed under Virginia law to qualify to have electors pledged to him on the ballot for his candidacy to be president of the United States.

## **2. Limitation of This Petition to Rights Under State Law**

This petition is confined to Brian Clark's rights under Virginia state law. At a time near the time this petition will be filed, Brian Clark will file a complaint in the U.S. District Court of the Western District of Virginia, Roanoke Division, seeking damages and a declaratory judgment pursuant to 42 U.S.C. Section 1983 on grounds of actions by public officials that Brian Clark will aver constituted violation of his right of free speech under the First Amendment of the U.S. Constitution. That complaint will aver (a) action by certain law enforcement officers whom Brian Clark will aver stopped a car in which he was a passenger - and prevented that car for about twenty minutes from

proceeding with normal travel - on a pretext, after deputies of the sheriff's office said they intended to "take him down"; (b) action by an administrative official of Patrick County, Virginia in banning Brian Clark from a public building (other than the clerk's office) with the result, *inter alia*, that he was prevented from attending a trial to testify for a defendant in a traffic case;<sup>5</sup> and (c) the banning of Clark from entry into the clerk's office unless accompanied by his counsel.

In the said complaint to be filed in federal court (a) and (b) are about matters different from the matters set forth in this petition. However, in that federal case, Clark, as a practical matter, will seek the same relief as to (c) that he seeks in this case. However, as to that part of his federal complaint, Clark will seek such relief pursuant to his right of free speech under the U.S. Constitution, whereas, in this petition, Brian Clark seeks relief solely on the basis of his

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<sup>5</sup> The defendant in that case was found not guilty.

rights under state law, including his right to free speech under the Virginia Constitution and his state statutory FOIA rights.

Brian Clark submits that he is not precluded from filing this petition under state law while also seeking the same relief in federal court under federal law.

**3. The July 14, 2016 Email is Not Grounds for Indefinite Restrictions on or Special Conditions for Brian Clark's Access to the Clerk's Office**

Brian Clark was tried on March 13, 2017 on a charge that he sent the July 14, 2016 email to the Clerk of that court. After the conclusion of evidence in that case, as is evident from Exhibit H, Judge Greer concluded that Brian Clark sent that email, but found him not guilty on grounds the prosecution had not proven that at that trial.

At that trial, Brian Clark testified he had no memory of sending that email and presented evidence that that email could have come from another source.

Brian Clark submits that the order banning him from the clerk's office should not be upheld on the basis of

the July 14, 2016 email for the following reasons:

- It has not been proven that Brian Clark sent that email.
- Va. Code Ann. Section 18.2-456 (3) (the basis for the contempt charge of Brian Clark regarding the July 14, 2016 email), does not provide for punishment by banning from a public place.
- If there were a basis for restricting a public citizen from access to a public place, or placing special conditions on citizen's access to such a public place as punishment for contempt of court, that should only occur after a trial with due process rights. There was a due process trial on the contempt charge, however, that resulted in a not guilty verdict.
- There is no precedent for punishment for contempt of court that is indefinite in time. In *Cheff v. Schnackenberg*, 384 U.S. 373 (1966), the U.S. Supreme Court limited denial of a jury trial in contempt of court cases to prosecutions in which

incarceration is limited to six months. Taking into account that Brian Clark's motion for a jury trial in Case No. CR16000423-00 was denied, even if Brian Clark had been found guilty in that case, and even if the sentencing in that case had barred Brian Clark from unfettered access to the clerk's office, no such punishment could have extended past six months. As it happened, Brian Clark was found not guilty of that charge, so that the July 14, 2016 email should not be any basis for the banning of Brian Clark from the clerk's office, for reasons including but not limited to the prohibition in Virginia law against double jeopardy.

The above argument does not include a contention that the July 14, 2016 email is protected by the right of free speech. The indefensible statements in that email are not protected by any right of free speech. However, for the reasons set forth above, Brian Clark's FOIA rights should not be restricted by reason of the July 14, 2016 email.

**4. The Remaining Communications Cited as a Basis for Restrictions On and/or Special Conditions for His Access to the Clerk's Office Are Protected by the Right of Free Speech Guaranteed by Section 12 of Article I the Virginia Constitution.**

Article 1 of the Virginia Constitution provides, in pertinent part, the following:

... any citizen may freely speak, write, and public his sentiments on all subjects, being responsible for the abuse of that right...

In Exhibit D, Judge Clark stated that Brian Clark stated that

"various court officials, banks, attorneys, judges, and the state bar are in a Lyndon-LaRouche-like plot to do harm to him, one of which such pleadings referenced Judge Greer's bias (later alleged to be outright corruption), referenced Judge Greer's wife and, oddly and menacingly, included a wedding photograph of her.

-- Exhibit D, p. 1

Except for the July 14, 2016 email, the documents referenced by Judge Clark in his October 25, 2016 letter (Exhibit D) are set forth in Exhibits F and G to this petition. Those documents come within the guarantee of free speech in Section 12 of Article 1 of the Virginia Constitution.

Judge Clark's October 25, 2016 letter (Exhibit D) refers to LaRouche, who gained notoriety for outrageous statements wrongfully claiming conspiracies. However, until LaRouche was convicted of a felony, there is no record of his (a) being banned from any clerk's office, or (b) being denied any right under any state's law to inspect and copy public records. Indeed, despite his record of making outrageous statements, Larouche was allowed by the Commonwealth of Virginia to qualify on this state's ballot as a candidate for president of the United States.

**5. The Restrictions on and Conditions for Brian Clark's Access to the Clerk's Office Constitute Denial of His FOIA Statutory Rights**

Nothing in Virginia law creates an exception to Brian Clark's FOIA rights to inspect public records in the clerk's office that would be supported by anything referenced in Judge Clark's October 25, 2016 letter (Exhibit D) or his May 5, 2017 letter (Exhibit J).

Virginia's FOIA does not require any citizen to show cause why he or she has a need to exercise a right under



FOIA to inspect public records. For this independent reason, the offer of free copies of court records in civil cases in which Brian Clark is a party is not grounds to deny his FOIA right of entry to the clerk's office.

Taking into account (a) the issue of double jeopardy as to the July 14, 2016 email; (b) the lack of any due process protections regarding the rest of the grounds asserted in Exhibits D and J for the restrictions on and conditions for Brian Clark's access to the clerk's office; and (c) the indefinite nature of those restrictions and conditions, none of the grounds set forth in Exhibit D and Exhibit J are sufficient to justify the deprivation of Brian Clark's FOIA statutory rights.<sup>6</sup>

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<sup>6</sup> Although not relevant to the legal issues presented by this petition, there was nothing menacing in Brian Clark's inclusion of a picture of Judge Greer's wife in a motion asking Judge Greer to recuse himself (see Exhibit D) In that motion, Brian Clark cited a newspaper article about Judge Greer that was entirely favorable. Brian Clark cited that newspaper article because of a reference in that article to an association of Judge Greer's father with Branch Banking

Exhibits D and J suggest that if Brian Clark is allowed into the clerk's office that might constitute a threat to those working there or to members of the public in the clerk's office. However, any member of the public who enters the clerk's office must pass through the scanning process manned by the Sheriff's Office, the same as required of any member of the general public entering the courtroom of the Circuit Court of Patrick County. Therefore, there is no danger of Brian Clark (or any other member of the general public) entering the clerk's office with any weapon that would be recognized by the scanning process.

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& Trust Company ("BB&T"), one of the parties adverse to Brian Clark in a civil case in which Brian Clark asked Judge Greer to recuse himself. To support his indication of the relationship between Judge Greer's father and BB&T, Brian Clark attached a (favorable) newspaper article about Judge Greer and his Virginia heritage. In attaching such newspaper article, Brian Clark did not make any redaction, so that what he attached included a favorable photograph of Judge Greer and his wife, which was with that newspaper article.

**6. The Restrictions and Conditions Placed on Brian Clark's Access to the Clerk's Office are in Derogation of His Rights Under Article 1 of the Virginia Constitution**

The statement in Article 1 of the Virginia Constitution that all men are equally free does not apply to those who, by their conduct, are proven to have broken the law, or who have been proven by law not to deserve the equal treatment under law they would otherwise be entitled to receive.

For example, one who is convicted of a felony or a crime of moral turpitude is treated differently from members of the public at large. However, Brian Clark has never been convicted of any such crime.

For another example, Virginia has an extensive set of laws for protective orders against those who take action or make statements that cause others to be in reasonable fear. See, for example, Va. Code Ann. Section 19.2-152.10 et seq. In cases not involving family members, anyone having a reasonable fear of danger from another can seek an injunction for protection. However, any such protective order or

injunction must be based on orderly procedures, with a record based on a sworn petition or a sworn complaint, with an opportunity, over time, for a party, against whom such an order or injunction is sought, to present a defense, after an opportunity to face an accuser, to cross-examine, to present evidence, to have counsel to present argument, including legal precedent. The restrictions on and conditions for Brian Clark's access to the clerk's office have not involved any of those protections.

At bottom, the restrictions on and conditions for Brian Clark's access to the clerk's office are stated by the Respondent as justified on grounds of practicality. However, the argument of practicality should not be held persuasive in this case. The public branding of Brian Clark that inevitably accompanies the Respondent's order imposing restrictions on and conditions for Brian Clark's access to the clerk's office carries a real if undetermined risk to his employment, and carries an imposition on him, in effect, of a second class

citizenship with all that accompanies such a status. Weighed against that, there are no meritorious grounds for Brian Clark to have to give 24 hours advance notice to provide for enhanced security at the clerk's office to provide protection against Brian Clark for those working in or present at the clerk's office.<sup>7</sup> As it happens, the scanning process at the courthouse of the Circuit Court of Patrick County - which is in place for all courthouses in the Commonwealth - applies not only to those entering the courthouse of Patrick County Circuit Court, but also to those entering the clerk's office. Therefore, no member of the general public can enter the clerk's office without going through that scanning process. Under these circumstances, neither Brian Clark nor any other member of the general public is able to go into the clerk's office with any weapon

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<sup>7</sup> Exhibit J does not require 24 hours advance notice if Brian Clark is accompanied to the clerk's office by his legal counsel. However, the exhibits to this petition that are letters from Brian Clark's legal counsel show that his counsel's office is in Richmond, Virginia, which, as a matter of geography, is hours away from the Patrick County Circuit Courthouse where the clerk's office is located.

that can be detected by that scanning process.

Moreover, on the subject of protection of persons in the clerk's office from danger, Brian Clark is entitled to the same presumption of innocence accorded every other citizen of the Commonwealth. Brian Clark has been denied the presumption of innocence in this case and thereby has been denied (a) the status of being equally free as other citizens, guaranteed to him under Article 1 of the Virginia Constitution, (b) his right of free speech guaranteed by Article 12 of the Virginia Constitution; (c) his right of due process and against double jeopardy guaranteed by Article 8 of the Virginia Constitution; and (d) his right (the same as any other citizen) to go to the clerk's office to view any public records he chooses to view) guaranteed by Va. Code Ann. Section 2.2-3700 et seq. ("FOIA"). Under these circumstances, and, most particularly to prevent the specific and unknown danger to his employment and to him personally from the public mark on him caused by the restrictions and conditions on his access to the clerk's

office, Brian Clark asks this Court to grant him a writ of prohibition to accord him the same access to the clerk's office as is allowed to the general public.

**7. The Comments By Another Circuit Court Judge In a Custody Case Are Not Grounds to Restrict and/or Condition Brian Clark's Constitutional Rights of Equality, Due Process, and Free Speech, and His Statutory FOIA Rights**

In Exhibit J, Judge Clark attached a portion of a transcript with statements about Brian Clark by another circuit court judge in a custody hearing.<sup>8</sup>

Brian Clark, by counsel, submits that the attachment of such comments in the transcript of such hearing do

---

<sup>8</sup>Brian Clark profoundly disagrees with the findings of fact adverse to him set forth in that transcript and disagrees that those findings were supported by the evidence in that case. However, this petition for a writ of prohibition is not brought to challenge any findings of fact by any tribunal based on any evidence or any hearing. Rather, this petition seeking a writ of prohibition is based on a contention that the Respondent's orders placing Brian Clark on a different footing than other members of the general public were not based on either an evidentiary hearing, or any hearing of any kind, and were imposed on him without provision to him of any due process protections of any kind. As to matters between Brian Clark and Jackie Fain Clark, the parties adverse to each other on matters of custody of their son, a divorce case is pending between them in the Circuit Court of Henry County, Virginia, Case No. CL16-444.

not constitute a legal basis to treat Brian Clark differently from other citizens as to his access to the clerk's office. Custody hearings have as their purpose the best interests of children. It is important that parents involved in custody cases not be subjected to *ad hominem* restrictions of their civil and constitutional rights based on the views of a court of competent jurisdiction conducting such custody hearings and making findings on the basis of evidence at such custody hearings. The comments from the bench in a custody case, if considered for any judicial purpose other than the custody case itself, carries risk to the highly sensitive legal process to provide for the best interests of children in custody cases. Emotions run high in custody cases. No parent participating in a custody case should have imposed on that parent a fear that the comments of the presiding judge in that case might be used to restrict that parent's civil rights on an unrelated matter. For any court to consider the comments of a court seeking to decide what is best for a



child to be considered on an *ad hominem* basis on an unrelated matter would set a lamentable precedent, which could not only create an unfair restriction of civil rights of citizens in other matters, but could also tend to cause unnecessary increase in tensions in family dispute matters.

The statements by the other circuit court judge contained in Exhibit J were not grounds, in any event, for Brian Clark to be singled out to be treated - as to his civil and constitutional rights - any differently than any other citizen.

The singling out of Brian Clark for more restrictive treatment than placed on others for entry into a clerk's office - which is already protected the same as any courtroom in Virginia - has an *ad hominem* aspect to it which underscores the constitutional and statutory grounds which are the basis for this petition seeking a writ of prohibition.

### **Conclusion**

Brian Clark submits that the restrictions and

conditions placed on his access to the clerk's office appear to be a form of ad hominem punishment, rather than protection of any member of the public. Brian Clark submits that he has been subjected to such an ad hominem punishment, imposed on him without his being afforded any due process. Whether or not the facts in this petition support such a finding, Brian Clark, by counsel, submits that the restrictions and conditions placed on his access to the clerk's office are in derogation of his state constitutional rights (a) to judicial treatment as an equally free citizen; (b) to free speech; (c) to due process and against double jeopardy; and his rights to access to all of the public records in the clerk's office under Virginia's FOIA statute.

Wherefore, Brian Clark prays that this Court enter a writ of prohibition to direct that the Respondent, the Honorable Martin F. Clark Jr., Judge of the Circuit Court of Patrick County, Virginia, no longer place restrictions and conditions on Brian Clark's entry into

the clerk's office that are different from those placed on members of the general public, absent a judicial finding, based on a hearing granted according to law, of good cause for any such restrictions and/or conditions

Respectfully submitted,

**BRIAN H. CLARK,**

By \_\_\_\_\_  
Counsel

Henry W. McLaughlin (VSB No. 07105)  
The Law Office of Henry McLaughlin, P.C.  
Eighth and Main Building  
707 East Main Street, Suite 1050  
Richmond, Virginia 23219  
(877) 575-0258; fax (877) 575-0245  
henry@mclaughlinvalaw.com  
*Counsel for Petitioner Brian H. Clark*

**VERIFICATION NO. 1**

Verification No. 1 of this petition is an affidavit by Doris Walker, who is first cousin once removed of Brian Clark. That affidavit is part of Exhibit F of the foregoing petition for a writ of prohibition.

**VERIFICATION NO 2**

Pursuant to Va. Code Ann. Section 8.01-4.3, I verify under penalty of perjury that - except for matters

related to who sent the emails attached to the foregoing petition, a matter not reached by this verification - the foregoing statement of facts in the foregoing petition is true and correct to the best of my knowledge, information and belief. I do verify under penalty of perjury that Doris Walker, whose affidavit is included in Exhibit F to the foregoing petition and whose affidavit is set forth above as "Verification No 1" to the foregoing petition, is my first cousin once removed.

I do verify under penalty of perjury that a large stack of emails was introduced into evidence as an exhibit at the March 13, 2017 trial in the case of *Commonwealth of Virginia v. Brian Clark*; Case No. CR16000423-00, and that the July 14, 2016 email was introduced as another exhibit at that trial. As set forth in the foregoing petition, I was found not guilty at the conclusion of that trial. During that trial, I testified that I did in fact believe that the Honorable G Carter Greer had engaged in any crime such as stated

in the July 14, 2016 email and further stated that it was possible that the July 14, 2016 email, as received by the Clerk of the Circuit Court of Patrick County could have come from a third party. At that trial, a witness called for the defense who was qualified by the Circuit Court of Patrick County, Virginia as an expert witness, testified that the July 14, 2016 email as introduced into evidence did not prove from what location it had been sent but that such could have been easily proven by the prosecution based on matters accessible to the prosecution prior to the trial.

As regards the emails that are included in Exhibit F, I have not examined the 315 pages of those emails in detail to seek to determine the extent of their authenticity, but am advised by my legal counsel that the foregoing petition contends that, assuming *arguendo* (without admission) that the Exhibit F emails were sent by me, they come within the right of free speech and are not grounds to ban me from the clerk's office. On this legal issue, I rely on my legal counsel.

As to all of the statements of law in the foregoing petition, and the historical statements regarding Lyndon Larouche, I rely on my counsel of record in the foregoing petition. As to mixed statements of law and fact in the foregoing petition, I rely on my counsel of record to the extent such mixed statements of law and fact involve statements of law.

Date \_\_\_\_\_

\_\_\_\_\_  
Brian H. Clark

**Exhibit A**

**THE LAW OFFICE OF HENRY MCLAUGHLIN, P.C.**

Eighth and Main Building, 707 East Main Street, Suite 1050, Richmond, Virginia 23219  
804-205-9020 Toll Free 877-575-0258 Facsimile 877-575-0245

**HENRY W. MCLAUGHLIN**  
Attorney at Law  
henry@mclaughlinvalaw.com

**JESSICA C. STROCK**  
Attorney at Law  
jessica@mclaughlinvalaw.com

---

October 15, 2016

The Honorable Martin F. Clark  
Presiding Judge  
Circuit Court  
Patrick County, Virginia  
P. O. Box 762  
101 Blue Ridge Street  
Stuart, Virginia 24171-0148

Re: Brian H. Clark

Dear Judge Clark:

I represent Brian H. Clark.

Mr. Clark advises that, over a period of time, he has not been allowed to go to the Clerk's Office of the Circuit Court of Patrick County, Virginia. He advises that he was verbally informed of this through the Office of the Sheriff of Patrick County, Virginia.

My representation of Mr. Clark includes, *inter alia*, four cases pending in the Circuit Court of Patrick County, Virginia; CL13-30; CL 15-07; CL 15-98; and CL 15-99

In regard to those four cases, I asked him for information regarding some of the court records in those four cases. He advised that he was not allowed to go to the Clerk's Office and that, therefore, he would have to ask others to do so for him.

On yesterday morning, Friday, October 14, 2016 I called the office of the Clerk to ask if Mr. Clark and I could together yesterday afternoon to review court records in the above case. I had mistakenly not confirmed with Mr. Clark that he would be in a position to forego a trip out of state for that purpose, and, as I later learned, he had concluded that he needed to go out of state on business and, therefore, was in South Carolina yesterday.

In a telephone call yesterday morning I was advised in a very gracious way that the Clerk's office would make the files in all of the above cases available for me to read in a convenient place with an opportunity to make copies but that Mr. Clark was not allowed in the Clerk's office because of direction to that effect from Your Honor. I asked if this was the result of a written order or a verbal order and was advised that it was a verbal order.



I drove to Stuart yesterday and was met graciously by staff at the Clerk's Office who advised that Your Honor had been consulted yesterday and that Your Honor had indicated that Mr. Clark could accompany me to the Clerk's Office and that the direction for him not to come to the Clerk's Office was not to extend to his being there in the company of his legal counsel. As indicated above, as it happened, Mr. Clark was in South Carolina and would not have been in a position to be at the Clerk's Office yesterday in any event.

The Clerk's Office was very gracious. I was allowed to view the court files at a table, which was very convenient, the staff at the Clerk's Office made copies at my request. I could not have been better treated.

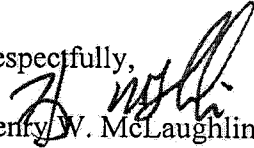
The purpose of this letter is to ask Your Honor to remove the verbal direction to the office of the Sheriff of Patrick County to exclude Mr. Clark from the Office of the Sheriff.

Although the management of any clerk's office in Virginia is under the authority of the Circuit Court of that jurisdiction, I submit that, except in exigent circumstances, a banning of any citizen from a Clerk's Office of any Circuit Court should not occur without due process notice and an opportunity to be heard, with an opportunity for appeal. Mr. Clark advises that the only notice he received of being excluded from the Office of the Clerk of the Circuit Court has been verbal notice from the Office of the Sheriff and that, prior to yesterday, he had not been informed that his exclusion was the result of a decision by the Circuit Court.

Mr. Clark denies that he gave cause to be excluded from normal public access to the Clerk's Office. Without waiving that position, even if there had been grounds to exclude him from the Clerk's Office, I submit that there are not grounds for an indefinite exclusion. In the alternative to the position on Mr. Clark's behalf (a) that there were not grounds to exclude him from the Clerk's Office, and (b) he was denied due process notice and opportunity to defend, with an opportunity of appeal; and (c) his exclusion from the Clerk's Office has extended for a long enough time that there are grounds for the exclusion to be lifted now.

Although the exclusion of Mr. Clark does not appear to have resulted from any order entered in Cases Nos. CL13-30; CL 15-07; CL 15-98; and CL 15-99, or any of them, as a precaution, I'm sending a copy of this letter to current counsel of record in those cases, including Jackie Fain Clark, in her capacity as a pro se party.. In addition, I'm sending a copy of this letter to the Clerk of the Circuit Court, with my thanks for how kindly I was treated by that office yesterday.

Respectfully,

  
Henry W. McLaughlin  
Attorney-at-Law

Cc: The Honorable Susan C. Gasperini  
Clerk, Circuit Court of Patrick County, Virginia  
Phillip G Gardner, Esquire  
Brittney N. Jenkins, Esquire  
Ms. Jackie Fain Clark

**Exhibit B**

Twenty-first Judicial Circuit  
of Virginia

Henry County • Patrick County • City of Martinsville

JUDGES

JUDGES

DAVID V. WILLIAMS  
MARTINSVILLE, VIRGINIA 24114

MARTIN F. CLARK, JR.  
STUART, VIRGINIA 24171

G. CARTER GREER  
MARTINSVILLE, VIRGINIA 24114

KENNETH M. COVINGTON, RETIRED  
MARTINSVILLE, VIRGINIA 24114

CHARLES M. STONE, RETIRED  
MARTINSVILLE, VIRGINIA 24114

October 21, 2016

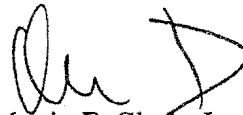
Henry W. McLaughlin  
Attorney at Law  
707 East Main Street, Suite 1050  
Richmond, Virginia 23219

Dear Mr. McLaughlin:

Thank you for your letter of October 15, 2016. I'm not certain that I understand your request: "The purpose of this letter is to ask Your Honor to remove the verbal direction to the office of the Sheriff of Patrick County to exclude Mr. Clark from the Office of the Sheriff."

The sheriff is legally responsible for decisions regarding the sheriff's office, and I'm not inclined to get involved in determining whom he bars from his office. In fact, I doubt that I have any authority, generally speaking, to so do. I am sorry to be of no more help.

Sincerely,



Martin F. Clark, Jr.

MFC, JR:lr

**Exhibit C**

**THE LAW OFFICE OF HENRY McLAUGHLIN, P.C.**

Eighth and Main Building, 707 East Main Street, Suite 1050, Richmond, Virginia 23219  
804-205-9020 Toll Free 877-575-0258 Facsimile 877-575-0245

**HENRY W. McLAUGHLIN**  
Attorney at Law  
henry@mclaughlinvalaw.com

**JESSICA C. STROCK**  
Attorney at Law  
jessica@mclaughlinvalaw.com

---

October 21, 2016

The Honorable Martin F. Clark  
Presiding Judge  
P. O. Box 762  
101 Blue Ridge Street  
Stuart, Virginia 24171-0148

**Re: Brian H. Clark**

Dear Judge Clark:

My letter to you of October 15, 2016 contained an error on the second page in which I wrote:

The purpose of this letter is to ask Your Honor to remove the verbal direction to the Office of the Sheriff of Patrick County to exclude Mr. Clark from the Office of the Sheriff.

I meant to say,

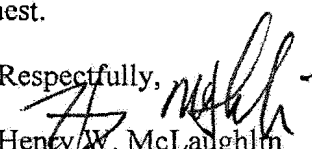
The purpose of this letter is to ask Your Honor to remove the verbal direction to the Office of the Sheriff of Patrick County to exclude Mr. Clark from the Office of the Clerk of the Circuit Court of Patrick County.

I received an email from Phillip G. Gardner, Esquire pointing out my mistake.

I apologize for that error in my October 15, 2016 letter to you. I request that the ban on Mr. Clark from going (unattended by legal counsel) to the Clerk's Office be lifted.

Thank you for your consideration of this request.

Respectfully,

  
Henry W. McLaughlin  
Attorney-at-Law

Cc: Phillip G Gardner, Esquire  
M. Mallory Mantipty, Esquire

**Exhibit D**

# Twenty-first Judicial Circuit of Virginia

Henry County • Patrick County • City of Martinsville

JUDGES

DAVID V. WILLIAMS  
MARTINSVILLE, VIRGINIA 24114

MARTIN F. CLARK, JR.  
STUART, VIRGINIA 24171

G. CARTER GREER  
MARTINSVILLE, VIRGINIA 24114

JUDGES

KENNETH M. COVINGTON, RETIRED  
MARTINSVILLE, VIRGINIA 24114

CHARLES M. STONE, RETIRED  
MARTINSVILLE, VIRGINIA 24114

October 25, 2016

Henry W. McLaughlin  
Attorney at Law  
707 East Main Street, Suite 1050  
Richmond, Virginia 23219

Dear Mr. McLaughlin:

Thank you for your letter of October 21, 2016, and the correction contained therein. Mr. Clark is absolutely prohibited from coming into the clerk's office by himself. This is because he has, over the course of many months, harassed, intimidated, threatened and harangued the staff here, both by e-mail and by phone. In terms of creating a record for you or any appellate court to review, I would incorporate into this letter any and all of the numerous e-mails, letters and filings he has delivered to my assistant and to the clerk, and would include all the filings in Henry County wherein he suggests that various court officials, banks, attorneys, judges and the state bar are in a Lyndon-LaRouche-like plot to do harm to him, one of which such pleadings referenced Judge Greer's bias (later alleged to be outright corruption), referenced Judge Greer's wife and, oddly and menacingly, included a wedding photograph of her. That lengthy background and the background of his bizarre claim in open court that BB&T officials at one point were shooting at or into his home, when combined with a threat to one of the ladies here that he "would put her in her place" is sufficient reason to be cautious where he is concerned. I do not intend to have a hearing on these matters, and if, after reviewing the totality of his filings and e-mails and the entirety of his statements in court and to the staff here, an appellate court wishes to order otherwise, then so be it.

That said, I want to make certain that Mr. Clark has adequate access to the clerk's office so as to effectively prepare for any and all legitimate court claims, actions and proceedings. If at any time, you—or any future counsel—need paperwork, documents, information, files or anything whatsoever, please contact the clerk, and she will make arrangements for you, or your staff, or third parties, or designees just as she did recently. Obviously, you are always welcome here. If, for some reason, you need to bring Mr.

Clark *with you* into the clerk's office, you may. Simply give us a heads-up that he is coming with you, so the clerk can alert building security. However, on my direction and order, he is not allowed to enter the clerk's office or the courthouse in general by himself and without notice, unless of course, he is attending a hearing or scheduled court proceeding. I hope this will prove to be a workable solution for everyone involved.

Sincerely,



Martin F. Clark, Jr.

MFC,JR:lr

CC: Phillip Gardner  
Sheriff Dan Smith  
Hon. Susan Gasperini



Exhibit E

RULE TO SHOW CAUSE  
COMMONWEALTH OF VIRGINIA  
PATRICK COUNTY CIRCUIT COURT

Case No(s) CR16000423-00

P.O. BOX 148 STUART, VA 24171

ADDRESS OF COURT

RESPONDENT:

BRIAN CLARK  
1351 FAIRMONT DRIVE  
BASSETT, VA 24055

COMPLETE DATA BELOW IF KNOWN

RACE	SEX	BORN			HT.		WGT.	EYES	HAIR
		MO.	DAY	YR.	FT.	IN.			
W	M								
SSN									

AKA: .....

TO ANY AUTHORIZED OFFICER: You are commanded to serve this Rule on the Respondent.  
TO THE RESPONDENT:

You are hereby commanded to appear before this Court on  
AUGUST 4, 2016 at 9:00 AM to show cause why you should not:

BE FINED OR IMPRISONED FOR  
CONTEMPT OF COURT (18.2-456(3) - ON 07/14/2016) \*PLEASE SEE ATTACHED E-MAIL DATED 07/14/16\*

be imprisoned, fined or otherwise punished for:

failure to appear in this Court on .....  
DATE AND TIME

failure to pay fines, costs and/or restitution or an installment thereof:  
payment due: \$ ..... on .....

failure to obey an order of  this court  .....  
ordering

WARNING TO THE RESPONDENT: You must appear for a hearing/trial at the time and place shown above.

Willful failure to appear is a separate offense.

JULY 25, 2016

DATE

SUSAN C. GASPERINI

, Clerk

by

*Sheri M. Haylewood*  
DEPUTY CLERK

Offense Tracking Number

141CR1600042300

(For Administrative Use Only)  
Virginia Crime Code  
CON-3281-S9

RETURN OF SERVICE

EXECUTED by delivering a true copy of this summons to the Accused in person this day.

SERVING OFFICER

BADGE NO., AGENCY AND JURISDICTION

for

SHERIFF

DATE AND TIME

**Patti Farmer**

---

**From:** sgasperini@courts.state.va.us  
**Sent:** Friday, July 15, 2016 7:57 AM  
**To:** Patti Farmer  
**Subject:** Fw: Recent letter from courts Denying my amendment.

-----Forwarded by Susan Gasperini/CC/VaJud on 07/15/2016 07:54AM -----

To: "[sgasperini@courts.state.va.us](mailto:sgasperini@courts.state.va.us)" <[sgasperini@courts.state.va.us](mailto:sgasperini@courts.state.va.us)>, [osig@osig.virginia.gov](mailto:osig@osig.virginia.gov)  
From: brianclark <[brianclark@me.com](mailto:brianclark@me.com)>  
Date: 07/14/2016 04:48PM  
Subject: Recent letter from courts Denying my amendment.

Mrs. Gasperini

I would like the law statute that states that my amendment, based on recent discovery, requires me to file motion for leave to amend an already pending suit. These statutes DO not Apply to Common Law that these matters are in violation of.

I requite proof that these statues are in fact laws, so I'm requesting that proof from this courts and you should provide such with your letters and filing. Otherwise I consider mail from this Court without such supporting documents to be meritless, burdensome, and to create delays only.

This currupt Judge G. Carter Greer and this Court are in violation of common law and are further engaging in criminal acts under the color of law and through statutes that are not verified or likely even approved by our legislative due process.

This decision is appealed, as Judge G. Carter Greer is only further stalling procedures and creating undue burdens, while he has removed my legal access to lawyers in VA. This will not stand. He's further allowed Gardner to file such without any such motion for leave to adnend, which yet again only shows his violations on the Judicial Cannons of Law and his aiding BB&T because of his Family's History and financial interest etc.

Judge G. Carter Greer is simply engaged with BB&T in Corporate Espionage and embezzelment cover up of Banking Fraud and Forgery including Federal Loan forgery and fraud by these defendants.

These are criminal acts not civil.

Sincerely

**Exhibit F**

**AFFIDAVIT**

Doris C. Walker, having first been duly sworn, states the following under oath:

1. My name is Doris C. Walker. I reside at 337 Walker Farm Lane, Patrick Springs, Virginia 24133. I am an adult.
2. I am a first cousin once removed of Brian C. Clark. His father was my first cousin.
3. After the trial of Brian Clark on a charge of contempt in March 2017 in the Circuit Court of Patrick County, Virginia, I went to the Clerk's Office of the Circuit Court of Patrick County, Virginia ("the clerk's office") and asked for the emails that were introduced into evidence as one of the exhibits at his March 2017 contempt trial.
4. The clerk's office made copies of emails and delivered those copies to me. I paid the clerk's office the amount that office advised I was to pay for those copies.
5. Those copies (of the documents given to me as set forth above by the clerk's office) are attached hereto. They total 315 pages.

I swear this 22<sup>nd</sup> day of May, 2017 that the foregoing is true and correct.

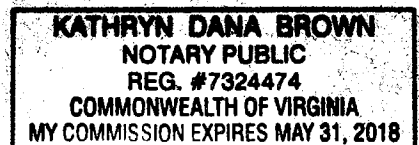
*Doris C. Walker*  
Doris C. Walker

**COMMONWEALTH OF VIRGINIA  
CITY OF RICHMOND**

I, KATHRYN DANA BROWN Notary Public for the Commonwealth of Virginia at large, certify that the above (with the copies referenced attached) was subscribed and sworn before me in the above City and State this 22<sup>nd</sup> day of May, 2017 by Doris C. Walker, who had been properly identified to me.

*K*  
\_\_\_\_\_  
Notary Public

My commission expires on 5/31/18



**From:** brianclark <brianclark@me.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

---

**Date:** Monday, March 07, 2016 10:46AM  
**Subject:** VA Supreme Court Judge

---

Mrs. Gasperini

Who's the Judge and what's his BAR number and copy of his surety Bond and oath of office, please?

Just like I identified one VSB purportedly a VSB "Approved arbitrator" which was convicted of embezzlement in 2012, yet was still on the VSB list as a "Well Qualified" arbitrator. I'm sure it takes criminals to represent and come to the aid of other lawyer criminals. That just the good old boy Virginia way, which I'm fully exposing now isn't it.

I'll assure you that i will do that same investigative "due diligence", in evaluating ANY VSB Judge, certianly since 5 already in the 21st District has rescued themselves. It is however very entertaining that your county CA,s, via another VSB lawyer, are attempting these meritless misuses of various motions and Demurs, yet before this same court. Totally embarrassment, if you ask me. That might also explain further, Judge Clarks Dismay!

There's only ONE way this one can end and that's with True Justice and BB&T and these other lawyers involved in ALL these matters to settling up and undoing these local area recused judges illegal court orders etc.

Oh, and by the way. Where is our access to legal counsel? Let me guess the VSB owns them, correct, so your VA judicial system will hold them hostage as well? Please have an ethical and constitutional assigned Judge explain this one before we even get started.. We will start there before this judicial branch of government in Virginia, yet further attempts it rail road legal mumbo jumbo type tactics. Otherwise let's move it to the US Supreme Court after the next President and Adminstration can restore proper order in their judicial house, as well as within the States.

It is very sad, that the 21st Judicial District has orchastrated itself into this pousture, but at the same time it was very obvious that once these Local judges and big wheel VSB lawyers jumped out of this Plane, that they are not able to get back in.

Have a nice week.

Cheers.

Brian Clark  
Pro, se  
866-515-6719 x 101



very simple solution to ALL these matters, and it all up to them, yet again the direction it takes. The continuous lies, dismays, and attempts to play the games of, I'm not sure what's going on, has long since past years ago. When they attempt these tactics it's not doing them any favors and that's just evident by the number of legal court documents generated in these matters.

Sincerely

Brian Clark

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: sgasperini@courts.state.va.us  
Date: 02/26/2016 4:39 PM (GMT-05:00)  
To: brianclark <brianclark@me.com>  
Cc: patmcgrawlaw@cox.net  
Subject:

Mr. Clark,

In response to your email regarding the pending suits other than the one recently filed, it is my understanding that Judge Greer will be the presiding Judge. If you want to file a motion for him to recuse himself and request the Supreme Court to appoint another Judge, you will need to send a formal written motion to Judge Greer, P. O. Box 1206, Martinsville, VA 24114.

To date, Mr. McGraw has not sent an order withdrawing as counsel in your older cases currently pending on our docket. In fact, Judge Clark is absolutely dismayed that Mr. McGraw has not presented the order to date.

Susan Gasperini

appoint another Judge, you will need to send a formal written motion to Judge Greer,  
P. O. Box 1206, Martinsville, VA 24114.

To date, Mr. McGraw has not sent an order withdrawing as counsel in your older cases  
currently pending on our docket. In fact, Judge Clark is absolutely dismayed that  
Mr. McGraw has not presented the order to date.

Susan Gasperini



**From:** brianclark <brianclark@me.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

---

**Date:** Friday, February 19, 2016 08:41PM  
**Subject:** Relationships.

History:       ↩ This message has been replied to.

---

Mrs. Gasperini

Are you kin to Judge Martin Clark Jr?  
My investigation team has just notified me that you was a Clark?

This seems to all start to shape up and make more and more sense now, as everyone seems to have such close family relationships in this County. Fains, Smiths, Williams, Clarks.

In any regards the pieces are all coming together and the Motives are very clear.

Counsel for the defendants is very clearly engaging in misuse of demur, and "absolute Immunity", simply cannot apply when at CA acts "totally outside" the prosecutorial duties. It's wasn't about an assault at all, as their motives was all about aiding Phillip, Ward, and BB&T. Of course Deputy Haymore and Danny Smith played a BIG role in the initiation of this matter for Stephanie.

I actually at one time highly respected Judge Clark and that's a shame that this has taken on such a pousturing here in this Small Town.

They are making this so much more difficult than it has to be, and swallowing of pride is sometime the most difficult Pill to swallow when caught up in matters as in deep as this one has become.

Have a blessed week.

Sincerely

Brian Clark.

Sent from my Verizon Wireless 4G LTE smartphone

**From:** brianclark <brianclark@me.com>  
**To:** jjohnson@faplawfirm.com  
**Cc:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

---

**Date:** Thursday, February 18, 2016 04:38PM  
**Subject:** RE: No on has absolute immunity.

---

Mr. Johnson

For the record this case meets all 4 elements, including acts outside their duties, as well as additional motives in aiding Phillip G. Gardner in covering up forgery and fraud for BB&T, and their local area branch executive, with the Defendant Jackie Fain Clark, and her father Charlie M. Fain who has still pending Civil Suits since 2013 on the dockets in the Patrick County Circuit Court for CASH embezzelment of my Sole owned LLC in the counter suit amounts of well over 450,000.00. Stephanie, Phillip. Ward, and others are ALL tangled up extremely deep in this one.

These Local Area Attorney's are engaged in ALL these matters, including Ward Armstrong, whom was aiding Stephanie Brinegar and the other defendants in the first JD court case. This is a classic play of lawyers playing both side, getting engaged to conduct RICO and extortion, embezzelment and run up litigation bills to further extort CASH.

You need to fully realize, just what a big mess you and this firm is stepping into, and just how far these individuals have gone in order to keep this matter localized.

The gross use of a 13 year old young man, as a pawn, by keeping him away from my Custody awarded order visitation held from me a gun point by Charlie M. Fain, the father of Jackie Fain Clark is also very well documented, as bring use to gain advantage in these civil suit matters with BB&T. It's also very well document the close relationships with the Fain's and the Smiths. IE the Sherriff Danny Smith of Patrick County Virginia. I would do some more homework and research surround ALL the fact you WILL face with these defendants in Court.

I don't care if it goes to the Virginia Supreme Court and all the way to the US Supreme Courts. The FACTS, Court Records, and investigative evidence WILL show ALL.

Have a nice day.

Brian Clark

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

**From:** brianclark <brianclark@me.com>  
**Date:** 02/18/2016 3:46 PM (GMT-05:00)  
**To:** jjohnson@faplawfirm.com  
**Subject:** No on has absolute immunity.

Mr. Johnson

This is twisted circular logic to even imply such as the law is very clear.

It ONLY applies:

"When he acts within the scopes of his, or her prosecutorial duties."

The evidence will show that she and Marcus Brinks both "acted outside" their duties, and thus according to the very law you quoted is not able to enjoy "absolute immunity".

They was bring protected by Judge Martin Clark Jr. on this initially, but as you already are aware that he has recused himself and has recently suffered a massive stroke, as has become very public knowledge in the small town of Stuart Virginia.

Nice play had they stayed within their duties, which is clearly not this case here. The law is pretty clear that there are certian situations in which they cannot claim "absolute immunity" This law is plain commonsense English. To interrupt the part of the law that gives them an "apparent" "absolute immunity" in ALL situations, is absurd logic. I think we can both can agree that is totally debunked, as it relates to the law as it is written.

Still awaiting your call and determination on if you feel this is a conflict of interest for you or not. Please advise.

Sincerely

Brian Clark.

Sent from my Verizon Wireless 4G LTE smartphone

**From:** brianclark <brianclark@me.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>, Jackie Clark  
<jclark@davenportenergy.com>  
**Cc:** jjohnson@faplawfirm.com

---

**Date:** Thursday, February 18, 2016 11:44AM  
**Subject:** Letter from Frith Anderson & Peake

---

Dear Mrs. Gasperini

Reference letter dated February 11, 2016 from John C. Johnson from Frith Anderson & Peake.

I have requested from your office to receive the individual Recusal Letter's of all 5 of the 21st Circuit Judges, copies of their Oaths of Office, their Virginia State Bar Licence numbers, and a copy of their individual surety Bond from your office.

Based on the statements of this letter, we are "apparently" also awaiting for the Supreme Court of Virginia to be notified and a Judge from outside the Circuit to be selected and designated. As of Today February 18th 2016 the Supreme Court of Virginia has not received this request from your Office. I can assume that this possible just hasn't arrived at the Supreme Court of Virginia, but is forthcoming. Please advise all parties of this status of your letter to the Virginia Supreme Court making this request at your earliest convenience.

Once the Supreme Court of Virginia has recieved and further assigned or made know their selection of the Judge from outside the 21st Circuit, I am further assuming that all parties and their respective Counsel will be notified by your office promptly and given ample time to review and investigate this Judges associations and potential conflicts of interest reserved.

Hope you have a great week and enjoy the warmer weather. Spring is just around the corner.

cc:  
Jackie Fain Clark, Pro, se  
John C. Johnson (Attorney for other defendants named currently.)

Sincerely

Brian Clark  
866-515-6719 x 101

**From:** brianclark <brianclark@me.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

---

**Date:** Monday, June 13, 2016 10:38AM  
**Subject:** I will be exercising my 7th amendment rights to Jury Trail.

History:       ✦ This message has been replied to.

---

Susan

The Seventh Amendment continues a practice from English common law of distinguishing civil claims which must be tried before a jury (absent waiver by the parties) from claims and issues that may be heard by a judge alone. It only governs federal civil courts and has no application to civil courts set up by the states when those courts are hearing only disputes of state law.

Since this Court is not hearing a dispute of State Law, all matters before this Court should adhere to a Jury Trail request, according to the Seventh Amendment of the Constitution.

Neither Party has waived any such rights, nor would I, given the level of evidence obtained in these matters, so with that stated and made know to the Courts.

I am, herby awaiting Jury Trail selection that will hear and make a ruling on Recusal of Judge G. Carter Greer, and other Case matters before this Court.

Sincerely

Brian H. Clark

Sent from my Verizon 4G LTE smartphone

Mrs. Clark Gasperini

When this judicial branch brings forth a unbiased judge Canidate from the VA Supreme Court with no ties to "BB&T", Woods Rogers, Thomas Spilman and Battle and or Phillip Gardner, Ward L Armstrong, this has bern well identified and "apparently" is a very Curruped Virginia State Bar Association which purports itself to be a State Agency, then I'll entertain writing a letter to them directly not this curruped 21st District Court in Patrick County Virginia.

Have a blessed week, as I'll be praying that God handles these individuals and ALL these matters because it's "apparently", just right back to more of the same old tactics that's uncovered this fully to begin with. God's words are All the truth, on which I will stand.

Sincerely

Brian Clark  
Pro, se.  
866-515-6719 x 101

----- Original message -----

From: sgasperini@courts.state.va.us  
Date: 03/14/2016 8:25 AM (GMT-05:00)  
To: brian <brian@csatnet.com>  
Subject: Fw: Judge Designate

-----Forwarded by Susan Gasperini/CC/VaJud on 03/14/2016 08:24AM -----

To: "brianclark" <brianclark@me.com>  
From: Susan Gasperini/CC/VaJud  
Date: 03/08/2016 01:49PM  
Subject: Judge Designate

Mr. Clark,

I have just been notified that Judge David B. Carson, Judge of the 23rd Judicial Circuit, P. O. Box 211, Roanoke, VA 24002-0211 has been appointed judge-designate to hear the case of Brian Clark vs Patrick Co. Commonwealth Attorney's Office, et als (Case #CL16-16).

If you have any motions or pleadings, please mail to this office at P. O. Box 148, Stuart, VA 24171. We will date-stamp each document and forward to Judge Carson.

Susan Gasperini



**From:** Brian Clark <brianclark@me.com>  
**To:** district20@senate.virginia.gov  
**Cc:** sgasperini@courts.state.va.us

---

**Date:** Tuesday, April 19, 2016 05:39PM  
**Subject:** 21st district Judicial Courts

History:       ➔ This message has been forwarded.

---

Mr. Stanley

I am writing to you at the request of the Virginia Judicial Review Committee and the General assemble to report Patrick and Henry County 21<sup>st</sup> District Judicial Court corruption.

This email will serve as your notification by advise of the Virginia Judicial Review Commission, the Attorney General's Office and the General Assembly.

Again this is fully open and disclosed information which will be made available to your office for judicial review that is afforded to you directly, If you so chose to review it. It you elect not to review it, then that is your decision, as it has been offered and thus refused.

I can be reached at the following phone number 704-467-9524.

Please confirm receipt of this email. Upon receipt and at a discussed date and time I will bring the trailer load of documents and evidence for your review and coping.

Sincerely

Brian Clark





**From:** brianclark <brianclark@me.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

---

**Date:** Saturday, February 27, 2016 09:55AM  
**Subject:** RE:

History: → This message has been forwarded.

---

Mrs Gasperini

Judge Greer has been already identified and according to your previous email wisely recused himself from this case and rightfully has by that "admitted already" of his inability to address any of the other pending cases. Please confirm. There's simply no need to further point that "Apparent" ability out to him further by a letter.

You stated that the Virginia Supreme Court has already been sent a letter by you. Judge Clark is not dismayed at all, It's this courts intent to push ALL access to legal counsel that has a BAR # from representing either party.

It will be further very interesting to see just exactly how far the State of Virginia Supreme Court will allow the BAR lawyers to continue aiding and abetting these very serious matters surround ALL this court testified BB&T fraud and Forgery cover up, to include these meritless atracks by the Video Magistrate, Sherriff's Office and these defendants.

Judge Clark is in no way dismayed, it's by delay designed under his court that these cases have gone dragged out and that this court has simply frustrated my legal counsel by its gross actions in this court without legal merits one. Once a ethical lawyer realized this clear abuse of this court and by the judges like Bushnell, Martin, William. Greer, and deathridge, it's very obivious as to why he refuses to sign orders of this 21st distri t Court. I can't say as I blame him as evident by the number of Judges already that have recused themselves.

Seriously

Brian Clark

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

**From:** sgasperini@courts.state.va.us  
**Date:** 02/26/2016 4:39 PM (GMT-05:00)  
**To:** brianclark <brianclark@me.com>  
**Cc:** patmcgrawlaw@cox.net  
**Subject:**

Mr. Clark,

In response to your email regarding the pending suits other than the one recently filed, it is my understanding that Judge Greer will be the presiding Judge. If you want to file a motion for him to recuse himself and request the Supreme Court to

**From:** brianclark <brianclark@me.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

---

**Date:** Sunday, February 28, 2016 09:15AM  
**Subject:** RE:

History: → This message has been forwarded.

---

Mrs. Gasperini

Did you know that one of those cases was already before Judge Greer, whom already moved it to Judge Clark?

Is Judge Clark dismayed about that, and now he want to preside over it, when he refused to put it on docket in his Martinsville City Circuit Court and has discussed this in his court with Phillip, McGraw, and myself?

What's the 21st District Courts doing playing musical Judges and Courts? Do you think he's not wanting this in his courts and moved it to Patrick County under Judge Clark? Why was that? Oh, I'm sure he's not biased on these matters but is admittedly biased on others involving these same individuals.

I'm sure your Judges is going to try to make believe they have NEVER discussed these matters with each other or Phillip G. Gardner and "the Others"..That's however not what the Court Recorded Testimonies and Judge Clarks own comments during that Jan 26th 2015 case will Show.

What appauls me the most is how others are engaging in these matters in attempts to grasp at further Straws, as if they are going to continuing dragging me before 21st District Courts and use local area law enforcement to harrass and further attempt to intemidate myself and other family members.

Judge Clark, should have not aided and abetted with Stephanie Brinegar Vipperman, Phillip Gardner, Ward, and the others in these matters and then used Judge Williams to finish up his matters because it was drawing way to much attention to himself. He wanted all this in his courts to aid Phillip G. Gardner and BB&T, and that's what he wanted. Plain and simple.

I'm not shy about calling this matter out. I've been doing that now for 3 plus years and Im going to fully expose these acts as I've already laid out in my suit. It's down right criminal, however we all know that the LAW is held hostage by the local area CA's that are involved. Im sure they ALL have associations to the BAR and share the same collective objectives, otherwise there would have been arrest made for Fraud, Forgery, and CASH embezzelment..Period. Seems that doing the right thing however isn't as profitable as the direct they took with aiding BB&T. We all know it's ALL about positioning to capitalize on further extortion with ALL those involved in this matter. That's no secret and it's very very very easy to track that. I further know that you run every one of these emails back to Judge Clark, which I really care less if you do. There is nothing in them that I've not already made known to him. I gave him numerous opportunities. He chose his path and that was by his own free will no one else's.

I'll be glad to talk with him anytime and I'll tell him exactly what I've said numerous times before in his chambers, and in the conference rooms. He can either address these matters, or these other Judges, lawyers and CA can take the hard road that they are currently on. There's a very

**From:** brianclark <brianclark@me.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

---

**Date:** Saturday, February 27, 2016 09:58AM  
**Subject:** RE:

History:       ➔ This message has been forwarded.

---

Tell Martin, nice try.

You guys know exactly what the Virginia Supreme Courts are going to say once they see these other cases. Those involved, their connection as "the others" in this case etc.

Do not ever try to play me for some Fool.

Seriously

Brian Clark

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: sgasperini@courts.state.va.us  
Date: 02/26/2016 4:39 PM (GMT-05:00)  
To: brianclark <brianclark@me.com>  
Cc: patmcgrawlaw@cox.net  
Subject:

Mr. Clark,

In response to your email regarding the pending suits other than the one recently filed, it is my understanding that Judge Greer will be the presiding Judge. If you want to file a motion for him to recuse himself and request the Supreme Court to appoint another Judge, you will need to send a formal written motion to Judge Greer, P. O. Box 1206, Martinsville, VA 24114.

To date, Mr. McGraw has not sent an order withdrawing as counsel in your older cases currently pending on our docket. In fact, Judge Clark is absolutely dismayed that Mr. McGraw has not presented the order to date.

Susan Gasperini

**From:** brianclark <brianclark@me.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>, osig@osig.virginia.gov

---

**Date:** Thursday, July 14, 2016 04:48PM  
**Subject:** Recent letter from courts Denying my amendment.

History:       ➔ This message has been forwarded.

---

Mrs. Gasperini

I would like the law statute that states that my amendment, based on recent discovery, requires me to file motion for leave to amend an already pending suit. These statutes DO not Apply to Common Law that these matters are in violation of.

I require proof that these statues are in fact laws, so I'm requesting that proof from this courts and you should provide such with your letters and filing. Otherwise I consider mail from this Court without such supporting documents to be meritless, burdensome, and to create delays only.

This currupt Judge G. Carter Greer and this Court are in violation of common law and are further engaging in criminal acts under the color of law and through statutes that are not verified or likely even approved by our legislative due process.

This decision is appealed, as Judge G. Carter Greer is only further stalling procedures and creating undue burdens, while he has removed my legal access to lawyers in VA. This will not stand. He's further allowed Gardner to file such without any such motion for leave to adnend, which yet again only shows his violations on the Judicial Cannons of Law and his aiding BB&T because of his Family's History and financial interest etc.

Judge G. Carter Greer is simply engaged with BB&T in Corporate Espionage and embezzelment cover up of Banking Fraud and Forgery including Federal Loan forgery and fraud by these defendants.

These are criminal acts not civil.

Sincerely

Brian Clark

Sent from my Verizon 4G LTE smartphone

**From:** brian <brian@csatnet.com>  
**To:** LRoyall@courts.state.va.us  
**Cc:** Patrick McGraw <patmcgrawlaw@cox.net>

---

**Date:** Tuesday, October 20, 2015 08:19AM  
**Subject:** RE: Custody Visitation Order

History: → This message has been forwarded.

---

Ms. Royal

Please be advised that I've exposed the VSB and all their ties and connections to BB&T and Gardner. He is done and dragged a ton of people into this mess with him in the process.

I nor my Family will no longer entertain being further harrassed by BB&T, VSB, the Courts of Virginia, in these matters.

My son is fine and both Saturdays has went great..I however will detain anyone sent to NC on posted property again, thats bern sent to spy and imtemidate me and my friends and family.

This matter needs to end, because it's very well documented with a lot of people now. I have been very very patient and respectful to this court, however it's time to voice my regress.

I've told my lawyer, Travis Knobbe, numerous people at the VSB, Congress, Charles Poindexter and others in the State..

Im looking to end this matter and Judge Clark has heard all this from the very begining. No one figured I could survive this VSB organization and it control over these lawyers. I however know that a Judge has an oath to uphold the Constitution, and to tear it down or deny someone of their rights without cause is not fairing very well.

It's certianly not making these matters any better, when I've had to watch these matters almost destroy my Son in the process, while BB&T and their VSB connected lawyers are at every aspect of this as well using him and his mother and grandfather etc.

This is not right, so please get these lawyers to get on with facing their medicine, because it's coming.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

----- Original message -----

From: brian <brian@csatnet.com>  
Date: 10/19/2015 08:39 (GMT-05:00)  
To: LRoyall@courts.state.va.us

Cc: Patrick Mcgraw <patmcgrawlaw@cox.net>  
Subject: RE: Custody Visitation Order

Mrs. Royal

I am still not getting any movement with these VSB Attorney in my LLC case. I don't expect it will ever move within the courts due to the uncovered monopoly and connection to BB&T and the VSB, including Mr. Gardner, Holland and WAW attorney Bob Lunger.

Mr. Gardner remain in violation of "knowingly" making false civil suit allegations and is using my Sole member LLC belonging only to myself by both the Articles of Corporation and EIN number of my LLC.

The honorable Judge Clark has heard 90% of this case already and has has my response to this Civil Suit prepared by Holland initially then he was fired after learning of his connection to Mr. Gardner and other VSB board members with invested interest in BB&T, whom is at the very ROOT of every aspect of my legal battles.

This is a Banking Co., and VSB monopoly attempted take over of my LLC, by allowing unauthorized accounts to be established and CASH payouts allowed from them to Charlie Fain.

I am tired of this lack of due process of law and delays in this matter. It's become very apparent and very well documented that the VSB is having heavy influence on both parties lawyers and that there is no way this case can receive a fair trial in the State of Virginia.

If the Courts can not address these lawyers and the Virina State Bar, then I must make my stance know to the courts and the State. I do not feel that this case has any merits whatsoever on behalf of Mr. Gardners claims. Mr. Gardner, himself is in fact a third party to aiding and abetting LLC account embezzelment with BB&T, along with a host of other violations.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

**From:** Leigh Royall/CC/VaJud  
**To:** brian <brian@csatnet.com>  
**Cc:** "patmcgrawlaw@cox.net" <patmcgrawlaw@cox.net>, "Phil Gardner" <phil@ggbslawfirm.com>  
**Bcc:** "Cheryl Martin" <cmartin@co.henry.va.us>

**Date:** Tuesday, November 10, 2015 03:35PM  
**Subject:** Re: Re: RE: Visitation Changes

Dear Mr. Clark: I have reviewed the various e-mails you sent to Ms. Royall. They are inappropriate and should stop. As long as you have counsel of record, all communications to this office must come through him. I have instructed Ms. Royall not respond to any more e-mails or contacts from you. Again, please DO NOT contact her directly again as long as you have a lawyer. Thank you--Martin Clark

-----brian <brian@csatnet.com> wrote: -----

To: LRoyall@courts.state.va.us  
 From: brian <brian@csatnet.com>  
 Date: 11/10/2015 12:30PM  
 Cc: Patrick McGraw <patmcgrawlaw@cox.net>, Dianne Wright <dwright49@comcast.net>, Beth <bethr77@comcast.net>  
 Subject: Re: RE: Visitation Changes

Mrs. ROYAL

Mr. Gardner rode Jackie's train because he was leveraging her Federal Loan Forgeries and Bank note Fraud to carry out his agendas.

He is guilty of aiding and abetting BB&T banking fraud, Forgery, Commonwealth Attorney tampering, Child Abuse, and much more. He deserves to be behind prison bars. Lawyers like his is a disgrace to this state of Virginia and this nation.

I will not tolerate any more of these tactics and the Judge knows exactly what I'm saying is the truth. If he doesnt I've got the proof in many forms. BB&T had engaged GARDNER long before I even uncovered these CASH accounts that BB&T was using to pay Charlie to aid them in their theft of my LLC. I knew exactly what they was doing and all the connected people at BB&T engaged in helping Charlie.

Charlie Fain is not my slave owner, nor did I sell him a percent of my business ever. BB&T attempted to alter and fabricate documents as if they had authority to give him ownership of my LLC. This is not legal in itself, without them backing up that ownership by the Articles of Corporation and the EIN reflecting the same. They knew this and tried to marry 05 documents to 07 loan arrangement that BB&T was doing with Charlie only in my Business name.

Let's get right down to what this is really about and why Gardner and BB&T have used my 13 year old Son as a pawn and hostage with a great deal of assistance and support from the Patrick County CA's Office and Jackie. I give God the credit for bring the truth to light in court recorded transcripts, which I have. This is gotten way out of hand and ALL these lawyers involved are deep pockets into both BB&T and myself. Ward Armstrong 14k, Holland 10K, Bob Lunger 10k, Tommy Joe Williams 15K plus, Patrick McGraw over 40K and wants more.



I'm sick of this stall tactics when Holland filed a response showing my Sole ownership Articles of Carolina Satellite Networks, LLC. This matter is nothing but a lawyer banker scam and plan to run me out of money to fight this bunch of crap.

Now these lawyers are harrassing me and my family via the Sherriff office in Henry County. I've already informed Lane Perry that if he wanted to continue doing the dirty work of thieves and criminals, that his choice. I have a serious issue when CA instruct Sherriff who is untouchable and not. No one is above the Law when engaged in criminal activities including a judge. I therefore make no bones about this and I'll tell Judge Clark this as well directly. I already know good and we'll that he has extended the olive branch to Mr. Gardner numerous time, more than any Judge should have and Mr. Gardner has chosen his fate and he is in fact now a third party in this matter and should seek legal counsel himself. He is going to be disbarred, end up in prison and fined heavily for these tactics. It's the only way to deter VA lawyers from engaging with big money banker and lawyers in a monopoly style mafai arrangement. BB&T will also get hits very hard as well for their direct engagement in this matter and that's the only justice that will prevent them from continuing to do this to other. Then the VSB needs to have a clearing house and fix their private corporation and stop engaging in lies under a mission statement that is totally opposite what they really are about.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

----- Original message -----

From: LRoyall@courts.state.va.us  
Date: 11/10/2015 11:14 (GMT-05:00)  
To: brian <brian@csatnet.com>  
Subject: Re: RE: Visitation Changes

Good morning!

I am in the processing of setting a hearing with the attorneys.

Thanks!

Leigh R. Royall, Judicial Assistant & Court Reporter  
Patrick County Circuit Court  
P.O. Box 762  
Stuart, VA 24171  
276-694-3775  
lroyall@courts.state.va.us  
Fax: 276-694-2070

-----brian <brian@csatnet.com> wrote: -----  
|To: LRoyall@courts.state.va.us

From: brian <brian@csatnet.com>  
Date: 11/09/2015 03:13PM  
Cc: Patrick McGraw <patmcgrawlaw@cox.net>  
Subject: RE: Visitation Changes

Jackie is dictating who stay at my house..  
Not Reverend Rick Randell.

I'm simply stating, that this Kenneth person is placed in my house under the directives of herself. She tells Judge Clark one thing then does another..I can work around Rick Randell schedule anytime.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

----- Original message -----

From: brian <brian@csatnet.com>  
Date: 11/09/2015 13:54 (GMT-05:00)  
To: LRoyall@courts.state.va.us  
Cc: Patrick McGraw <patmcgrawlaw@cox.net>  
Subject: RE: Visitation Changes

Mrs. Royal

I still have not heard from the courts on my requested date of this coming Friday @7pm till Saturday at 6pm time.

I have requested this well in advance, yet have not heard anything from either legal counsel from my side or Jackie's.

There has never been ANY legal merits to deny my visitation under a supervisory visit dictated by Jackie, who stays at my house however I have been very willing to do anything possible to spend time with my Son. His biggest issues is not with me at all, it's with the process and these lawyers lack of responsiveness etc. My Son feels like I've abandoned him and left him, which is not the case at all. It seems this way to him because of the total control that been allowed for the past 2 years stemming from JD Courts and false accusations of a horiffic Assault and Battery charge that was clearly proven to be a bunch of fabricated lies and untruths before a Jury of 7.

I was found Not Guilty and yet, I feel as if im still being punished as if I was Guilty. THIS Has taken enough from me. I love my Son, and he has been through enough as well.

I've been very patient with allowing this judicial due process to sort out all the real reasons behind this, yet to no avail now everyone's wants to run and disperse themselves from it after they have milked it as far as they can go without actually doing something further to attempt to attack my character through my underage son.

The only thing I'm guilty of is standing my ground and not backing down.

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

**From:** brian <brian@csatnet.com>  
**To:** LRoyall@courts.state.va.us

---

**Date:** Tuesday, November 10, 2015 11:48AM  
**Subject:** Re: RE: Visitation Changes

---

Mrs. Royal

This whole mess is years of Attorney delays and redirects, both in malicious domestic prosecution attempts to gain advantage in these Civil Suits etc.

I'd seriously like to see these two Attorney required to finish all matters, so that BB&T and the theft of my LLC is able to be released from these litigation and the theft of all CASH returned.

BB&T and Mr. Gardner are all in the middle of every bit of this matter and it very apparent why.

My Son and I are just fine, when the courts are not involved. He has hugged me several times and we have enjoyed our weekend together. Of course we can do much more father Son activities when this unjust supervised visitation stuff is finally removed.

None of which I expect to happen as my Son is being used to attempt to control me and keep me in all these other issues. I'm really tied of that.

These lawyers are criminals and that's just what they do.

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

----- Original message -----

**From:** LRoyall@courts.state.va.us  
**Date:** 11/10/2015 11:14 (GMT-05:00)  
**To:** brian <brian@csatnet.com>  
**Subject:** Re: RE: Visitation Changes

Good morning!

I am in the processing of setting a hearing with the attorneys.

Thanks!

Leigh R. Royall, Judicial Assistant & Court Reporter  
Patrick County Circuit Court  
P.O. Box 762  
Stuart, VA 24171  
276-694-3775  
lroyall@courts.state.va.us  
Fax: 276-694-2070

-----brian <brian@csatnet.com> wrote: -----

To: LRoyall@courts.state.va.us  
From: brian <brian@csatnet.com>  
Date: 11/09/2015 03:13PM  
Cc: Patrick McGraw <patmcgrawlaw@cox.net>  
Subject: RE: Visitation Changes

Jackie is dictating who stay at my house..  
Not Reverend Rick Randell.

I'm simply stating, that this Kenneth person is placed in my house under the directives of herself. She tells Judge Clark one thing then does another..I can work around Rick Randell schedule anytime.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

----- Original message -----

From: brian <brian@csatnet.com>  
Date: 11/09/2015 13:54 (GMT-05:00)  
To: LRoyall@courts.state.va.us  
Cc: Patrick McGraw <patmcgrawlaw@cox.net>  
Subject: RE: Visitation Changes

Mrs. Royal

I still have not heard from the courts on my requested date of this coming Friday @7pm till Saturday at 6pm time.

I have requested this well in advance, yet have not heard anything from either legal counsel from my side or Jackie's.

There has never been ANY legal merits to deny my visitation under a supervisory visit dictated by Jackie, who stays at my house however I have been very willing to do anything possible to spend time with my Son. His biggest issues is not with me at all, it's with the process and these lawyers lack of responsiveness etc. My Son feels like I've abandoned him and left him, which is not the case at all. It seems this way to him because of the total control that been allowed for the past 2 years stemming from JD Courts and false accusations of a horiffic Assault and Battery charge that was clearly proven to be a bunch of fabricated lies and untruths before a Jury of 7.

I was found Not Guilty and yet, I feel as if im still being punished as if I was Guilty. THIS Has taken enough from me. I love my Son, and he has been through enough as well.

I've been very patient with allowing this judicial due process to sort out all the real reasons behind this, yet to no avail now everyone's wants to run and disperse themselves from it after

they have milked it as far as they can go without actually doing something further to attempt to attack my character through my underage son.

The only thing I'm guilty of is standing my ground and not backing down.

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

**From:** brian <brian@csatnet.com>  
**To:** LRoyall@courts.state.va.us  
**Cc:** Patrick McGraw <patmcgrawlaw@cox.net>

---

**Date:** Tuesday, November 10, 2015 12:00PM  
**Subject:** Re: RE: Visitation Changes

---

Mrs Royal

The suit against BB&T needs to be admended for a 500 billion dollars lawsuit, also naming Mr. Gardner as a third party.

This Bank is a Criminal Organization and the entire Virginia State Bar, also needs to be named in this in order to clean their deep ties to BB&T, so this type of hostile take over of Companies are not attempted in the future.

Once Mr. Gardner, and BB&T are removed from this matter then they should leave my Son and family along.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

----- Original message -----

From: LRoyall@courts.state.va.us  
Date: 11/10/2015 11:14 (GMT-05:00)  
To: brian <brian@csatnet.com>  
Subject: Re: RE: Visitation Changes

Good morning!

I am in the processing of setting a hearing with the attorneys.

Thanks!

Leigh R. Royall, Judicial Assistant & Court Reporter  
Patrick County Circuit Court  
P.O. Box 762  
Stuart, VA 24171  
276-694-3775  
lroyall@courts.state.va.us  
Fax: 276-694-2070

-----brian <brian@csatnet.com> wrote: -----

To: LRoyall@courts.state.va.us  
From: brian <brian@csatnet.com>

Date: 11/09/2015 03:13PM  
Cc: Patrick McGraw <patmcgrawlaw@cox.net>  
Subject: RE: Visitation Changes

Jackie is dictating who stay at my house..  
Not Reverend Rick Randell.

I'm simply stating, that this Kenneth person is placed in my house under the directives of herself. She tells Judge Clark one thing then does another..I can work around Rick Randell schedule anytime.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

----- Original message -----

From: brian <brian@csatnet.com>  
Date: 11/09/2015 13:54 (GMT-05:00)  
To: LRoyall@courts.state.va.us  
Cc: Patrick McGraw <patmcgrawlaw@cox.net>  
Subject: RE: Visitation Changes

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The only thing I'm guilty of is standing my ground and not backing down.



Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

**From:** brian <brian@csatnet.com>  
**To:** LRoyall@courts.state.va.us  
**Cc:** Patrick Mcgraw <patmcgrawlaw@cox.net>

---

**Date:** Monday, November 09, 2015 03:13PM  
**Subject:** RE: Visitation Changes

History:       ↩ This message has been replied to.

---

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Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

----- Original message -----

From: brian <brian@csatnet.com>  
Date: 11/09/2015 13:54 (GMT-05:00)  
To: LRoyall@courts.state.va.us  
Cc: Patrick Mcgraw <patmcgrawlaw@cox.net>  
Subject: RE: Visitation Changes

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Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

**From:** brian <brian@csatnet.com>  
**To:** LRoyall@courts.state.va.us  
**Cc:** Patrick McGraw <patmcgrawlaw@cox.net>

---

**Date:** Tuesday, November 03, 2015 10:32PM  
**Subject:** RE: Visitation Changes

---

Ms. Royal

I have forwarded to Patrick McGraw above.  
He seems very withdrawn due to the VSB level of involvement and corruption in these matters.

I'm very concerned that these seem connected lawyers and VSB parties might even be blackmailing or harassing him and his family, like they have been doing with mine in this ordeal.

Even the Sheriff have been told by Commonwealth Attorneys that they can't do anything on these forgeries, fraud, and embezzlement of my LLC by these criminals. This has really gotten way out of hand and has been in front of this court now for years without being heard on docket. That really concerns me as well that Judge Martin Clark had extended enormous leniency towards Mr. Gardner and has empowered his ability to continue to misrepresent my LLC as if he was its legal counsel. He has done so knowingly.

This all has to do with them using this situation and my 15 year old son to attempt to cover up fraud, forgery, and theft of my LLC. Although this I would hope was hidden from Judge Clark, however he should be very aware of what really behind these matters by now.

I will not tolerate a CA instructing an elected official like the Sheriff in who he can and cannot arrest for a criminal action, whether that be a lawyer, judge, or CA, that's aiding and abetting this in order to protect BB&T. I'm sick of them harassing me with various frivolous claims and notices in the mail designed to simply put undue stress on my mom and Dad who has medical problems.

This matter has gone on long enough.  
My lawyer doesn't respond to my calls or emails because of all these numerous redirects, delays, and malicious prosecution attempts on myself that has failed miserably. It was rather very embarrassing that the Patrick County CA in the real Bad loss in the A&B circuit court appeal case. I want my Son removed from this, and I appreciate what Judge Clark has tried to do in order to get my Son in a state of mind where there is less influence over him.

These lawyers and Bankers simply need to completely remove themselves from engaging in continuing to aid this type of mental child abuse before they find themselves in prison for a very long time.

If I was a lawyer, there would be several people behind bars right now in this matter and that list has grown over the years this has been delayed. Mr. Gardner is a well known criminal, and he is a third party to these matters and he is simply trying to run from what he's been exposed for doing that by any standards is an ethical violation worthy of disbarment at the very least.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

----- Original message -----

From: LRoyall@courts.state.va.us  
Date: 11/02/2015 09:38 (GMT-07:00)  
To: Brian Clark <brian@csatnet.com>  
Subject: Visitation Changes

Good morning!

Please have your lawyer contact opposing counsel regarding the visitation change to see if both sides agree. If not, please have your attorney contact me so that we can schedule a conference call with the judge.

Thanks!

Leigh R. Royall, Judicial Assistant & Court Reporter  
Patrick County Circuit Court  
P.O. Box 762  
Stuart, VA 24171  
276-694-3775  
lroyall@courts.state.va.us  
Fax: 276-694-2070

**From:** brian <brian@csatnet.com>  
**To:** "LRoyall@courts.state.va.us" <LRoyall@courts.state.va.us>

**Date:** Monday, November 16, 2015 04:57PM  
**Subject:** Re: Re: Re: RE: Visitation Changes

ALSO For the record.

Congress has no authority over the fact the VSB is claiming to be State Agency, and they are certainly not federal. Even if it was Federal, his staff would block it and remove the Congressman from addressing them. Now you might see whats also got this country so screwed up.

Congressman Griffith is simply to worried about his money and other things. He want address a feredal loan fraud site that I personally had shut down, that's still to this day a Conduit for identity theft a fraud. www.pin.ed.gov. I shut it down ONLY for it to be put right back up with same issues under the FSA-ID process.

Charles Poindexter is not going to do anything either, because it's a private corporation. Lol.

As for the last suggestion. That's like the fox guarding the hen house, now isn't it. You certainly are not this blinded I hope. It might be call out of touch with reality because you live life in a law book and by review of statutes and code. Nothing wrong with that, however you should look into my merits.

Brian Clark

Carolina Sat Net Solutions  
 866-515-6719 x 101

----- Original message -----

**From:** LRoyall@courts.state.va.us  
**Date:** 11/13/2015 14:07 (GMT-05:00)  
**To:** brian <brian@csatnet.com>  
**Cc:** patmcgrawl@cox.net, Phil Gardner <phil@ggbslawfirm.com>  
**Subject:** Re: Re: Re: RE: Visitation Changes

Mr. Clark: I regret that my e-mail was probably not clear. As a matter of law, neither I nor Ms. Royall can respond to your ex parte communications to this court. If you have a lawyer, all communications must come through him or her. If you are representing yourself, we still are not allowed to read or respond to letters or e-mails sent ex parte that contain argument or factual information about your cases. Accordingly, your future improper e-mails and letters will simply be archived and ignored. We are not allowed to respond to improper ex parte communications or even read them. Also, we will not be able to accept any phone calls from you. If there is corruption in our system, I certainly hope it will be exposed and corrected, and I feel confident that Delegate Poindexter, Congressman Griffith and Attorney General Lynch--all of whom are able and honest public servants--will for sure get to the bottom of things. I am sorry to be of no more help. Martin Clark

Leigh R. Royall, Judicial Assistant & Court Reporter  
 Patrick County Circuit Court  
 P.O. Box 762  
 Stuart, VA 24171  
 276-694-3775  
 lroyall@courts.state.va.us  
 Fax: 276-694-2070

-----brian <brian@csatnet.com> wrote: -----

To: LRoyall@courts.state.va.us  
 From: brian <brian@csatnet.com>  
 Date: 11/10/2015 06:43PM  
 Cc: Patrick McGraw <patmcgrawlaw@cox.net>, Dianne Wright <dwright49@comcast.net>, Janet Poindexter <jbp@jetbroadband.com>  
 Subject: Re: Re: RE: Visitation Changes

Judge Martin Clark

There isn't a VSB judge capable of hearing any case matter in Virginia that is not part on this uncovering of the Virginia State BAR and Federal Agency corruption and their connections and ties to BB&T and VSB lawyers. This is what this is about and your court has been playing this using my Son as leverage. He will be an adult on day, and 18 soon. This court has already taken him illegal away from me for 3 years and possible longer if I continue to entertain your courts lawlessness operations in the State of Virginia.

This court has no further juristrition based on the illegal action of the VSB, until a full hearing and investigation is indicted by the US Attorney General Office. I've made this request. This is a deeply rooted corruption at the highest levels of law in the State. I've uncovered it and exposed it and will continue to do so until it is ethically restored to proper control. Not some private corporation masked as a State Agency, that has zero check and balance that has not been clearly shown to be currupt...Period.

I've advised Congressman Griffith and Charles Poindexter of this corruption and he concurs that it is very concerning. It is therefore that I request my original custody arrangement before all this meritless matters be fully retroactive and restored. Of Course Congressman Griffith is a lawyer too and his wife now a judge. I'm sure they needed to conform just so the lawyers families are all now adopted into the monopoly family called the VSB.

I further have request from my Lawyer that Judge Clark, Judge Williams, and Judge Greer all sign recusal of themselves, in this matter because of All "their direct dealings" with Carolina Satellite Networks, LLC and Mr Gardner already. This is a rail road job and the train has derailed...

Fully exposed. VIRGINIA STATE BAR CORRUPTION RUNS DEEP THROUGHOUT THE ENTIRE STATE. Most currupted State in the US. I'd rank it as number 1.

My lawyer Patrick McGraw will handle this Custody matter but I will not be in the courts in Patrick, Henry, or Martinsville, due to the legal currupt in these counties and cities and repeated Harrasment of those involved.

I just got off the phone with Patrick, and I expect to see my Son at 7pm this Friday till 6pm this Saturday. This junk is going to end, you honor, and you can write it in your next book..

My original custody arrangement that Mrs. KELLY got me should therefore be fully restored. Any violation of the Custody order by influencing Jackie to continue to provoke my Son and use him as your pawn will not be tolerated, your Honor. My visits with him have been perfect. He knows his Dad loves him and just is angry at the courts. He knows what's going on here, he's my Son.

You guys can't change DNA.

Have a nice day, your Honor.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

----- Original message -----

From: brian <brian@csatnet.com>

Date: 11/10/2015 17:10 (GMT-05:00)

To: LRoyall@courts.state.va.us

Cc: Patrick McGraw <patmcgrawlaw@cox.net>, Dianne Wright <dwright49@comcast.net> ,

Janet Poindexter <jbp@jetbroadband.com>

Subject: Re: Re: RE: Visitation Changes

Martin Clark

They are facts, relevant to this Custody Case and the mental child abuse of my Son by those involved.

My freedom of speech shall not be infringed upon by this court or yourself.

If you don't like what is being exposed at the Virginia State Bar level, then this should be addressed with them the BAR attorneys involved and the Attorney General of the United States.

Bottom line here, I'm tired of these lawyers, Bankers, and Courts in Virginia using my 15 year old Son by empowering his mother to use him as they are doing under the direction of lawyers and BB&T. You should be able to address them.but apparently they also have dominion over yourself via the BAR..

It's not going to work, it hasn't for some time now. My Lawyer is a BAR attorney and apparently he needs his JOB so he can provide a living for his family.

I'm awaiting for a non- based constitutional judge in Virginia to be appointed over this matter. If there is one, you certainly are and have been apparently playing both sides and I don't like it.



You are removing yourself as you stated of this Custody matter, as should you do the same in this Business matter as well.

I don't trust you, your Honor. That's just my opinion based on the documented evidences that's before me. You have been allowing Mr. Gardner and others to continue using my Son.

I'm sure you don't like what I'm saying, because you need to control what's being put out about this situation, which is exactly why you are allowing this to continue.

I have copied my legal counsel in this matter and he's not advised me to shut up via any of these emails to the courts. However if you prefer them directly to your email, then I'd like to have it, so I can't further respect your wishes and remove Mrs. Royal from being the buffer.

Please send me your email.

Patrick McGraw can advise me further if he would answer his emails or phone calls, this wouldn't be happening in this order to start with. I also believe that's an ethical violation by your VSB standards as well.

Get you legal counsel's operating in VA in check and more importantly those operating under your court.

Have a nice day.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

**From:** brian <brian@csatnet.com>  
**To:** "LRoyall@courts.state.va.us" <LRoyall@courts.state.va.us>  
**Cc:** Charles Poindexter <jbp@jetbroadband.com>, Michelle Jenkins <Michelle.Jenkins@mail.house.gov>

---

**Date:** Wednesday, November 11, 2015 11:59AM  
**Subject:** Fwd: Thank you for your service

---

These are the people that know me and take time to send me touching emails like this one.

Perhaps this might enlighten you and Judge Martin Clark, Jr. as to the charter and passion that drives me to address these problems in Virginia and this United State of America.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

----- Original message -----

From: Linda Kunzweiler <lmk@knowledgeequitypartners.com>  
Date: 11/11/2015 10:32 (GMT-05:00)  
To: 'brian' <brian@csatnet.com>  
Subject: Thank you for your service

Brian

This morning I am going through my list of veterans I am honored to know. I am writing to thank you for your service to our country.

A simple message of thanks does not reflect your hard work in the military but it is certainly meant as one of appreciation. We cannot be free without courageous people like you.

Sincerely,

Linda



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[www.knowledgeequitypartners.com](http://www.knowledgeequitypartners.com)

**From:** brian <brian@csatnet.com>  
**To:** LRoyall@courts.state.va.us  
**Cc:** Patrick McGraw <patmcgrawlaw@cox.net>, Dianne Wright <dwright49@comcast.net>, Janet Poindexter <jbp@jetbroadband.com>

**Date:** Tuesday, November 10, 2015 06:43PM

**Subject:** Re: Re: RE: Visitation Changes

History:        ↵ This message has been replied to.

Judge Martin Clark

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Carolina Sat Net Solutions  
866-515-6719 x 101

----- Original message -----

From: brian <brian@csatnet.com>

Date: 11/10/2015 17:10 (GMT-05:00)

To: LRoyall@courts.state.va.us

Cc: Patrick Mcgraw <patmcgrawlaw@cox.net>, Dianne Wright <dwright49@comcast.net>, Janet Poindexter <jbp@jetbroadband.com>

Subject: Re: Re: RE: Visitation Changes

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Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

**From:** brian <brian@csatnet.com>  
**To:** LRoyall@courts.state.va.us  
**Cc:** "patmcgrawlaw@cox.net" <patmcgrawlaw@cox.net>

---

**Date:** Thursday, November 26, 2015 10:53AM  
**Subject:** Re: Re: Re: RE: Visitation Changes

---

Patrick

You need to inform this Court and Judge Williams as well of the violation of Judge Clark temporary order and the Jackie insertion of her Boyfriend Kenneth Trent, against Reverand Rick Randall as ordered by this Court.

My Son is being Psychologically Child abused by Jackie. This entire documented case file, clearly shows the lengths she will go to in order to continue he abuse of Bailey Anderson Clark.

Judge Clark has tried to get counseling, however that effort was un productive due to the abuse. This Kid, unfortunately needs to be removed from the abusers environment, which is why I requested in court Full Custody of Bailey. If Judge Williams gets what he needs to review this matter, he should fully understand that Bailey, under and abuse mind state, can not say anything otger than what his abuser is instructing him to say before this court.

I have also requested a Doctor who specializes in this area to examine Bailey Anderson Clark. I originally was under the impression that Darwin Honeycutt was a Doctor. He later set me straight that he was not after we had serveral visits. Bailey has never be examined by a Dr. and I've requested it from you numerous times. I will do so yet, again as his father and in the best interest of Bailey that he get to a Doctor for this matter. It will only help him recover from this psychological abusive situation.

I intend to get him this medical professional help if awarded full custody as requested, and hopefully his mother can get help as well for what ever is going on with her medical conditions. I honestly think something with her is related to her medical condition that she testified to in court. I at least think it's worthy of the effort for her to seek treatment herself before she can be a positive and encouraging parent to Bailey till he turns the age of 18.

I understand the laws in VA, view a Child as capable of determining who they wish to live with at a certian age, however that child must be medically cleared by a professional Doctor as not in a psychologically abusive mind state first. This is not the courts area of expertise to diagnose psychological abuse of a minor. This put this cout in a very ackward position for a ruling without this..

I however have Bailey best interest at heart, and I am in no way seeking anything other than that. I've agreed with Judge Clark that convicting Jackie of Show Cause violations and jail is not in Baileys best interest, considering his current medical condition and mindset.

I look forward to Judge Williams ruling, for my Full Custody request, so I can get Bailey away from this environment and into medical treatment, as might be required for the adjustment. He is torn between both parents and I do not want to remove all access to his mother, but do need to make sure that she gets help as well before she can be able to be a positive influence in his life, instead of this hatred and negative mindset. Darwin testified to the severity of this, Although he's not medically qualified to properly treat this severity of this psychological abuse.

No kid can overcome this condition by remaining attached to the abusers hip. It's time this court fully addresses the severity of this matter and that my Son's best interest is given the opportunity to receive medical treatment for this condition, selected by me.

We have tried everything else, except this. I will never give up on my Son, because I see that he loves me and cares about me greatly. He's just forced to act differently before the judge, while in the presence of his mother etc.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

----- Original message -----

From: LRoyall@courts.state.va.us  
Date: 11/13/2015 14:07 (GMT-05:00)  
To: brian <brian@csatnet.com>  
Cc: patmcgrawlaw@cox.net, Phil Gardner <phil@ggbslawfirm.com>  
Subject: Re: Re: Re: RE: Visitation Changes

Mr. Clark: I regret that my e-mail was probably not clear. As a matter of law, neither I nor Ms. Royall can respond to your ex parte communications to this court. If you have a lawyer, all communications must come through him or her. If you are representing yourself, we still are not allowed to read or respond to letters or e-mails sent ex parte that contain argument or factual information about your cases. Accordingly, your future improper e-mails and letters will simply be archived and ignored. We are not allowed to respond to improper ex parte communications or even read them. Also, we will not be able to accept any phone calls from you. If there is corruption in our system, I certainly hope it will be exposed and corrected, and I feel confident that Delegate Poindexter, Congressman Griffith and Attorney General Lynch--all of whom are able and honest public servants--will for sure get to the bottom of things. I am sorry to be of no more help. Martin Clark

Leigh R. Royall, Judicial Assistant & Court Reporter  
Patrick County Circuit Court  
P.O. Box 762  
Stuart, VA 24171  
276-694-3775  
lroyall@courts.state.va.us  
Fax: 276-694-2070

-----brian <brian@csatnet.com> wrote: -----

To: LRoyall@courts.state.va.us  
From: brian <brian@csatnet.com>  
Date: 11/10/2015 06:43PM  
Cc: Patrick McGraw <patmcgrawlaw@cox.net>, Dianne Wright <dwright49@comcast.net>,



Janet Poindexter <jbp@jetbroadband.com>  
Subject: Re: Re: RE: Visitation Changes

Judge Martin Clark

There isn't a VSB judge capable of hearing any case matter in Virginia that is not part on this uncovering of the Virginia State BAR and Federal Agency curruption and their connections and ties to BB&T and VSB lawyers. This is what this is about and your court has been playing this using my Son as leverage. He will be an adult on day, and 18 soon. This court has already taken him illegal away from me for 3 years and possible longer if I continue to entertain your courts lawlessness operations in the State of Virginia.

This court has no further juristrition based on the illegal action of the VSB, until a full hearing and investigation is indicted by the US Attorney General Office. I've made this request. This is a deeply rooted curruption at the highest levels of law in the State. I've uncovered it and exposed it and will continue to do so until it is ethically restored to proper control. Not some private corporation masked as a State Agency, that has zero check and balance that has not been clearly shown to be currupt...Period.

I've advised Congressman Griffith and Charles Poindexter of this curruption and he concurs that it is very concerning. It is therefore that I request my original custody arrangement before all this meritless matters be fully retroactive and restored. Of Course Congressman Griffith is a lawyer too and his wife now a judge. I'm sure they needed to conform just so the lawyers families are all now adopted into the monopoly family called the VSB.

I further have request from my Lawyer that Judge Clark, Judge Williams, and Judge Greer all sign recusal of themselves, in this matter because of All "their direct dealings" with Carolina Satellite Networks, LLC and Mr Gardner already. This is a rail road job and the train has derailed...

Fully exposed. VIRGINIA STATE BAR CURRUPTION RUNS DEEP THROUGHOUT THE ENTIRE STATE. Most currupted State in the US. I'd rank it as number 1.

My lawyer Patrick McGraw will handle this Custody matter but I will not be in the courts in Patrick, Henry, or Martinsville, due to the legal currupt in these counties and cities and repeated Harrasment of those envolved.

I just got off the phone with Patrick, and I expect to see my Son at 7pm this Friday till 6pm this Saturday. This junk is going to end, you honor, and you can write it in your next book..

My original custody arrangement that Mrs. KELLY got me should therefore be fully restored. Any violation of the Custody order by influencing Jackie to continue to provoke my Son and use him as your pawn will not be tolerated, your Honor. My visits with him have been perfect. He knows his Dad loves him and just is angry at the courts. He knows what's going on here, he's my Son.

You guys can't change DNA.

Have a nice day, your Honor.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

----- Original message -----

From: brian <brian@csatnet.com>  
Date: 11/10/2015 17:10 (GMT-05:00)  
To: LRoyall@courts.state.va.us  
Cc: Patrick McGraw <patmcgrawlaw@cox.net>, Dianne Wright <dwright49@comcast.net>, Janet Poindexter <jbp@jetbroadband.com>  
Subject: Re: Re: RE: Visitation Changes

Martin Clark

They are facts, relevant to this Custody Case and the mental child abuse of my Son by those involved.

My freedom of speech shall not be infringed upon by this court or yourself.

If you don't like what is being exposed at the Virginia State Bar level, then this should be addressed with them the BAR attorneys involved and the Attorney General of the United States.

Bottom line here, I'm tired of these lawyers, Bankers, and Courts in Virginia using my 15 year old Son by empowering his mother to use him as they are doing under the direction of lawyers and BB&T. You should be able to address them. but apparently they also have dominion over yourself via the BAR..

It's not going to work, it hasn't for some time now. My Lawyer is a BAR attorney and apparently he needs his JOB so he can provide a living for his family.

I'm awaiting for a non- based constitutional judge in Virginia to be appointed over this matter. If there is one, you certainly are and have been apparently playing both sides and I don't like it. You are removing yourself as you stated of this Custody matter, as should you do the same in this Business matter as well.

I don't trust you, your Honor. That's just my opinion based on the documented evidences that's before me. You have been allowing Mr. Gardner and others to continue using my Son.

I'm sure you don't like what I'm saying, because you need to control what's being put out about this situation, which is exactly why you are allowing this to continue.

I have copied my legal counsel in this matter and he's not advised me to shut up via any of these emails to the courts. However if you prefer them directly to your email, then I'd like to have it, so I can't further respect your wishes and remove Mrs. Royal from being the buffer.

Please send me your email.

Patrick McGraw can advise me further if he would answer his emails or phone calls, this wouldn't be happening in this order to start with. I also believe that's an ethical violation by your VSB standards as well.

Get you legal counsel's operating in VA in check and more importantly those operating under your court.

Have a nice day.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

**From:** brian <brian@csatnet.com>  
**To:** Patrick McGraw <patmcgrawlaw@cox.net>  
**Cc:** "LRoyall@courts.state.va.us" <LRoyall@courts.state.va.us>

---

**Date:** Wednesday, January 06, 2016 07:28AM  
**Subject:** Fwd: Suit amendments

---

Patrick McGraw

See below notice to Courts of Patrick County, VA.

Please be advised that I'm still awaiting the Custody Final order from Judge Williams and yourself and Bourland & McPheeters.

Please expedite this and finalize this case matters at your earliest.

Thank you for your representation in these very difficult matters in Patrick County Virginia. Your efforts in these cases are commendable.

I would highly recommend you to anyone with complex issues that involve Children.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

----- Original message -----

**From:** brian <brian@csatnet.com>  
**Date:** 01/06/2016 6:58 AM (GMT-05:00)  
**To:** LRoyall@courts.state.va.us  
**Cc:** Travis Knobbe <tknobbe@spilmanlaw.com>  
**Subject:** Suit amendments

Mrs. Royal

Let this email serve as notice to the courts that the two pending suits in Patrick County Circuit Courts will be "amended accordingly", due to recent discovery of investigative evidence.

Please forward a copy of both filings and their case numbers to me via email attachment, or by fax to 1-866-515-6719

Patrick McGraw has concluded his representation of Carolina Satellite Networks, LLC and Brian Clark.

Thank you

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

**From:** brian <brian@csatnet.com>  
**To:** "LRoyall@courts.state.va.us" <LRoyall@courts.state.va.us>  
**Cc:** Travis Knobbe <tknobbe@spilmanlaw.com>, Patrick McGraw <patmcgrawlaw@cox.net>

---

**Date:** Wednesday, January 06, 2016 08:07AM  
**Subject:** Amendments to Case notice

---

Mrs Royal

Please advise Judge Martin Clark Jr, Judge Williams, JD Judge Robert Bushell, and Judge Greer of the following:

I am currently awaiting to hear back from (BB&T) Attorney Travis Knobbe regarding all these matters in Patrick County VA and the collective formed local area (Consortium).

They have till 12:00 none today to respond and we will then determine the next Course of action in these pending two Cases in Patrick County Circuit Court.

While I consider my legal options pending this attempt at mediation with (BB&T) regarding these pending Cases, it's my sincere hopes that a possible resolution might be reachable.

If successful, due consideration will be considered in these efforts to potentially reach a mutually acceptable resolution.

Hope everyone had a Merry Christmas and a Happy New Year.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>  
**Cc:** Travis Knobbe <tknobbe@spilmanlaw.com>

---

**Date:** Saturday, March 12, 2016 08:42PM  
**Subject:** RE: Emailing Articles Of Corporation Documents.pdf

History:       ➔ This message has been forwarded.

---

Mrs. Gasperini

Enough of these GAMES from Gardner.

He's Acting as a Legal Counsel for my LLC and ONLY I could have hired him to represent it, per the ONLY legal Corporate LLC Documents produced to DATE. PERIOD.

THE EIN number also reflect the SAME SOLE Ownership Entity Structure. This what Gardner and BB&T has been running from for way to long under this court system and these individuals involved.

No one can claim a partnership in a "SOLE Member, LLC Entity and EIN Structure".

Judge Greer, needs to address this. You can't pass Go and collect 200 bucks. This is not some monopoly game where you can attempt to SIDE step the FACTS of THE Corporate Documents . Period.

His ENTIRE play has been attempted by FRAUD. Then when illegally taking over purporting as legal council of my SOLE OWNED, LLC, further putting Defense Clients like the US Government at Risk, he thinks that he can force my safe guards and reactions taken, as a DIRECT result of his Corporate Espionage tactics and then also further use that against me.

He best take some more Law courses on LEGAL Corporate Entity Formation and Structuring and learn how a Company is legally Formed. The ARTICLES of Corporation speaks for itself. No other Document can change the Entity's ownership.

Charlie M Fain's not on them. Period.  
Jackie Fain Clark is not even on them.

There simply no getting around or side stepping these FACTS.

Sincerely

Brian Clark

866-515-6719 x 101

----- Original message -----  
From: brian <brian@csatnet.com>

Date: 03/12/2016 8:20 PM (GMT-05:00)  
To: sgasperini@courts.state.va.us  
Subject: Emailing Articles Of Corporation Documents.pdf

Articles of Corporation Documents for Judge Greer..

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101



**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

---

**Date:** Sunday, March 13, 2016 12:06PM  
**Subject:**

---

6:12 For we wrestle not against flesh and blood, but against principalities, against powers, against the rulers of the darkness of this world, against spiritual wickedness in high places.  
Ephesians

8:1 There is therefore now no condemnation to them which are in Christ Jesus, who walk not after the flesh, but after the Spirit.

8:2 For the law of the Spirit of life in Christ Jesus hath made me free from the law of sin and death.

8:3 For what the law could not do, in that it was weak through the flesh, God sending his own Son in the likeness of sinful flesh, and for sin, condemned sin in the flesh: Romans

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>  
**Cc:** Travis Knobbe <tknobbe@spilmanlaw.com>, Charles Poindexter <jbp@jetbroadband.com>, Mary Pendleton Stafford <marypstafford@gmail.com>, Michelle Jenkins <Michelle.Jenkins@mail.house.gov>

---

**Date:** Monday, March 14, 2016 08:36AM  
**Subject:** RE: Emailing Articles Of Corporation Documents.pdf

History:       ➔ This message has been forwarded.

---

Mrs. Gasperini

Furthermore, his clients was attempting a Take over my SOLE owned LLC and EIN number by cteating and further maintianing an illegal INC Company in my Companies NAME.

This along with the Fraudulent accounts opened up in 2004, fraud, and Forged Bank Documents by his clients already testified too under oath in Court Recorded testimonies!

What's Gardner doing now the Martin Clark Jr. Is out, trying to swat Judge Greer in the BB&T / Gardner / Armstrong / Now Frith Anderson & Peak camps. What's it take, an Army of law firms, BB&T Bank Money to attempt my lies to cover up these matters?

I've done stated numerous times that BB&T by this Fraud Accounts where "ALL cash" was embezeled from by Charlie M. Fain that they are Fully responsible and reliable for. Period.

This 21st District Judicial Court System, BB&T and these numerous VSB Lawyers need to adhere to the Corporate Documents when the LLC was formed and these fraud, forgery, and Embezzelment began in 2004. When I say I'm done, I'm done playing these in this 21st District Courts Judical Curruption game with these lawyers and Judges. I'm further done with having the Sherriff Danny Smith harrass my family members. He has visited one of my family members houses and has been running around town spreading even more lies and accusations. We all know he and his department is clearly engaged in adding these matters with these defendants.

I'll await to hear from Judge Greer via a conference call with himself, Gardner and Knobbe. We need to address these matters because you have got Law Enforcement personel threatening and trying to intemidate people as well as lawyers doing the same. That needs to end.

Sincerely

Brian Clark  
 Pro,se  
 866-515-6719 x 101

----- Original message -----

From: brian <brian@csatnet.com>  
 Date: 03/12/2016 8:42 PM (GMT-05:00)

To: sgasperini@courts.state.va.us  
Cc: Travis Knobbe <tknobbe@spilmanlaw.com>  
Subject: RE: Emailing Articles Of Corporation Documents.pdf

Mrs. Gasperini

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Sincerely

Brian Clark

866-515-6719 x 101

**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>  
**Cc:** Travis Knobbe <tknobbe@spilmanlaw.com>, Charles Poindexter <jbp@jetbroadband.com>, Mary Pendleton Stafford <marypstafford@gmail.com>, Michelle Jenkins <Michelle.Jenkins@mail.house.gov>

---

**Date:** Monday, March 14, 2016 08:41AM  
**Subject:** RE: Emailing Articles Of Corporation Documents.pdf

History:        ➔ This message has been forwarded.

---

Correction to typos on my Droid.

They are trying to attempt MORE lies to Cover up BB&T liabilities and sway Judge Greer into their Camps with more of his tactics of lies.

This is not easily covered up and it gotten way out of hand.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 1

----- Original message -----

From: brian <brian@csatnet.com>  
Date: 03/14/2016 8:36 AM (GMT-05:00)  
To: sgasperini@courts.state.va.us  
Cc: Travis Knobbe <tknobbe@spilmanlaw.com>, Charles Poindexter <jbp@jetbroadband.com>, Mary Pendleton Stafford <marypstafford@gmail.com>, Michelle Jenkins <Michelle.Jenkins@mail.house.gov>  
Subject: RE: Emailing Articles Of Corporation Documents.pdf

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embezzled from by Charlie M. Fain that they are Fully responsible and reliable for. Period.

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Sincerely

Brian Clark  
Pro,se  
866-515-6719 x 101

**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

---

**Date:** Monday, March 14, 2016 08:54AM  
**Subject:** RE: Fw: Judge Designate

---

Nice, try. Try again we All know he is another Phil Gardner symphathizer and has Close knit ties to Woods Rogers and Thomas Spill man and battle.

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

----- Original message -----

**From:** sgasperini@courts.state.va.us  
**Date:** 03/14/2016 8:25 AM (GMT-05:00)  
**To:** brian <brian@csatnet.com>  
**Subject:** Fw: Judge Designate

-----Forwarded by Susan Gasperini/CC/VaJud on 03/14/2016 08:24AM -----

**To:** "brianclark" <brianclark@me.com>  
**From:** Susan Gasperini/CC/VaJud  
**Date:** 03/08/2016 01:49PM  
**Subject:** Judge Designate

Mr. Clark,

I have just been notified that Judge David B. Carson, Judge of the 23rd Judicial Circuit, P. O. Box 211, Roanoke, VA 24002-0211 has been appointed judge-designate to hear the case of Brian Clark vs Patrick Co. Commonwealth Attorney's Office, et als (Case #CL16-16).

If you have any motions or pleadings, please mail to this office at P. O. Box 148, Stuart, VA 24171. We will date-stamp each document and forward to Judge Carson.

Susan Gasperini

**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>  
**Cc:** Mary Pendleton Stafford <marypstafford@gmail.com>, Michelle Jenkins <Michelle.Jenkins@mail.house.gov>, Charles Poindexter <jbp@jetbroadband.com>

---

**Date:** Monday, March 14, 2016 10:53AM  
**Subject:** RE: Fw: Judge Designate

---

Mrs. CLARK Gasperini

"Phillip G. Gardner, Martinsville ... David B. Carson, Roanoke ..... public citizen, a lawyer should seek improvement of the law, the administration of justice and the .."

Close relationship with Phillip Gardner, seems a major Conflict of interest to me. I'll ask for his Resucal as well, do we need to go through 6 more Judges?

See the above Clipping from my research.

He's Out. So, ill request that you go back to the VA Supreme Court and the VSB and try again.

Sincerely

Brian Clark  
Pro,se  
866-515-6719 x 101

----- Original message -----

**From:** brian <brian@csatnet.com>  
**Date:** 03/14/2016 8:54 AM (GMT-05:00)  
**To:** sgasperini@courts.state.va.us  
**Subject:** RE: Fw: Judge Designate

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Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>  
**Cc:** Charles Poindexter <jbp@jetbroadband.com>, Mary Pendleton Stafford <marypstafford@gmail.com>, Michelle Jenkins <Michelle.Jenkins@mail.house.gov>, Tommy Williams <tw@tjwlaw.net>, Travis Knobbe <tknobbe@spilmanlaw.com>

---

**Date:** Monday, March 14, 2016 11:12AM  
**Subject:** RE: Fw: Judge Designate

---

Mrs. Clark Gasperini

When this judicial branch brings forth a unbiased judge Canidate from the VA Supreme Court with no ties to "BB&T", Woods Rogers, Thomas Spilman and Battle and or Phillip Gardner, Ward L Armstrong, this has bern well identified and "apparently" is a very Curruped Virginia State Bar Association which purports itself to be a State Agency, then I'll entertain writing a letter to them directly not this curruped 21st District Court in Patrick County Virginia.

Have a blessed week, as I'll be praying that God handles these individuals and ALL these matters because it's "apparently", just right back to more of the same old tactics that's uncovered this fully to begin with. God's words are All the truth, on which I will stand.

Sincerely

Brian Clark  
Pro, se.  
866-515-6719 x 101

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From: sgasperini@courts.state.va.us  
Date: 03/14/2016 8:25 AM (GMT-05:00)  
To: brian <brian@csatnet.com>  
Subject: Fw: Judge Designate

-----Forwarded by Susan Gasperini/CC/VaJud on 03/14/2016 08:24AM -----

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Susan Gasperini

**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>  
**Cc:** Charles Poindexter <jbp@jetbroadband.com>, Mary Pendleton Stafford <marypstafford@gmail.com>, Michelle Jenkins <Michelle.Jenkins@mail.house.gov>, Tommy Williams <tw@tjwlaw.net>, Travis Knobbe <tknobbe@spilmanlaw.com>

---

**Date:** Monday, March 14, 2016 11:12AM

**Subject:** RE: Fw: Judge Designate

History:       ✦ This message has been replied to.

---

Mrs. Clark Gasperini

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Brian Clark  
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866-515-6719 x 101

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Date: 03/14/2016 8:25 AM (GMT-05:00)  
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**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>, Charles Poindexter <jbp@jetbroadband.com>, Mary Pendleton Stafford <marypstafford@gmail.com>, Michelle Jenkins <Michelle.Jenkins@mail.house.gov>

---

**Date:** Monday, March 14, 2016 11:49AM  
**Subject:** Emailing 2\_mandamus\_to\_sheriff(7).pdf

---

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

Attachments:

2\_mandamus\_to\_sheriff(7).pdf

**From:** brian <brian@csatnet.com>  
**To:** John Johnson <jjohnson@faplawfirm.com>  
**Cc:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

---

**Date:** Friday, April 15, 2016 05:48PM  
**Subject:** RE: Clark v. Clark, et al

---

John

I am not privy to your discovery request as noted or mentioned in your email. I have further not been legally and properly served on ANY such material as you allude to in your emails.

My suggestion at this stage would be to address these before the courts as it appears there's an already set date for August the 23rd of 2016 as you mentioned in your email, as well. This is when my earliest availability is to meet in this matter.

Your clients have all the "discovery" mentioned in your email, in their created documents and dealings related to Jackie Fain Clark, Charlie Fain Clark, Carolina Satellite Networks, LLC, and Bailey Anderson Clark and myself. If your clients has not supplied you with those records, then the majority of them are Public Records, Court Documents on file with the Courts. I do have Court Recorded Testimony Documents of the Jan 26th 2015 Trial, in which I was found not guilty by a Jury Trial. I'm sure that if you need those documents for your defense of these defendants and their actions and co-conspiracy with the others, and if you don't already know, ask them. They are your clients not mine.

While I may seem very frank with you, I very much wish to respectfully come to a very reasonable resolution to this matter. I have been out of State on various Business travels, and the last email you stated you did not want to communicate with me, so I have not bothered emailing you until you reached out to me, so I am responding. You will have to come to that determination and if you feel you're going to bully and strong arm me with legal posturing tactic of this court system, then that's your decision.

I have business to do as I do not sit at home, in fact I've NOT been home in several months now. Emails is the best way to communicate for me, if you need something that is very specifically requested, please advise. I do not entertain meritless request, and if it's something that I'll use as part of my case, you'll be afforded a copy at time of trial by Jury as I've requested, if that be the case.

Otherwise we can hold depositions and drag this matter on out in further in deep back and forth type costly litigation or simply await the court date, and or perhaps figure out if a reasonable resolution can be reached between your defendants. If not we will await depositions, jury selection, and move forward with a trial by Jury hearing on this matter.

Have a nice weekend.

Sincerely

Brian Clark

866-515-6719 x 101

----- Original message -----

From: John Johnson <jjohnson@faplawfirm.com>

Date: 04/15/2016 2:12 PM (GMT-05:00)

To: Brian <brian@csatnet.com>

Subject: Clark v. Clark, et al

Mr. Clark

On February 22, 2016, discovery from Defendants Hayes, Brinks and Vipperman was served upon you pursuant to the provisions of Rule 1:12 of the Rules of the Supreme Court of Virginia. Your responses were due on March 17, 2016. When you failed to respond within the time provided, on March 17, 2016, we wrote to you at your address of record based on the Complaint that you filed to make inquiry about the status of the overdue discovery, and to request that you respond within 5 days.

You did not respond to either the February 22, 2016 discovery requests or the letter of March 17, 2016.

On March 22, 2016, Defendant Brinks' First Requests for Admission to you were served in like fashion under the Rules of the Supreme Court of Virginia. Your responses to Defendant Brinks' First Requests for Admission are now overdue.

As I explained in my letter of March 17, 2016, the Rules of the Supreme Court of Virginia require that I attempt to confer with you regarding your overdue discovery responses. This is my second, and last, effort to confer with you regarding your overdue responses.

Unless I receive full, complete, and properly verified responses to you by close of business, or 5:00 p.m., on Monday, April 18, 2016, I will have no other alternative but to file an appropriate motion with the Court regarding your refusal to comply with the rules of court regarding discovery. I will ask the Court to address the issue at the hearing presently scheduled for August 23, 2016.

John C. Johnson

**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>, Michelle Jenkins <Michelle.Jenkins@mail.house.gov>, Mary Pendleton Stafford <marypstafford@gmail.com>, Travis Knobbe <tknobbe@spilmanlaw.com>, Charles Poindexter <jbp@jetbroadband.com>

---

**Date:** Monday, March 14, 2016 11:54AM  
**Subject:** Emailing writ\_quo\_warranto\_0(2).pdf

---

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

Attachments:

writ\_quo\_warranto\_0(2).pdf

Attorney

Frith Anderson & Peake, PC

29 Franklin Road, SW

Roanoke, VA 24011

P.O. Box 1240

Roanoke, VA 24006-1240

(D): 540-725-3363

(F): 540-772-9167

[jjohnson@faplawfirm.com](mailto:jjohnson@faplawfirm.com)

[www.faplawfirm.com](http://www.faplawfirm.com)

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**From:** brian <brian@csatnet.com>  
**To:** John Johnson <jjohnson@faplawnfirm.com>  
**Cc:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

---

**Date:** Monday, April 18, 2016 08:17AM  
**Subject:** RE: Clark v. Clark, et al

---

John

You now have my response and the court recorded transcripts. The Clerk of Court, copied above, she knows exactly what these clients have been engaged in and it's very well documented. Judge Martin Clark, Jr. knows as well. This is no big secret anymore and the sooner you realize that the easier this can be..

I've copied her and the local media outlets, whom I've served with this suit as well. The media is authorized to attend these court sessions as this needs perhaps some local or national attention, if that's how this needs to get brought out further into the light.

Everyone in Martinsville, Henry, Patrick, and Roanoke is very well aware of this case and Mr. Gardner, Ward and the others All have had their hands in this, along with your defendants, at one time or another. The FACTS speak for themselves. The evidence purported was even further astounding even by Mrs. Weeks own testimony brought forward by your client. 7 local Jury Members of Patrick County ruled in my favor already in this case.

It is therefore that your client's, along with BB&T have already COST me much more than they can "ever repay". They could say, I'm sorry or let's figure out how to repair this mess. Nope they want to portray like that they are so innocent of all these FACTS they now face. Your demeanor is not doing your clients any favors whatsoever, nor is it shedding good favor to this court either.

My Company, before all these matters, was listed in Homeland Security Today Magazine as one of 3 Companies in the US known for doing what this Company did. Look it up, January Edition 2012..Ensuring Always one E911 Solutions. Google it.

Have a nice week.

Sincerely

Brian Clark

866-515-6719 x 101

----- Original message -----

**From:** John Johnson <jjohnson@faplawnfirm.com>  
**Date:** 04/17/2016 11:17 AM (GMT-05:00)  
**To:** 'brian' <brian@csatnet.com>  
**Subject:** RE: Clark v. Clark, et al

Mr. Clark,

I have no idea what you were served with in connection with another case. It is irrelevant to the case that you have filed against my clients.

You can believe that I am being evasive. You are wrong. I have conveyed my clients' position regarding settlement to you. You have provided nothing that warrants a change in that position. You have received our response to the lawsuit that you filed; indeed, it prompted many interesting emails from you. I discontinued that conversation because your communication had deteriorated to histrionic ad hominen comments that did not warrant response.

There really is no reason to consult with you about a potential resolution of your case unless it involves you simply dismissing the case, paying my client's attorney's fees for having to defend against your claims, and being done.

Our evaluation of the case, and whether it warrants any consideration, is based upon the legal basis for the claims, and whether there is an legitimate merit to those claims. Thus far the only document that you have presented is your lawsuit. We have reviewed it, and your case is not worth anything. Your decision to ignore discovery further supports our position. Your reference to the Rules of the Supreme Court of Virginia is interesting because you ignore those very same rules when applied to you. You are free to request a deposition of my clients after the court rules on the motions before it, and after you respond to outstanding discovery. Not before. Of course, if the Court rules as anticipated, your case will be dismissed, and there will be no depositions. In my professional judgment consulting with you about the resolution of the case at this point in the absence of any support to the case would be an exercise in futility. Our clients will not simply yield to you based upon the force of compelling personality or threatening emails.

Finally, you persist in some vague and conclusory argument about conflicts that is apparently some vague reference to the fact that lawyers in Virginia are members of the Virginia State Bar, the state agency charged with regulation of the legal profession. In spite of having ample opportunity to address this with the Court, you merely bring it up in your emails. Again, our client's argument has been made to the Court. If you have something that you feel compelled to bring to the attention of the Court, the proper way in which to do that is a proper motion, under the Rules of the Virginia Supreme Court, and timely filed with the Court.

John C. Johnson

Attorney at Law

Frith Anderson & Peake, PC

29 Franklin Rd SW

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(E) [jjohnson@faplawfirm.com](mailto:jjohnson@faplawfirm.com)

[www.faplawfirm.com](http://www.faplawfirm.com)

---

**From:** brian [mailto:[brian@csatnet.com](mailto:brian@csatnet.com)]

**Sent:** Sunday, April 17, 2016 7:31 AM

**To:** John Johnson

**Subject:** RE: Clark v. Clark, et al

John

Go ahead a do so if you so wish too? I was just served Divorce paper by Jackie and an officer from Henry County served them to me.

He gave me NO additional papers from you or your Office.

Can you explain this to the Judge?

According to the rules of the supreme court of Virginia I'm entitled to conduct a court recorded deposition hearing of all the individuals involved, which I intend to request and exercise.

I just am awaiting for the pretrial conference hearing, so that I can determine other factors of my investigative evidense with the current presiding Judge selected outside the 21st District to hear this case. That court date is already set and we can argue these matters at that time don't you think?

It's seems premature to do so when I've proposed to have a discussion with you about a potential resolution, yet you refuse to consult with me as pro, se counsel at this time. I could argue that your just being evasive and unwilling to discuss resolutions, so we simply need to determine if this court and this Judge is capable of hearing this unbiased?

This is yet to be determined at this time.

Sincerely

**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>  
**Cc:** Charles Poindexter <jbp@jetbroadband.com>, Mary Pendleton Stafford <marypstafford@gmail.com>, Michelle Jenkins <Michelle.Jenkins@mail.house.gov>, Travis Knobbe <tknobbe@spilmanlaw.com>

---

**Date:** Monday, March 14, 2016 05:25PM

**Subject:** Re: RE: Fw: Judge Designate

History:       ➔ This message has been forwarded.

---

Mrs Gasperini

As always, I'm unable to get anyone to return my phone call to this court regarding tomorrow's court Date, times, location and proceedings agenda.

I am currently out of State and requires me enormous travel cost and plans.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

----- Original message -----

**From:** sgasperini@courts.state.va.us  
**Date:** 03/14/2016 3:49 PM (GMT-05:00)  
**To:** brian <brian@csatnet.com>  
**Subject:** Re: RE: Fw: Judge Designate

Mr. Clark,

I'm in court this afternoon but was just handed your phone message. You will need to call Mrs. Farmer, Judge Greer's administrative assistant, regarding changing the court date. Her number is 276-403-5163.

Susan Gasperini

-----brian <brian@csatnet.com> wrote: -----

**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>  
**From:** brian <brian@csatnet.com>  
**Date:** 03/14/2016 11:12AM  
**Cc:** Charles Poindexter <jbp@jetbroadband.com>, Mary Pendleton Stafford <marypstafford@gmail.com>, Michelle Jenkins <Michelle.Jenkins@mail.house.gov>, Tommy Williams <tw@tjwlaw.net>, Travis Knobbe <tknobbe@spilmanlaw.com>  
**Subject:** RE: Fw: Judge Designate

Brian Clark

Carolina Sat Net Solutions

866-515-6719 x 101

----- Original message -----

From: John Johnson <[jjohnson@faplawfirm.com](mailto:jjohnson@faplawfirm.com)>

Date: 04/15/2016 5:53 PM (GMT-05:00)

To: brian <[brian@csatnet.com](mailto:brian@csatnet.com)>

Subject: RE: Clark v. Clark, et al

Thank you for your response. We shall file the appropriate motion on Monday, April 18, 2016. A copy will be sent to you at your address of record.

John C. Johnson

Attorney

Frith Anderson & Peake, PC

29 Franklin Road, SW

Roanoke, VA 24011

P.O. Box 1240

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---

**From:** brian [<mailto:brian@csatnet.com>]  
**Sent:** Friday, April 15, 2016 5:48 PM  
**To:** John Johnson  
**Cc:** [sgasperini@courts.state.va.us](mailto:sgasperini@courts.state.va.us)  
**Subject:** RE: Clark v. Clark, et al

John

I am not privy to your discovery request as noted or mentioned in your email. I have further not been legally and properly served on ANYsuch material as you allude to in your emails.

My suggestion at this stage would be to the address these before the courts as it appears there's an already set date for August the 23rd of 2016 as you mentioned in your email, as well. This is when my earliest availability is to meet in this matter.

Your clients have all the "discovery" mentioned in your email, in their created documents and dealings related to Jackie Fain Clark, Charlie Fain Clark, Carolina Satellite Networks, LLC, and Bailey Anderson Clark and myself. If your clients has not supplied you with those records, then the majority of them are Public Records, Court Documents on file with the Courts. I do have Court Recorded Testimony Documents of the Jan 26th 2015 Trail, in which I was found not guilty by a Jury Trail. I'm sure that if you need those documents for your defense of these defendants and their actions and co-conspiracy with the others, and if you don't already know, ask them. They are your clients not mine.

While I may seem very frank with you, I very much wish to respectfully come to a very reasonable resolution to this matter. I have been out of State on various Business travels, and the last email you stated you did not want to communicate with me, so I have not bothered emailing you until you reached out to me, so I am responding. You will have to come to that determination and if you feel you're going to bully and strong arm me with legal posturing tactic

of this court system, then that's your decision.

I have business to do as I do not sit at home, in fact I've NOT been home in serveral months now. Emails is the best way to communicate for me, if you need something that is very specifically requested, please advise. I do not entertain meritless request, and if it's something that I'll use as part of my case, you'll be afforded a copy at time of trial by Jury as I've requested, if that be the case.

Otherwise we can hold depositions and drag this matter on out in further in deep back and forth type costly litigation or simply await the court date, and or perhaps figure out if a reasonable resolution can be reached between your defendants. If not we will await depositions, jury selection, and move forward with a trail by Jury hearing on this matter.

Have a nice weekend.

Sincerely

Brian Clark

866-515-6719 x 101

----- Original message -----

From: John Johnson <[jjohnson@faplawfirm.com](mailto:jjohnson@faplawfirm.com)>

Date: 04/15/2016 2:12 PM (GMT-05:00)

To: Brian <[brian@csatnet.com](mailto:brian@csatnet.com)>

Subject: Clark v. Clark, et al

Mr. Clark

On February 22, 2016, discovery from Defendants Hayes, Brinks and Vipperman was served



upon you pursuant to the provisions of Rule 1:12 of the Rules of the Supreme Court of Virginia. Your responses were due on March 17, 2016. When you failed to respond within the time provided, on March 17, 2016, we wrote to you at your address of record based on the Complaint that you filed to make inquiry about the status of the overdue discovery, and to request that you respond within 5 days.

You did not respond to either the February 22, 2016 discovery requests or the letter of March 17, 2016.

On March 22, 2016, Defendant Brinks' First Requests for Admission to you were served in like fashion under the Rules of the Supreme Court of Virginia. Your responses to Defendant Brinks' First Requests for Admission are now overdue.

As I explained in my letter of March 17, 2016, the Rules of the Supreme Court of Virginia require that I attempt to confer with you regarding your overdue discovery responses. This is my second, and last, effort to confer with you regarding your overdue responses.

Unless I receive full, complete, and properly verified responses to you by close of business, or 5:00 p.m., on Monday, April 18, 2016, I will have no other alternative but to file an appropriate motion with the Court regarding your refusal to comply with the rules of court regarding discovery. I will ask the Court to address the issue at the hearing presently scheduled for August 23, 2016.

John C. Johnson

Attorney

Frith Anderson & Peake, PC

29 Franklin Road, SW

Roanoke, VA 24011

P.O. Box 1240

Roanoke, VA 24006-1240

(D): 540-725-3363

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[www.faplawfirm.com](http://www.faplawfirm.com)

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**From:** brian <brian@csatnet.com>  
**To:** John Johnson <jjohnson@faplawfirm.com>, "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

---

**Date:** Monday, April 18, 2016 07:01PM  
**Subject:** Fwd: Sent you invitation.

---

John Johnson

Do you need Carolina Satellite Networks, LLC Articles of Corporation and Sole member EIN number?

If you know how to use a Computer it was formed Solely by me in Charlotte NC and registered with the NC seceratary of State as Public Record on October 17th of 2003.

You might want to do a little investigative research yourself, so that you can realize what's been done here by these defendants and the others involved.

Perhaps you want be sold on ownership of a corporation being shown on a business card. I don't think Banks accept that as proof today now either. Its very "apparent" that BB&T will give out Depository Accounts to anyone in any business with ZERO proof of ownership. All you need is a heart beat and cash to deposit.

Sincerely

Brian Clark

866-515-6719 x 101

----- Original message -----

**From:** brian <brian@csatnet.com>  
**Date:** 04/18/2016 9:09 AM (GMT-05:00)  
**To:** Chad Hall <chall@btw21.com>  
**Subject:** Sent you invitation.

Chad

There's your angle with Tom.

Now go grab the 2012 January Edition Homeland Security Today Magazine Ensuring Always on E911 Solutions Article

Ask him about VITA and INTRADO doing tge E911 upgrade for Patrick and FRankin County. Then say on this Article I see a Company here in Stuart VA called Carolina Satellite Networks, LLC listed in this Homeland Security Today Magazine.

Did you know this Company was located in Stuart Virginia, and can you update me on what's

been going on surrounding this local Company that was featured in Homeland Security Today Magazine for E911 Solutions?  
Lol.

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

**From:** brian <brian@csatnet.com>  
**To:** John Johnson <jjohnson@faplawfirm.com>  
**Cc:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

---

**Date:** Tuesday, April 19, 2016 07:58AM  
**Subject:** RE: Clark v. Clark, CL 16-16

---

John Johnson

I now have your documents that are attached to this email PDF. Please resend them in separate individual PDF form for each defendant.

It's the first time that I've seen ANY of them.

While your claims / opinions are that i have seen them, by taking statements out of context in my emails, while I was merely referring to your emailed statements about your discovery request, is meritless. Its further evident and supported by the FACT that you do not have ANY signed certified receipts from the postal service who "apparently" attempted mail delivery and was not successful in getting them to me.

You can attempt to make your arguments before this judge and the court of your oponiins, if you so wish to do so. I will be able to prove by my travel records of my time out of state and not at this residence during attempted delivery.

FyI: I may petition this court for an extension, while I file my amended complaint, which will name additional defendants, and companies. This is warranted given very recent investigative discovery.

"(e) Scope; Use. Interrogatories may relate to any matters which can be inquired into under Rule 4:1(b), and the answers may be used to the extent permitted by the rules of evidence and for the purposes of Rule 3:20. Only such interrogatories and the answers thereto as are offered in evidence shall become a part of the record."

This law says "as are offered", meaning willfully given, not as ordered or required by the wording of the Law code, that i am duly ordered or required to do so. I can object by the law and decline to answer.

The above law seems to be a law that affords lawyers the ability to attempt to gain leverage in their cases by getting only the "offered evidence" admitted, while positioning ONLY those questions in as evidence, if offered, and getting other later discovery stricken from being admitted, if so "offered" and answered by plaintiff. You provide no order from this court that requires that I answer your controlled line of questions by the law that would set, ONLY those answers to be admitted as evidence.. I will therefore very likely decline and object to this, as it limits my ability afforded to me under law to present ALL my evidence openly in a "jury trail setting" as filed and requested before this court in my petition. I will further reserve the rights by law to call witnesses and name additional parties by amendment of this initial draft suit complaint.

I would request a conference call with you and this Judge, as I currently at this time will decline to answer these as a matter of this law. I simply feel your questions are over burdensome and limits my evidense by answering them.

If you can point to the law that "requires / and or orders me to Answer these", prior to the set court conference already on docket, please pass that along with your individual PDF's. I do think that as I interrupt the law as written that it clearly states, as offered, not as ordered or is required that I comply. If I do then I only limit my ability as offered to build upon my case with new discovery. I can certainly raise my objections and decline to answer them. I decided to do just that until I speak with the judge about my objections.

I therefore by law, do hereby object to these questions as afforded to me under the law at this time, until I can further consult with the judge in this matter, and for obvious reasons as further stated above.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

----- Original message -----

From: John Johnson <jjohnson@faplawfirm.com>  
Date: 04/18/2016 5:01 PM (GMT-05:00)  
To: "Brian (brian@csatnet.com)" <brian@csatnet.com>  
Subject: Clark v. Clark, CL 16-16

Mr. Clark,

Attached for your file is a copy of the Motion to Compel that we are sending out today. You will receive a mailed copy at your address of record.

John C. Johnson

Attorney

Frith Anderson & Peake, PC

29 Franklin Road, SW

Roanoke, VA 24011

P.O. Box 1240

Roanoke, VA 24006-1240

(D): 540-725-3363

(F): 540-772-9167

[jjohnson@faplawfirm.com](mailto:jjohnson@faplawfirm.com)

[www.faplawfirm.com](http://www.faplawfirm.com)

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**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>  
**Cc:** Chad Hall <chall@btw21.com>

---

**Date:** Tuesday, April 19, 2016 11:53AM  
**Subject:** Conference call with Judge requested

History: ✉ This message has been replied to and forwarded.

---

Mrs. Gasperini

1: I request a conference call with the Judge appointed by the Virginia Supreme Court in the Case verse Stephanie Brinegar Vipperman et al..

2: I have further requested the information regarding the Patrick County Government, as a business to be amended in this suit in place of the actual office in which these county paid defendants work. I still have not received your response to that request, so that I can file my amended Complaint.

3: Given the previous history of GUN's being draw and pointed directly at me by Defendants Father, Charlie M. Fain, threats from your Sheriffs Office, and the County Administration Office. I have elected to hire security and investigative protection. I additionally have been out of State and on Business.

4: I refuse to communicate with this County, the Courts, Attorneys, Judges that have recused themselves, or anyone via postal mail, as advised for my personal safety.

5: Charlie M. Fain is apparently in very Bad health, he has further pulled a firearm and pointed it directly at me and threatened to shot me. This is court documented as well. I therefore request that he be searched and verified that he is not carrying a firearm into court with his oxegen tanks etc. I do not trust this man as he has conveyed threats to shot and kill me before. It's not uncommon for a man in his condition to attempt such acts, as he is not in good health anyway.

6: I have requested a conference call with this new appointed judge. I will await to hear back from him. In the meantime. He needs to provide me with a copy of his oath of office, and surety Bond. If he refuses to do so I will simply make my motion to the Virginia Supreme Court of Virginia to have this CASE fully removed from Patrick County Virginia, this Judge, and those lawyers associated with Mr. Gardner, Ward Armstrong, Thomas Spilman and Battle, and BB&T. This Judge needs to be vetted as nonbiased in this case, yet that has not been determined fully, just yet. He can provide a written statement that he had or has had no dealing with the above mentioned lawyers, current recused judges, or BB&T to me by no later than 10 business days. If I do not receive such written letter from him in 10 business days, I'll consider that as evidence enough that he is biased and incapable of hearing this case and ask for his recusal and file my motions with the appointing authority the Virginia Supreme Court Clerks Office.

I will request a full security detail and will be bringing my own personal security detail to Patrick County VA for tomorrow's set Court Conference Hearing. I expect that Patrick County will heighten their own security accordingly, given the very nature of this matter and the numerous conveyed threats from Charlie Fain, and other that are deeply involved in this matter with BB&T.

Have a nice week.



Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

**From:** brian <brian@csatnet.com>  
**To:** John Johnson <jjohnson@faplawfirm.com>  
**Cc:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

---

**Date:** Tuesday, April 19, 2016 01:55PM  
**Subject:** RE: Clark v. Clark, et al CL 16-16

---

Mr. Johnson

Please be advised that the current Virginia Supreme Court assigned Judge, has not been vetted as unbiased in these matters. Matter of fact my investigation, yields some concerns.

Emails is my preferred method of communication at this time, due to the nature of this case and my travels.

I will await the Judges response at which time you will be notified and afford opportunity to be present on any call or communication with him directly. I have requested a letter from him in writting within 10 working days from the Clerk of Court, copied above.

Sincerely

Brian Clark

866-515-6719 x 101

----- Original message -----

From: John Johnson <jjohnson@faplawfirm.com>  
Date: 04/19/2016 1:43 PM (GMT-05:00)  
To: "Brian (brian@csatnet.com)" <brian@csatnet.com>  
Subject: Clark v. Clark, et al CL 16-16

Mr. Clark

Per your request.

You will also receive a set in the mail.

John C. Johnson  
Attorney  
Frith Anderson & Peake, PC  
29 Franklin Road, SW  
Roanoke, VA 24011  
P.O. Box 1240  
Roanoke, VA 24006-1240  
(D): 540-725-3363  
(F): 540-772-9167

jjohnson@faplawfirm.com  
www.faplawfirm.com

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**From:** brian <brian@csatnet.com>  
**To:** John Johnson <jjohnson@faplawfirm.com>  
**Cc:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

---

**Date:** Tuesday, April 19, 2016 03:07PM  
**Subject:** RE: Clark v. Clark, et al CL 16-16

---

Mr. Johnson

I've requested a conference call, and a written letter from him stating that he has had no relations with the numerous and various Attorneys involved, BB&T, and the recused judges etc.

Until we have a vetted, non biased Judge fully verified to even rule or hear this case, we are at a stalemate. If I do not have his written response in 10 working days, then I will advise the Virginia Supreme Courts. Likewise, I'll defer on your motion until I've heard back from the Judge and the Virginia Supreme Court.

The fact that a recused Judge is attempting to still hear cases tomorrow by Court Conference and has yet recused himself of this case, yet is still engaged in other pending cases, obviously not privy or likely disclosed to you, but involving the same defendants is rather perplexing to me and the genenergy assembly staff. That would be non other than Judge Greer. I've notified the Supreme Court of Virginia, the Judicial review Committee, and the General Assembly. Those cases are very closely connected to this one and am awaiting responses from this Judge.

In any regards, you are fully aware that 5 of the local 21st District Judges have recused themselves of this case, in order to attempt to far remove themselves from this case involving your defendants, and Jackie Fain Clark, her Father, and BB&T etc. That in itself hold Tons of merits to my case, as you are very well aware of. To attempt a demur in this one is rather perplexing as well given just that, but if you feel you got this Judge in your pocket, I'm sure that's a grand play.

I will advise you to let's first establish a vetted Judge before we get down a path that's more of the last 3 years of various court litigation.

It's not unheard of that an appointed Judge by the Virginia Supreme Court has turned out to be biased as well, after all we already have 5 that "apparently" have been in the 21st Judicial District. Once that Judge has been vetted and certified as non biased by the VA Supreme Court, if such a Judge exists in the State of Virginia, I think your demeanor would be very different.

So, don't get so cocky so fast. I'm no push over rookie that you are dealing with here. I've been around this block more times than once. I'm also native to this area, so I know all these inside connections and ties.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

----- Original message -----

From: John Johnson <jjohnson@faplawfirm.com>  
Date: 04/19/2016 1:57 PM (GMT-05:00)  
To: brian <brian@csatnet.com>  
Subject: RE: Clark v. Clark, et al CL 16-16

Mr. Clark,

You have requested a response from Judge Carson to what? I have seen no communication from you to the Court requesting anything.

John C. Johnson

Attorney

Frith Anderson & Peake, PC

29 Franklin Road, SW

Roanoke, VA 24011

P.O. Box 1240

Roanoke, VA 24006-1240

(D): 540-725-3363

(F): 540-772-9167

[jjohnson@faplawfirm.com](mailto:jjohnson@faplawfirm.com)

[www.faplawfirm.com](http://www.faplawfirm.com)

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---

**From:** brian [mailto:brian@csatnet.com]  
**Sent:** Tuesday, April 19, 2016 1:55 PM  
**To:** John Johnson  
**Cc:** sgasperini@courts.state.va.us  
**Subject:** RE: Clark v. Clark, et al CL 16-16

Mr. Johnson

Please be advised that the current Virginia Supreme Court assigned Judge, has not been vetted as unbiased in these matters. Matter of fact my investigation, yields some concerns.

Emails is my preferred method of communication at this time, due to the nature of this case and my travels.

I will await the Judges response at which time you will be notified and afford opportunity to be present on any call or communication with him directly. I have requested a letter from him in writting within 10 working days from the Clerk of Court, copied above.

Sincerely

Brian Clark

866-515-6719 x 101

----- Original message -----

From: John Johnson <[jjohnson@faplawfirm.com](mailto:jjohnson@faplawfirm.com)>  
Date: 04/19/2016 1:43 PM (GMT-05:00)  
To: "Brian ([brian@csatnet.com](mailto:brian@csatnet.com))" <[brian@csatnet.com](mailto:brian@csatnet.com)>  
Subject: Clark v. Clark, et al CL 16-16

Mr. Clark

Per your request.

You will also receive a set in the mail.

John C. Johnson  
Attorney  
Frith Anderson & Peake, PC  
29 Franklin Road, SW  
Roanoke, VA 24011  
P.O. Box 1240  
Roanoke, VA 24006-1240  
(D): 540-725-3363  
(F): 540-772-9167  
[jjohnson@faplawfirm.com](mailto:jjohnson@faplawfirm.com)  
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**From:** "Brian Clark" <brian@csatnet.com>  
**To:** "John Johnson" <jjohnson@faplawfirm.com>  
**Cc:** <sgasperini@courts.state.va.us>

---

**Date:** Tuesday, April 19, 2016 04:13PM  
**Subject:** RE: Clark v. Clark, et al CL 16-16

---

Mr. Johnson

It certainly was an inadvertent oversight, which I made you aware of it the same day. I will not have direct contact with this Judge or any Judge without informing you and affording you the opportunity to be present or privy to that communication and or any of his written responses etc. All I'm asking for, is his confirmation in writing that he is in facts a Non-Biased Parte with hidden or undisclosed interest and that he has had no direct or indirect dealing or ties with these recused judges, BB&T and the other defendants, or law firms engaged. I am also awaiting the legal business name from Susan Gasperini that these defendants are employed under, which I would assume you might be representing as well?

Feel free to reach out to Mrs. Susan Clark Gasperini if you want to ensure that you are copied on correspondences between her office and the Judge as well.

Sincerely

Brian Clark

---

**From:** John Johnson [mailto:jjohnson@faplawfirm.com]  
**Sent:** Tuesday, April 19, 2016 3:17 PM,  
**To:** brian  
**Subject:** RE: Clark v. Clark, et al CL 16-16

Mr. Clark,

I will assume that your failure to copy me on your communications to the court regarding this case was an



inadvertent oversight; otherwise, it would be proof positive of inappropriate *ex parte* communication with the Court on your part. In the future all I ask is that if you are putting something in written format for communication with the Court that you provide me with a copy. Not only is it a simple matter of courtesy, it is required by law. It is for that reason that when I file responsive pleadings with the Court, I send you a copy. Your anticipated cooperation with this is appreciated.

John C. Johnson

Attorney

Frith Anderson & Peake, PC

29 Franklin Road, SW

Roanoke, VA 24011

P.O. Box 1240

Roanoke, VA 24006-1240

(D): 540-725-3363

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**From:** brian [mailto:brian@csatnet.com]  
**Sent:** Tuesday, April 19, 2016 3:07 PM  
**To:** John Johnson  
**Cc:** [sgasperini@courts.state.va.us](mailto:sgasperini@courts.state.va.us)  
**Subject:** RE: Clark v. Clark, et al CL 16-16

Mr. Johnson

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Until we have a vetted, non biased Judge fully verified to even rule or hear this case, we are at a stalemate. If I do not have his written response in 10 working days, then I will advise the Virginia Supreme Courts. Likewise, I'll defer on your motion until I've heard back from the Judge and the Virginia Supreme Court.

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Sincerely

Brian Clark

Carolina Sat Net Solutions

866-515-6719 x 101

----- Original message -----

From: John Johnson <[jjohnson@faplawfirm.com](mailto:jjohnson@faplawfirm.com)>

Date: 04/19/2016 1:57 PM (GMT-05:00)

To: brian <[brian@csatnet.com](mailto:brian@csatnet.com)>

Subject: RE: Clark v. Clark, et al CL 16-16

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John C. Johnson

Attorney

Frith Anderson & Peake, PC

29 Franklin Road, SW

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**Subject:** RE: Clark v. Clark, et al CL 16-16

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I will await the Judges response at which time you will be notified and afford opportunity to be present on any call or communication with him directly. I have requested a letter from him in writing within 10 working days from the Clerk of Court, copied above.

Sincerely

Brian Clark

866-515-6719 x 101

----- Original message -----

From: John Johnson <[jjohnson@faplawfirm.com](mailto:jjohnson@faplawfirm.com)>  
Date: 04/19/2016 1:43 PM (GMT-05:00)  
To: "Brian ([brian@csatnet.com](mailto:brian@csatnet.com))" <[brian@csatnet.com](mailto:brian@csatnet.com)>  
Subject: Clark v. Clark, et al CL 16-16

Mr. Clark

Per your request.

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John C. Johnson  
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**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>  
**Cc:** John Johnson <jjohnson@faplawnfirm.com>

---

**Date:** Monday, April 25, 2016 09:10AM  
**Subject:** Va Supreme Court Appointed Judge letter.

---

Mrs Gasperini

It appears that we are at a stand still until this judge has been vetted and verified at my request of a written letter from him stating that he is able to judge this matter unbiased and has had no relations with any of the Attorneys, recused judges, BB&T, or current engaged Law Firms etc.

If he does have these potential conflicts of interest, then I am calling for his immediate recusal and we will send a further request to the Virginia Supreme Courts to assign a replacement Judge, if one can be properly identified.

Likewise, I also request an extension on ALL motions made by opposing Counsel and response dead line request, until such a time as the Virginia Supreme Court Judge has been properly vetted and cleared of any potential conflicts. The Judge may not have be fully aware of ALL the identified parties involved when being assigned and by his review of my initial draft complaint.

We currently have a Court date set for August the 23rd with the current appointed Judge, and I can move forward in responding to opposing counsel's motions until the current Judge has been cleared fully by the Virginia Supreme Court by his written confirmation as I've requested from him.

Also, note that this is a Jury Trail proceeding, but in any regards the presiding Judge should be aware of any parties that may be a potential conflict of interest for him.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

**From:** brian <brian@csatnet.com>  
**To:** John Johnson <jjohnson@faplawfirm.com>, "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

---

**Date:** Wednesday, April 27, 2016 10:33AM  
**Subject:** Judges recusal

---

Dear John Johnson

Please be advised of my request below to the Clerk of Court in Patrick County Virginia.

I Brian H. Clark do hereby, request for the immediate recusal of the current Virginia Supreme Court appointed Judge based on prior relations with various individuals and entities involved in this case.

I will be additionally notifying the Viginia Supreme Court of this as well.

I will also advise you and this court of your phone conduct towards opposing counsel, it should be done so in a professional manner going forward. Calling me names and throwing out your comments, as if I'm some second class citizen and beneath you and others that have a BAR license or law degree is totally unprofessional. It is in fact a violation of the code of laws under the Virginia State Bar.

Harrassment and Slander of my name by you or your firm, will not be entertained nor tolerated at all. If it continues further legal actions will be taken.

As I've duly advised you of such unprofessional conduct, you are hereby served notice that no more will be tolerated. If we have any further calls or communication it will be done via a conference call through the clerk of courts office and all future calls will be recorded. I have further advised this court of the Judges Recusal request and you have been copied as well on this email. This additionally places this case on hold until I've received a respose in writting from this Judge and the Virginia Supreme Court.

Mrs, Gasperini, I'll request that you promptly notify the Judge and follow up with the Virginia Supreme Court as well. I am herby seeking for a extension on ALL opposing Counsel's Motions and request this, as such time, until a Judge is fully vetted by the Virginia Supreme Court and passign my investigative back ground checks. Additionally this case is on Hold and I'll further request that the Court Date currently set be placed on hold until such time as the Judge and the Virginia Supreme Court can response accordingly.

Sincerely

Brian Clark  
866-515-6719 x 101



**From:** brian <brian@csatnet.com>  
**To:** John Johnson <jjohnson@faplawfirm.com>, "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

---

**Date:** Wednesday, April 27, 2016 10:33AM  
**Subject:** Judges recusal

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Sincerely

Brian Clark  
866-515-6719 x 101

**From:** brian <brian@csatnet.com>  
**To:** John Johnson <jjohnson@faplawfirm.com>  
**Cc:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

---

**Date:** Thursday, April 28, 2016 09:38AM  
**Subject:** RE: Clark v. Clark, 16-16

---

Since when are you now representing Jackie Fain Clark?

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

----- Original message -----

From: John Johnson <jjohnson@faplawfirm.com>  
Date: 04/27/2016 2:01 PM (GMT-05:00)  
To: "Brian (brian@csatnet.com)" <brian@csatnet.com>  
Subject: Clark v. Clark, 16-16

Mr. Clark,

Attached is a courtesy copy of a letter that has been mailed to your address of record.

Govern yourself accordingly.

John C. Johnson  
Attorney  
Frith Anderson & Peake, PC  
29 Franklin Rd, SW  
Roanoke, VA 24011  
P.O. Box 1240  
Roanoke, VA 24006  
(D) 540-725-3363  
(F) 540-772-9167  
(E) jjohnson@faplawfirm.com  
www.faplawfirm.com

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**From:** "Brian Clark" <brian@csatnet.com>  
**To:** <sgasperini@courts.state.va.us>  
**Cc:** <phil@ggbslawfirm.com>

---

**Date:** Sunday, May 08, 2016 06:29PM  
**Subject:** Notifications sent to the Court and Gardner by Certified Mail

---

Dear Mrs. Gasperini

Please file the Affidavit of Truth regarding the TRUE Ownership of Carolina Satellite Networks, LLC along with the Articles of Corporation Documents with all open case relative to Charlie M. Fain et al, and our Carolina Satellite Networks, LLC respectfully.

A mailed certified copy of this was provided to Counsel of record for Charlie M. Fain et all, which I show as being Phillip G. Gardner.

A certified copy of this was also additionally filed and recorded with the Clerk of Court in Henry County Virginia.

Pursuant to the rules of the Supreme Court, please forward me the withdrawal or replacement notice regarding the new counsel of record for BB&T.

The Courts should additionally forward a copy of this Affidavit of Truth to the now acting counsel for BB&T, which is why the Circuit Courts was served.

Also please be advised that the case CL 15-98 was responded to and that BB&T non-suited this case and withdrew its complaint. Carolina Satellite Networks, LLC and myself then responded, which is the only case that I am aware of that should be before this court in this matter. In any regards once the courts has formally indentified counsel and released or replaced Travis Knobbe, I can respond accordingly.

I am CCing Counsel for Charlie M. Fain, Mr. Gardner above on this email to the Courts.

Thanks in advance

Brian Clark

Pro, Se

**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>  
**Cc:** Charles Poindexter <jbp@jetbroadband.com>, Michelle Jenkins <Michelle.Jenkins@mail.house.gov>

**Date:** Wednesday, June 08, 2016 07:47AM  
**Subject:** Sanction Filed.

History:        ➔ This message has been forwarded.

Dear Mrs. Gasperini

Pursuant to a letter received dated May 20th 2016 from Judge G. Carter Greer, expressing the "apparent" opinions of this Court.

While I appreciate Judge G. Carter Greers reminder of various laws codes, of which neither I'm I in violation of, nor will I. I felt his letter was very self opinionated, biased, and unfounded, as he gave no written argument or denial of the facts presented. I have never been a disrespector of the Court, himself, or any Judge on the Bench in this court. I have however done my due diligence and investigative research and in doing so have recently obtained "undisputed and unchallenged factual discovery" regarding his families connection in Banking and in paticular their direct ties to the defendant BB&T in these cases. I'm certian no one expected that I would obtain this discovery and then fully expose it, however his actions of April 20th only drew further light onto his family history which then fully uncovered their decades long standing Banking relationship and the ties between BB&T and the Greer Family. In my reasearch and my presentation of this public information to him directly simply has to drawn a "reasonable doubt" that his impartiality might be questioned for his immediate recusal involving matters with BB&T, according to title 28 of the Judicial code and in particular sections 455. I feel I have more than enough evidense to prove that, and I have taken the appropriate actions under this courts structure in attempts to deal with a Judge of the Courts, which is afforded to anyone. I'm simply bringing forth undisputable Public knowledge and facts regarding his family history that was posted in the Roanoke Times. This is public information and is very well documented and founded. This is a direct violation of the Canons of Judicial Conduct that's being brought into question directly before the Judicial Review Committee.

I have therefore filed for Sanction with the Judicial Inquiry and Review Commission against Judge G. Carter Greer in All Case matters involving BB&T, Charlie M. Fain, and others. At this time, I am currently pro, se as it appears that is required due to the VSB and the conflicts of interest involving BB&T and their "apparent" political influence and control in Virginia with these local area 21st District Judges, Lawyers, and Commonwealth Attorney's in both Patrick, Henry, and Martinsville City. This is a violation of USC Title 15 sections 1 and 2. Monopoly to control trade over my sole owned LLC and impact my ability to earn a living. This is a felony offense and carries fines of up to 100 million per Corporation and up to 1 million per individual that's engaged in this Conspiracy and monopoly with the Judges and the BB&T Corporation.

The connections between G. Carter Greer's long family History with First Virginia Banks and the defendants in theses cases involving BB&T (Branch Banking and Trust), whom Acquired First Virginia Banks, draws a very clear conclusion that Judge G. Carter Greer's impartiality "might reasonable be questioned". Out of respect I brought this discovery and knowledge directly to his attention, by Appeal letter to this court. He responded and yet still refused to recuse himself from these various cases, per the dated letter mentioned above. That warranteed further actions to be taken as a result of his letter. He's been at the very heart of these cases since from the very

beginning when they were before his Courts in Martinsville City VA when BB&T filed suit and then the Bank withdrew its complaint, when presented with my response and the Company Articles of Corporation Documents and evidence. I filed suit back at BB&T and he has stalled and delayed these matters for years now still pending before this court. This is also another direct violation of the Canons of the judicial code.

This is pursuant to Title 28 of the United States Code under section 455. I will now await to hear back from the Judicial review Committee on this matter as noted in my Appeal of his April 20th 2016 court actions done by Judge G. Carter Greer, involving BB&T, whom was present before this court during this court hearing. I am calling for a full investigation in this matter.

As a Judge, I would simply remind him that it is his duty under his oath of office to have not engage and he should have su sponte himself in these matters in which he "knowingly" has interest and decades long family history and ties directly with the involved party BB&T.

The fact that he engaged, is now a matter for the Judicial Review Committee to further investigate. It very well may additionally name him as a third party to the suit filed against BB&T, as given this recent discovery will merit and amended complaint filing in this case.

Sincerely

Brian Clark  
Pro, se  
866-515-6719 x 101

**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

---

**Date:** Friday, June 10, 2016 12:54PM  
**Subject:** Letter received today.

History:      ↩ This message has been replied to.

---

Mrs. Gasperini

I just received another letter from Judge G. Carter Greer restating his motions. Duly noted.

Since he is determined to go forward, even against, my opinions of reasonable doubt under title 28 section 455 of the Canons of Judicial Conduct. He does so by his own discretion as he's made that very clear.

I will make the appropriate fillings following the conclusion of these cases, if such might be required. I will be making a motion to demur Gardner latest tactic of amended complaint by the unchallenged Articles of truth and Articles of Corporation Sole Ownership, in which I've already filed with the courts.

I will be proposing that all parties submit to a mediation effort with a non lawyer arbitrator for settlement in these matters. These matters have been long over due and burdensome upon the courts and myself. Any unjust or biased viewed decision of this court will simple be appealed to a higher court, and I'm certian everyone is fully aware of this by now.

This matter can easily be resolved and it would seem appropriate at this junction to suggest to the Honorable Judge G. Carter Greer. If I need to make this mediation request motion in writing before the Judge and this Court, please advise.

I however would like the following individuals present.

Mr. Phillip G. Gardner  
Mr. Ward L. Armstrong  
BB&Ts current Attorney  
Mr. Johnson  
Mr. Charlie M Fain  
Judge G. Carter Greer

If he wants to exclude from this he can also.

I am however open to listen to the Honorable Judge G. Carter Greer suggestions, as I have no personal issues with his opinions, as I hope he can duly respect where my opinions are equally respected also. We can certianly disagree and that's the beauty of law. Everything is debatable and we can go to lunch afterwards if we wanted too.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101



**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

---

**Date:** Sunday, June 12, 2016 09:16AM  
**Subject:** Re: Letter received today.

History: → This message has been forwarded.

---

Mrs. Gasperini

The Courts did receive my Articles of Corporation Documents and tge Affidavit of Truth, correct?

The Courts should have also forwarded a copy of this Affidavit to Counsel for BB&T, since I was unadvised of who this now acting Counsel etc.

Note: I can assume this Affidavit of Truth is exactly why Mr. Gardner is now seeking to withdraw, as it's undisputable facts. It's not as he claims..It more lije that he now feels that he can now no longer extort more monies for myself and my Sole owned LLC, in which he has been purporting himself as my LLC counsel and going around and further making settlement and release negotiations with BB&T because of these court delays in hearing my responses, which have been repeatedly ignored, and I now know exactly WHY. I've made that relationship clearly known.

Either Judge G. Carter Greer, Gardner, Ward, and or BB&T is going to address this matter, it find themselves as Co-Defendants together one. I am attempting to resolve this without further pointing out to obivious Facts and Relationships and connections behind this after this courts rulings and conclusions, if required. The courts and these Judges have already done enough damages, regardless of their opinions. Perhaps Mr. Gardner has "knowingly" made false and purported statements that suppressed the facts before this court. I however that's going to even be a very hard sell, as I filed these Articles with ever response, since the very begining of Mr. Gardners Civil filings on February 4th 2013, which was the start this matter.

I'll additionally remind the courts that this was filed AFTER Mr. Fain was already involved in a criminal State Police investigation for CASH Embezzelment and Fraud that was ongoing since it was first reported to them in April of 2012.

We all know that this was simply done by Mr. Gardeer to Aid BB&T cover up their liabilities. This is now all so very clear.

Cheers.

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

----- Original message -----  
From: sgasperini@courts.state.va.us  
Date: 6/10/16 3:53 PM (GMT-05:00)  
To: brian <brian@csatnet.com>  
Subject: Re: Letter received today.

Mr. Clark:

All written motions need to be filed with the court and will be presented to the judge.

Susan Gasperini

-----brian <brian@csatnet.com> wrote: -----

To: "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

From: brian <brian@csatnet.com>

Date: 06/10/2016 12:54PM

Subject: Letter received today.

Mrs. Gasperini

I just received another letter from Judge G. Carter Greer restating his motions. Duly noted.

Since he is determined to go forward, even against, my opinions of reasonable doubt under title 28 section 455 of the Canons of Judicial Conduct. He does so by his own discretion as he's made that very clear.

I will make the appropriate fillings following the conclusion of these cases, if such might be required. I will be making a motion to demur Gardner latest tactic of amended complaint by the unchallenged Articles of truth and Articles of Corporation Sole Ownership, in which I've already filed with the courts.

I will be proposing that all parties submit to a mediation effort with a non lawyer arbitrator for settlement in these matters. These matters have been long over due and burdensome upon the courts and myself. Any unjust or biased viewed decision of this court will simple be appealed to a higher court, and I'm certian everyone is fully aware of this by now.

This matter can easily be resolved and it would seem appropriate at this junction to suggest to the Honorable Judge G. Carter Greer. If I need to make this mediation request motion in writing before the Judge and this Court, please advise.

I however would like the following individuals present.

Mr. Phillip G. Gardner  
Mr. Ward L. Armstrong  
BB&Ts current Attorney  
Mr. Johnson  
Mr. Charlie M Fain  
Judge G. Carter Greer

If he wants to exclude from this he can also.

I am however open to listen to the Honorable Judge G. Carter Greer suggestions, as I have no personal issues with his opinions, as I hope he can duly respect where my opinions are equally respected also. We can certainly disagree and that's the beauty of law. Everything is debatable and we can go to lunch afterwards if we wanted too.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

---

**Date:** Monday, June 13, 2016 08:31AM  
**Subject:** Who is the district Judge?

---

Mrs. Gasperini

Although I've received Judge G. Carter Greer's motion, denying Recusal. I've not seen where it was forwarded to the District Judge for this ruling?

Can you send me that copy and this Judges ruling?

If Judge G. Carter Greer is the head district Judge, then according to the laws that I've reviewed. He can't rule on his own Recusal Request. It must be forwarded to another District Judge outside to decide this, accompanied with my orginial complaint and supporting documents. He's motions are consider at this point unacceptable according to the procedural requirements that I've reviewed.

I'll either consider what another seperate District Judge rules in this matter, or I'll make a motion before this Court to conduct a "Jury Trail hearing" of my peers on the Recusal dispute, and argue my case and the laws that govern a Judges Recusal there before them. This is according to the Due Process of Law, which is afforded to anyone. I'm entitled to an appropriate fair and equal process under the Law in which I can argue my position with the facts presented regarding any matter in which I feel is appropriate.

I simply ONLY have to prove that his impartiality in this matter regarding BB&T, might "Reasonably" put his involvement in these matters into question.

I'm not going to argue with Honorable Judge G. Carter Greers, opionions. His letter further implies as it is the opinions of this Court, almost as if he is a third person, making the ruling about another Judge of this Court, when he himself is the Judge in question and that his ruling impartiality in these cases might reasonable be questioned.

His direct actions and reasoning are apparently, now becoming more of a personal one, and in doing so further only puts him at risk of losing any position of juducial immunity that's general afforded to a Judge or a prosectoral Attorney under the LAW. The very minute that they engage outside their duties , then those actions is taking a posture outside the letter of the law and their oaths of office, and therefore can be easily construed as unethical practices outside the law which doesn't Grant any protection within the law of any absolute immunity going forward.

In any regards I've paid my due respects to him, by pointing out my concerns on my opinion of his biased and prejudice impartiality in these cases.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

---

**Date:** Friday, June 17, 2016 01:44PM  
**Subject:** BB&T, Greer, and the Local PATRICK County CA office.

History:        ➔ This message has been forwarded.

---

Susan

All this is starting to connect and explain all these various court actions and their connections and ties to BB&T and the others.

My advise to ALL. Figure out a plan to make these matters right. They certianly can start by asking my 13 year old Son who is now 15 son to be 16 for his forgiveness.

These Orders issued from this Courts are null and voided, in my opinion. This is something that is going to have to be addressed..These local Judges, your CA's, Gardner and Ward ALL know whats been orchastrated here.

I've done identified BB&T and their ring leader, and they all clearly know this, as do yourself.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

**From:** "brian.clark" <brian.clark@cloudwansolutions.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>  
**Cc:** osig@osig.virginia.gov

---

**Date:** Friday, July 01, 2016 08:31AM  
**Subject:** Pro, se

---

Mrs. Susan Gasperini

This court, it's judges, lawyers for these various parties. It is hereby noted, and duly informed, that I am Pro, Se at this time.

Case numbers CJ15-02, CJ15-03 is null and voided. This case was totally a rigged case with a biased, and planted witness, named Kenneth Trent. He was clearly planted as a supervisor by McPheeters, even against Judges Clarks orginial order. Further actions by these parties, through this court to impact my family, will not be tolerated, as further legal actions will be taken if they engage in such matters.

Meritless attacks on my demeanor, personality, and credibility, all have been proven to be nothing short of a bunch of munipulated lies and guilt driven by Phillip Gardner and others, which is totally meritless and unfounded by one single proven fact to date . This has already been proven in ever single case in both JD and Circuit Courts. My lawyer was even taken back by the meritless unfounded actions of this court in the above case CL15-02 and 03, which is exactly why he refused to place his signature on such a meritless court finding by Judge Williams.

I will bring forth ALL this evidense, and if required will further pursue criminal charges against the courts, the judges and theSW various law firms including, McPheeters directly. This court, it's judges, lawyers, and even staff are directly in violation of engaging in criminal acts under the color of law. In fact any individual that is aiding and empowering them in their actions, will be further considered a defendant in these matters.

Under USC Title 15 sections 1&2 it clearly states that these types of actions is a felony and an individual can be fined for such acts up to 1 million dollars each. I think that I have proven to this court that I nor my Company will be subjected to injustice and that I will pursue those that engage in wrong doing

Sent from my Verizon 4G LTE smartphone

**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>  
**Cc:** osig@osig.virginia.gov

**Date:** Saturday, July 09, 2016 08:48PM  
**Subject:** G. Carter Greer actions are nullified.

History:       ➔ This message has been forwarded.

Mrs. Gasperini

All actions of G. Carter Greer are hereby null and void as his direct ties to BB&T have been clearly presented to the courts by Facts and public knowledge and confirmed by his own biography listed in the Roanoke Times. BB&T is a defendant in ALL this case matters and acquired First Virginia Banks in 2003. The Greer Family has had a 25 plus year Banking interest in this Merger and direct ties to Barry Fitzpatrick, whom later became the CEO of BB&T afterwards.

Furthermore my unchallenged FACT of Sole Ownership of Carolina Satellite Networks, as belonging only to me has gone uncontested by the Courts, Mr. Gardner, or BB&T.

I will NOT be answering any meritless amended complaints on behalf of Gardner, when I already paid a Lawyer Patrick McGraw whom answered it with a demur filing, and as evident of the Articles of Corporation stating the Facts in my Affidavit of Truth. This matter has been highly contested and I've refiled and am awaiting the OSIG full investigation into this corruption matter. The fact that G. Carter Greer removed these cases from his Martinsville Circuit Court overy into Patrick County, then he follows it here is absurd and was exactly what lead to his ties to BB&T and this discovery on April 20th 2016.

I consider my unanswered and unchallenged Affidavit of Truth showing that ONLY I owned Carolina Satellite Networks, LLC, by its EIN number, thats gone unchallenged to stand against Any bogus claims by Gardner or his Clients, including BB&T in these matters. They are done in this matter and have been caught red handed now engaged in Corporate Espionage, fraud, and embezzelment of my LLC.

I have additionally named the Attorney's of Mr. Gardner, Ward Armstrong, and Mark B. Holland which are now named parties to my amended complaint suit filed against BB&T. They are now parties to this suit.

It is further my understanding that Gardner made motions to withdraw from his actions brought on before this court by his Feb 4th 2013 meritless Civil Suit Filings , which was set for July the 8th with Judge G. Carter Greer. I was not notified of any change and I called the day before just to see if it was still on docket. I was then told over the phone that it's been moved to the 25th or so now, but I've still not received no such proper notification regarding the move of his withdraw request filed before this Court. It's my Opinion that this Judge and Mr. Gardner are further attempting to delay these matters and is further attempting to aid each other now that Judge G. Carter Greer's ties to BB&T have been CLEARLY exposed to himself and to this court.

What's Judge Martins Clark, Jr. Position here on this matter? Has he resigned from this Circuit Court, after all he's been engaged in as well? I've not heard anything out of Judge Clark, Williams or Robert Bushnell in these matters.

I am very shock at this courts staff involvement in aiding and protecting these individuals and

how they have also remained silent in blowing the whistle on this level of Judicial Corruption going on within the Circuit Courts of Patrick County Virginia. This even stems all the way to your CA and Local Sherriff. The further meritless use of my 13 year old Son as a pawn and leveraging tool by this court and the judges to aid in covering for and further protecting BB&T is sickening and very disturbing to say the least.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101



**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>, osig@osig.virginia.gov

---

**Date:** Monday, July 11, 2016 03:02PM  
**Subject:** Court notification

---

Susan

Per my phone call to you today regarding non notifications from the courts regarding these matters.

In addition I've gotten no response to my Affidavit of Truth filed with the courts and Attorney Phillip G. Gardner, including by appeal of the April 20th 2016 matter to the Supreme Court of Virginia.

Again I am not responding to any actions of the April 20th 2016 case or those big us amendments filed and already demurred with my then lawyer Patrick McGraw.

I'm awaiting the corruption investigation response from the OSIG office, as these matters are being delayed and changed by Mr. Gardner or this court without proper notification sent to myself with ample time to respond to any such request etc.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>, osig@osig.virginia.gov

---

**Date:** Monday, July 11, 2016 03:33PM  
**Subject:** RE: Court notification

---

Please ignore the typos from my Droid.

Bogus amended complaint filed by Gardner on April 20th 2016. This was appealed and disputed.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

----- Original message -----

**From:** brian <brian@csatnet.com>  
**Date:** 7/11/16 15:02 (GMT-05:00)  
**To:** sgasperini@courts.state.va.us, osig@osig.virginia.gov  
**Subject:** Court notification

Susan

Per my phone call to you today regarding non notifications from the courts regarding these matters.

In addition I've gotten no response to my Affidavit of Truth filed with the courts and Attorney Phillip G. Gardner, including by appeal of the April 20th 2016 matter to the Supreme Court of Virginia.

Again I am not responding to any actions of the April 20th 2016 case or those big us amendments filed and already demurred with my then lawyer Patrick McGraw.

I'm awaiting the corruption investigation response from the OSIG office, as these matters are being delayed and changed by Mr. Gardner or this court without proper notification sent to myself with ample time to respond to any such request etc.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

---

**Date:** Saturday, July 23, 2016 06:19PM  
**Subject:** July 25th court date, is in conflict with my schedual

History:       ➔ This message has been forwarded.

---

Mrs Gasperini

As I have already informed Mrs Royal of the Dates of July 25th -Aug 9th I am on Business travels already booked and made long before this filing on behalf of Mr. Gardner.

Secondly, I was given a letter from the courts informing me that I must file a Leave of Court to amend a complaint. In which will me so mailed to the court. In this amended complaint, it clearly will reference my response to Mr. Gardner unfounded request for any summary Judgement for Mr. Fain. The mountain of evidence against Mr. Fain in this case, can in no way overcome his and Mr. Gardner Further theft of LLC deposited account funds that made up this 125,000.00 purported settlement and release document. Matter of fact, during this negotiated deal, in which I had no part in, ALL partys was named Defendants in this very case. Lol

In any regards, I am currently Pro,se not by my desire, but by virtue of the strong armed tactics of Judge G. Carter Greer against my Lawyer Patrick McGraw, whom clearly filed a demur to this same filing by Gardner that was already answered.

Gardner, has no "implied authority" under the law and in his "purported" representation of my Sole owned LLC. I filed Articles of Corporation Documents in form of a Jurat Affidavit of Truth recorded deed record. I copied this court and Gardner made no challange to this as required within 21 days. His burden of overcoming the facts are so overwhelming and impossible, except under a Judge show favor, nepotism, that is furtger biased and prejudice due to his third degree relationship to Defendant BB&T through his father who was involved in BB&T during its merger and Aquistions of First Virginia Banks in 2003. This is public known facts by numerous documents.

This also has been going on since April or 2012 and in court since Feb 4th 2013 of Mr. GARDNERS original suit. In section 4 of this suit. He claims that Fain started and founded Carolina Satellite Networks, LLC in NC in 2004. This was "at the time" a known untruth filed by Gardner. This is further supported by the Affidavit of Truth, the Articles of Corporation Documents filed in this case with the courts. This entire theory of entitlement of summary judgment is based around a proven and undisputed lie.

Furthermore Gardner has never produced ANY so called LOAN document in the Note number in question that bears my wet signature. Period. No one including BB&T has produced such a required document. Their purported garrentee is just what it was a purported document being used to cover up crimes, of Fraud and Forgery, which has already been testified too, under this court, and in court recorded testimony.

Matter of fact and I'll end on this note. Based on the facts and recent discovery Mr. Gardner is in direct violation himself of criminal fraud, which is a felony. If Mr. Gardent wishes to continue this then he may be held in contempt and held fully accountable for his theft of the LLC funds that was redirected into the personal accounts of Charlie and Carol Fain, and paid out to BB&T as a bride to letting them off while already named as defendants in a pending suit.

This court and It's Judges are bound by the Judicial Canons of law, and any Judge that knows another Judge has violated these Canon are bound to report this to the Judicial Review Committee. Same goes for Judge knowing that a lawyer has violated his code of professional conduct, by knowingly purporting himself as legal counsel on my Sole owned LLC. His clients was manipulating and maintaining a INC Company, which certainly will not match the Sole Member EIN belonging to my LLC.

Charlie M. Fain has no such authority whatsoever in my sole owned LLC. He knows this and he knew what he was doing was criminal fraud as I originally reported to the VSP back in April of 2012.

That in itself shows that Gardner filed this in February of 2013. Nearly a full year after the CASH checks where discovered and these 2004 deposit accounts opened at BB&T in my LLC name by Fain.

This is lawyer harrassment, simply because he is caught up in further criminal acts himself of fraud and Corporate Espionage of my LLC with these defendants.

I will be making my filing of motion of Leave to amend, which is going out on Monday. I simply view Gardners Response as a premature guilt filing, seeing as tge court has already sent the request prior that I simply needed to file a leave of court motion to amend. I have not received any similar responses from Ward, or Holland. It's rather odd Gardner would file such either given the Fact that he himself is a named defendant in this case now. In my motion it will ALL be addressed as requested I do by the courts.

Having said that I therefore request an extension of the set hearings on the 25th of July due to a scheduling conflict as noted above. It's perhaps best for all parties to review the request for leave of Court requested already from this court, before they make their responses. I am pro, se and for Gardner to imply and leverage his years of law practice as to my filing was in contempt is absurd. I meant to file an amended complaint in response to his allowed amended complaint, without leave of court fiked, during a Show Cause hearing matter.

My statements are solidly founded by Facts and public records. His is founded on Fraud, forgery, and mainly hearsay. His further false statements, hearsay towards opposing counsel, if continues he should be sanctioned and fined accordingly.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

----- Original message -----

From: LRoyall@courts.state.va.us  
Date: 03/18/2016 11:35 AM (GMT-08:00)  
To: brian <brian@csatnet.com>  
Cc: jjohnson@faplawfirm.com  
Subject: Hearing Dates

Good afternoon!

Judge Carson would like to set a pretrial conference hearing in Patrick County for the case, *Brian H. Clark v. Jackie Fain Clark and Co-Defendants: PC Commonwealth Attorney's Office, Marcus Brinks, Tonya Haynes, and Stephanie Brignegar Vipperman. (CL16-16)*

The following dates and times are available for the hearing. Please check your calendars and let me know what works best for your schedules. I do not have an email address for Ms. Jackie Clark at this time. I will locate contact information for her immediately to see what works for her as well.

**July 21 @ 1:30 p.m.**

**July 28 @ 9:00 a.m. or 1:30 p.m.**

**July 29 @ 9:00 a.m. or 1:30 p.m.**

Thanks for your attention with this matter and I look forward to hearing from you all shortly.

Leigh R. Royall, Judicial Assistant & Court Reporter  
Patrick County Circuit Court  
P.O. Box 762  
Stuart, VA 24171  
276-694-3775  
lroyall@courts.state.va.us  
Fax: 276-694-2070

**From:** brian <brian@csatnet.com>  
**To:** sgasperini@courts.state.va.us

---

**Date:** Friday, September 11, 2015 10:36AM  
**Subject:** Re: Court dates?

---

Ms. Gasperini

Thank you very much..I will email my Attorney, so they can get these INC and LLC Companies properly aligned in these proceedings for the court trail, should that be the case.

I have requested that we get on with this due to my need to relocate and get my legal matters resolved after 4 years of delays from various lawyer litigation. No fault of this court, obviously..I would appreciate anything Judge Clark can do to get these two lawyers moving and our depositions done.

I apologize for bothering you with this, these guys are so hard to track down sometimes. I just didn't want to not be able to get there. It's a long drive in for me, so I've got to take off and need a few days notice.

I'm trying to get fully relocated at my new home.

I do look forward to visiting beautiful Patrick County and Judge Clark on the 22nd.

Have a very blessed week.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

----- Original message -----

From: sgasperini@courts.state.va.us  
Date: 09/11/2015 10:04 (GMT-05:00)  
To: brian <brian@csatnet.com>  
Subject: Re: Court dates?

Mr. Clark,

I just spoke with Mrs. Royall, Adm. Assistant to Judge Clark, who schedules all civil cases. Your custody suit is set for September 22nd, however, she had received a letter from Mr. Gardner in August saying that he & Mr. McGraw are in discussions and no date has been set for the Carolina Satellite Network, LLC case. You might want to contact your attorney and check on the status.

Hope this helps.  
Susan

-----brian <brian@csatnet.com> wrote: -----  
To: sgasperini@courts.state.va.us  
From: brian <brian@csatnet.com>  
Date: 09/11/2015 05:39AM  
Subject: Court dates?

Dear Ms. Gasperini

Can you please advise me if the demur filed has been heard? I was under the impression it was set for this month however have not heard anything?

Also can you tell me when the court date is set regarding my Sole Member Company Carolina Satellite Networks, LLC?

Please advise this court that I did not hire Mr. Gardner to represent my LLC, and this needs to be corrected on the suit to reflect that Patrick McGraw is legal counsel for my LLC according to the Legal Corporate Document and EIN, which both ONLY show Brian H. Clark as the owner of this LLC.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

**From:** brian <brian@csatnet.com>  
**To:** sgasperini@courts.state.va.us  
**Cc:** Patrick Mcgraw <patmcgrawlaw@cox.net>

---

**Date:** Friday, September 18, 2015 04:56PM  
**Subject:** Re: Re: Court dates?

History:      ↩ This message has been replied to.

---

Ms Gasperini

Can you advise me if Attorney Mark B. Holland filed his drafted demur/ counter suit to Mr. Gardners Original Civil Suit filing with the Patrick County Circuit Court of Virginia?

This should have been in early 2013 time frame. I do know that this case has been filed some time ago by Mr. Gardner, as i hAve his original meritless suit. I initially gave this and my Articles and EIN for my LLC and hired Mark B. Holland in Danville VA to represent myself and my LLC to file a response to this matter. Shortly after hiring him he went on Vacation for 3 weeks or so. I never heard from him until he returned and I showed up at his office concerned. He had a very bad attitude with me and my wutness because I showed up and as a result I later fired him. I felt that he had made some very poor assumptions not in my best interest and was not communicating with me properly etc.

I then hired WAW and Bob Lunger to replace him as legal Counsel for my LLC and myself and they began where he left off. They carried this case matter for nearly a year trying to get Mr. Gardner to respond to discovery request fully without any success. Mr. Gardner didn't like that his VSB Committee buddy Mark B. Holland was no longer on this case, as I later discovered. Mr. Gardner has be running around trying to imply that I could not keep an attorney in this matter and that I'm difficult to deal with. While part of that might be true, it was only because I hire an attorney to represent my legal interest and the facts that I know prove that Carolina Satellite Networks, LLC is a Sole manager managed LLC registered only to myself in NC in 2003.

The reason Im asking for this is to confirm if Mark B. Holland Submitted this counterclaim to this court, or if it was submitted later to this court by WAW and Bob Lunger Office etc.

Have a great and wonderful weekend.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101



----- Original message -----

From: sgasperini@courts.state.va.us  
Date: 09/16/2015 10:08 (GMT-05:00)  
To: brian <brian@csatnet.com>  
Subject: Re: Re: Court dates?

Iroyall@courts.state.va.us

-----brian <brian@csatnet.com> wrote: -----  
To: sgasperini@courts.state.va.us  
From: brian <brian@csatnet.com>  
Date: 09/16/2015 08:43AM  
Cc: Patrick McGraw <patmcgrawlaw@cox.net>  
Subject: Re: Court dates?

Do you have an email address for Ms Royal?

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

----- Original message -----

From: sgasperini@courts.state.va.us  
Date: 09/11/2015 10:04 (GMT-05:00)  
To: brian <brian@csatnet.com>  
Subject: Re: Court dates?

Mr. Clark,

I just spoke with Mrs. Royall, Adm. Assistant to Judge Clark, who schedules all civil cases. Your custody suit is set for September 22nd, however, she had received a letter from Mr. Gardner in August saying that he & Mr. McGraw are in discussions and no date has been set for the Carolina Satellite Network, LLC case. You might want to contact your attorney and check on the status.

Hope this helps.  
Susan

-----brian <brian@csatnet.com> wrote: -----  
To: sgasperini@courts.state.va.us

From: brian <brian@csatnet.com>  
Date: 09/11/2015 05:39AM  
Subject: Court dates?

Dear Ms. Gasperini

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Also can you tell me when the court date is set regarding my Sole Member Company Carolina Satellite Networks, LLC?

Please advise this court that I did not hire Mr. Gardner to represent my LLC, and this needs to be corrected on the suit to reflect that Patrick McGraw is legal counsel for my LLC according to the Legal Corporate Document and EIN, which both ONLY show Brian H. Clark as the owner of this LLC.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

**From:** brian <brian@csatnet.com>  
**To:** sgasperini@courts.state.va.us  
**Cc:** patmcgrawlaw@cox.net

---

**Date:** Friday, October 02, 2015 05:05PM  
**Subject:** Re: Re: Re: Court dates?

History:       ✦ This message has been replied to.

---

Thanks...Please Send a copy of that, to compare to my draft he sent.

You can send it via email PDF is fine.

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

----- Original message -----

**From:** sgasperini@courts.state.va.us  
**Date:** 10/02/2015 15:24 (GMT-05:00)  
**To:** brian <brian@csatnet.com>  
**Cc:** patmcgrawlaw@cox.net  
**Subject:** Re: Re: Re: Court dates?

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Susan Gasperini

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**From:** brian <brian@csatnet.com>  
**Date:** 09/18/2015 04:56PM  
**Cc:** Patrick McGraw <patmcgrawlaw@cox.net>  
**Subject:** Re: Re: Court dates?

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To: brian <brian@csatnet.com>  
Subject: Re: Re: Court dates?

lroyall@courts.state.va.us

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866-515-6719 x 101

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866-515-6719 x 101

**From:** brian <brian@csatnet.com>  
**To:** sgasperini@courts.state.va.us

---

**Date:** Tuesday, October 06, 2015 11:52PM  
**Subject:** Re: Re: Re: Re: Court dates?

History:       ✦ This message has been replied to.

---

1351 Fairmont Drive  
Bassett, VA 24055

Brian Clark  
866-515-6719 x 101

----- Original message -----

**From:** sgasperini@courts.state.va.us  
**Date:** 10/06/2015 08:07 (GMT-05:00)  
**To:** brian <brian@csatnet.com>  
**Subject:** Re: Re: Re: Re: Court dates?

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**To:** sgasperini@courts.state.va.us  
**Cc:** Patrick McGraw <patmcgrawlaw@cox.net>, Jackie Clark <jclark@davenportenergy.com>, Jackie Clark <jac\_e\_o@yahoo.com>, ronerandall@comcast.net

---

**Date:** Monday, October 26, 2015 05:05PM  
**Subject:** Re: Re: Re: Re: Re: Court dates?

History:      ↩ This message has been replied to.

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1351 Fairmont Drive  
Bassett, VA 24055

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**Date:** Tuesday, October 27, 2015 06:25PM  
**Subject:** Re: Re: Re: Re: Re: Re: Court dates?

History:       ✦ This message has been replied to.

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Understood, just informing the courts and these lawyers for now.

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From: sgasperini@courts.state.va.us  
Date: 10/27/2015 14:09 (GMT-05:00)  
To: brian <brian@csatnet.com>  
Cc: LRoyall@courts.state.va.us  
Subject: Re: Re: Re: Re: Re: Re: Court dates?

Mr. Clark,

I certainly cannot approve the change of date, but I will forward this email to Judge Clark.

Susan Gasperini

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Cc: Patrick McGraw <patmcgrawlaw@cox.net>, Jackie Clark <jclark@davenportenergy.com>, Jackie Clark <jac\_e\_o@yahoo.com>, ronerandall@comcast.net  
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You can send it via email PDF is fine.

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

----- Original message -----  
From: sgasperini@courts.state.va.us  
Date: 10/02/2015 15:24 (GMT-05:00)  
To: brian <brian@csatnet.com>  
Cc: patmcgrawlaw@cox.net  
Subject: Re: Re: Re: Court dates?

Mr. Clark,

I apologize for not responding sooner to your email received on September 18th. I've been out of the office for several days and am trying to catch up on email responses.



I looked in your file (#13-30) and Mr. Holland did file an "Answer and Affirmative Defenses and Counterclaim" on March 11th, 2013.

Susan Gasperini

-----brian <brian@csatnet.com> wrote: -----  
To: sgasperini@courts.state.va.us  
From: brian <brian@csatnet.com>  
Date: 09/18/2015 04:56PM  
Cc: Patrick McGraw <patmcgrawlaw@cox.net>  
Subject: Re: Re: Court dates?

Ms Gasperini

Can you advise me if Attorney Mark B. Holland filed his drafted demur/ counter suit to Mr. Gardners Original Civil Suit filing with the Patrick County Circuit Court of Virginia?

This should have been in early 2013 time frame. I do know that this case has been filed some time ago by Mr. Gardner, as i hAve his original meritless suit. I initially gave this and my Articles and EIN for my LLC and hired Mark B. Holland in Danville VA to represent myself and my LLC to file a response to this matter. Shortly after hiring him he went on Vacation for 3 weeks or so. I never heard from him until he returned and I showed up at his office concerned. He had a very bad attitude with me and my wutness because I showed up and as a result I later fired him. I felt that he had made some very poor assumptions not in my best interest and was not communicating with me properly etc.

I then hired WAW and Bob Lunger to replace him as legal Counsel for my LLC and myself and they began where he left off. They carried this case matter for nearly a year trying to get Mr. Gardner to respond to discovery request fully without any success. Mr. Gardner didn't like that his VSB Committee buddy Mark B. Holland was no longer on this case, as I later discovered. Mr. Gardner has be running around trying to imply that I could not keep an attorney in this matter and that I'm difficult to deal with. While part of that might be true, it was only because I hire an attorney to represent my legal interest and the facts that I know prove that Carolina Satellite Networks, LLC is a Sole manager managed LLC registered only to myself in NC in 2003.

The reason Im asking for this is to confirm if Mark B. Holland Submitted this counterclaim to this court, or if it was submitted later to this court by WAW and Bob Lunger Office etc.

Have a great and wonderful weekend.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

----- Original message -----  
From: sgasperini@courts.state.va.us  
Date: 09/16/2015 10:08 (GMT-05:00)  
To: brian <brian@csatnet.com>  
Subject: Re: Re: Court dates?

lroyall@courts.state.va.us

-----brian <brian@csatnet.com> wrote: -----  
To: sgasperini@courts.state.va.us  
From: brian <brian@csatnet.com>  
Date: 09/16/2015 08:43AM  
Cc: Patrick McGraw <patmcgrawlaw@cox.net>  
Subject: Re: Court dates?

Do you have an email address for Ms Royal?

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

----- Original message -----  
From: sgasperini@courts.state.va.us  
Date: 09/11/2015 10:04 (GMT-05:00)

To: brian <brian@csatnet.com>  
Subject: Re: Court dates?

Mr. Clark,

I just spoke with Mrs. Royall, Adm. Assistant to Judge Clark, who schedules all civil cases. Your custody suit is set for September 22nd, however, she had received a letter from Mr. Gardner in August saying that he & Mr. McGraw are in discussions and no date has been set for the Carolina Satellite Network, LLC case. You might want to contact your attorney and check on the status.

Hope this helps.  
Susan

-----brian <brian@csatnet.com> wrote: -----  
To: sgasperini@courts.state.va.us  
From: brian <brian@csatnet.com>  
Date: 09/11/2015 05:39AM  
Subject: Court dates?

Dear Ms. Gasperini

Can you please advise me if the demur filed has been heard? I was under the impression it was set for this month however have not heard anything?

Also can you tell me when the court date is set regarding my Sole Member Company Carolina Satellite Networks, LLC?

Please advise this court that I did not hire Mr. Gardner to represent my LLC, and this needs to be corrected on the suit to reflect that Patrick McGraw is legal counsel for my LLC according to the Legal Corporate Document and EIN, which both ONLY show Brian H. Clark as the owner of this LLC.

Sincerely

Brian Clark

Carolina Sat Net Solutions

866-515-6719 x 101

**From:** brian <brian@csatnet.com>  
**To:** sgasperini@courts.state.va.us

---

**Date:** Thursday, January 21, 2016 08:58PM  
**Subject:** RE:

---

Mrs. Gasperini

The check for 344.00 will go out in the mail tomorrow.

Sincerely

Brian Clark

----- Original message -----

**From:** sgasperini@courts.state.va.us  
**Date:** 01/21/2016 4:08 PM (GMT-05:00)  
**To:** brian <brian@csatnet.com>  
**Subject:**

Mr. Clark,

I am in receipt of the civil suit mailed to the Patrick County Circuit Court but am unable to file it without the filing fee of \$344.00, payable to the Patrick County Clerk's Office. The filing fee is based on the claim amount.

I will hold all paperwork and the check for \$60.00 (sheriff's fee) until I receive your check. Our mailing address is P. O. Box 148, Stuart, VA 24171.

Please let me know if you have any questions.

Susan Gasperini

**From:** brian <brian@csatnet.com>  
**To:** sgasperini@courts.state.va.us

---

**Date:** Saturday, January 23, 2016 09:05AM  
**Subject:** RE:

---

Susan

Of course I will be requesting the recusal of the following judges in this matter due to conflicts of interest and prior dealings with these case matters.

Judge Martin Clark Jr.  
Judge Robert Bushnell  
Judge Williams  
Judge Greer  
Judge Susan deathridge

All these Judges have had direct dealings with these matters that's well founded by the various court records and court recorded testimonies.

I will further more request a Judge presiding over this case to be a non biased Judge with no prior dealings with BB&T, Phillip G. Gardner, Ward L. Armstrong, Bourland and McPheeters, Kim Bilongio, Chip Slate, Allan Black, Stefanie Vipperman, Marcus Brinks, Chris Corbid, or any local area Patrick County Attorney as all will be consider a conflict of interest.

Furthermore, Any Virginia State Bar Attorney would be a conflict of interest due to Bar associations, and BB&T involvement and their involvement with essentially ever single Virginia Attorney or various Virginia Law Firm.

This is therefore hindering my rights to legal counsel which should be afforded to me.

As Martin Clark very well knows that this case has surrounded BB&T and Attorney Phillip G. Gardner and the defendants, since Feb of 2013 in his initial knowingly meritless civil suit filing, in which I filed a counter suit response and demur timely with this court with then Attorney Mark B. Holland.

I fired Mark B. Holland due to conflicts of interest and that I felt he was not following up in my best interest. I hired the firm of WAW and Bob Lunger immediately and they had this a year until BB&T filed suit and their firm all of a sudden had a internal firm conflict with BB&T. I then engaged the services of Ward L. Armstrong to respond to BB&T suits, which he did in Martinsville City Circuit Court, now moved to Patrick County Circuit Court, for very obvious control reasons. In any regards none of these have been heard, they have be avoided, delayed, and redirected into other meritles suits, totally unfounded by legal established Facts before this Courts.

Phillip G. Gardner has been advising this court for years of false claims, defamation statements, attacking me directly. He's made accusations that I can't keep and Attorney because I'm a Wife beater etc. All these tactics have been clearly proven False Accusations.

This is a total embarrassment to the Virginia Judicial System, and it's been very disturbing in how these various parties has used a minor in the way they have to gain advantage in a Civil Suit.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

----- Original message -----

From: sgasperini@courts.state.va.us  
Date: 01/21/2016 4:08 PM (GMT-05:00)  
To: brian <brian@csatnet.com>  
Subject:

Mr. Clark,

I am in receipt of the civil suit mailed to the Patrick County Circuit Court but am unable to file it without the filing fee of \$344.00, payable to the Patrick County Clerk's Office. The filing fee is based on the claim amount.

I will hold all paperwork and the check for \$60.00 (sheriff's fee) until I receive your check. Our mailing address is P. O. Box 148, Stuart, VA 24171.

Please let me know if you have any questions.

Susan Gasperini

**From:** brian <brian@csatnet.com>  
**To:** sgasperini@courts.state.va.us

---

**Date:** Sunday, January 24, 2016 08:00AM  
**Subject:** RE:

History:      ↩ This message has been replied to.

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Mrs Gasperini

I also need the Patrick County assigned "case number" to the Still pending "Declaratory Judgement" case move from Martinsville Circuit Court over the Patrick County Circuit Court.

This Suit was originally filed back at BB&T non suited withdrawal request for a 21 day judgement to avoid producing discovery request. I have a 21 page Civil Suit amendment in which I will need to file also.

This suit WILL be amended accordingly against BB&T and others involved in this case.

In addition I have depositions that I will be requesting on various individuals and court order production of documents against Counsel for Charlie Fain and Jackie Fain Clark. We will skip the requesting production of documents from Mr. Gardner because he never complys because he ignores them.

Please send over the appropriate documents to get these depositions, court reporter, and court ordered production of discover request done.

I look forward to the finding of a Judge that's not biased that has been engaged in these matters since 2013. If, such a Judge can be identified and not further briefed or coached in these matters as Judge Williams was by Judge Martin Clark Jr. in the other cases before this court.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

----- Original message -----

**From:** sgasperini@courts.state.va.us  
**Date:** 01/21/2016 4:08 PM (GMT-05:00)  
**To:** brian <brian@csatnet.com>  
**Subject:**

Mr. Clark,

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I will hold all paperwork and the check for \$60.00 (sheriff's fee) until I receive your check. Our mailing address is P. O. Box 148, Stuart, VA 24171.

Please let me know if you have any questions.

Susan Gasperini

**From:** brian <brian@csatnet.com>  
**To:** sgasperini@courts.state.va.us

**Date:** Wednesday, January 27, 2016 07:56AM  
**Subject:** Re: RE:

---

Mrs. Gasperini

BB&T, nonsuited it's case after we responded showing the Articles of Corporation Documents. They were seeking a 21 day judgement, if no one responded. I responded on behalf of myself and my LLC.

I responded with Ward Armstrong and they then nonsuited their case. I am assuming that's CL-15-98.

The CL15-99 suit and counter claim against Charlie M. Fain. This is a still pending suit naming BB&T, Charlie Fain, and Jackie Fain Clark. I will be amending this suit against BB&T and others, since additional discover has surfaced after this was filed and awaiting trial.

Furthermore Mr. Gardner has "Knowingly" been running around misrepresenting himself purporting himself to be the Legal Counsel for my Sole owned LLC formed in NC in 2003. I Didn't Hire him and I'm the ONLY owner listed on the legal Corporate Documents. This has been shown numerous times to both BB&T this Court in numerous responses to Gardners suits.

Mr. Gardner even engaged in crafting an illegal and purported settlement and release with Travis Knobbe, legal counsel for BB&T referencing my LLC while all three were named defendants in still pending CL15-99. Gardner has tried unsuccessfully to get this thrown out with Judge Greer, because I was present in the conference with my lawyer Mr. McGraw during this matter in Martinsville VA.

This was in attempts to further try and cover up the following:

- A: That he was engaging in misrepresentation as legal counsel for my Sole Owned LLC
- B: To cover up their purported settlement and release while all three defendants were named in a pending suit.
- C: To further avoid their additional cover up of Fraud and Forgery liabilities of various BB&T documents.
- D: To cover his further theft of LLC funds that were in SAR reported Fraud established Accounts, being used by Charlie Fain going to his Home address to write himself numerous CASH checks to himself embezzling my LLC funds while purporting himself an owner of my LLC, but maintaining an INC VA SCC using my Same business name.
- E: To cover for Mr. Gardners failure to establish legal bases for his claim with FACTS regarding the Corporate Ownership of my Sole owned NC, LLC. He's tried to Claim that his client has ownership without ever producing any FACT, showing that Charlie Fain was on legal Corporate State and Federal filed documents, to include the Sole Member issued LLC EIN number.

Bottom line. BB&T is a private Financial Company. It has Zero authority to assert Who is an Owner of my LLC, anymore than McDonald's Corporation would have. BB&T's Purported Document is Not Reflective of the LEGAL established LLC Corporate Documents. There are very specific documents to legally change an LLC structure of ownership from Sole Owned to a Partnership. One a New EIN would have been issued as well. Mr. Gardner and Charlie M. Fain has avoided discovery request showing when Fain claims to have acquired Ownership of my Sole owned NC formed LLC.

Mr. Gardners claims that his Client Charlie M. Fain started and for the LLC in Charlotte NC in 2004, has been debunked numerous times in Court Suit responses. I Lived in Charlotte NC, and I started this Company myself. Charlie Fain is a domicile to Patrick County Virginia at all times and has yet to produce one single document of FACT, to substantiate his and Mr. Gardners meritless Claims.

These acts has further tied up my LLC for years now, and has prevented access to annual reports done between 2004-2011 to address Seceretary of State of NC filling mismanagement of LLC and EIN records and fees to straighten out this mess, even mentioned in Gardners initial Civil Suit filed back in Feb 4th of 2013 time frame. His Suit was nothing more than a purported threat and attempted scare tactic. He's further since engaged in ALL sorts of illegal acts and numerous code of conduct ethic Violations that really go with out mentioning.

Mr. Gardner and others have been engaged in all sorts of tactics that are unfounded with zero facts and legal sustainable documents that can defeat the Corporate Documents and legal ownership records of my LLC. Perhaps Mr. Gardner would further like to Explain why he and others purport to own a business called Church Street Partners in Martinsville City, that is not even a registered Virginia Business entity with the VA-SCC thats owe'd my hI'm self and others. In Fact that business name is actually owned by someone else and is also a foreign NC, LLC registered with the VA- SCC to do business that's in Staunton VA.

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

----- Original message -----

From: sgasperini@courts.state.va.us  
Date: 01/26/2016 10:10 AM (GMT-05:00)  
To: brian <brian@csatnet.com>  
Subject: Re: RE:

Mr. Clark,

Case #CL15-98 is styled Branch Banking & Trust Co. vs Carolina Satellite Networks, LLC, Brian H. Clark

Jackie O. Clark & Charlie M. Fain. It was removed from City of Martinsville Circuit Court to Patrick

Co. Circuit Court on April 21st, 2015.

Case #CL15-99 is styled Carolina Satellite Networks LLC and Brian H. Clark vs. Branch Banking and Trust Co.,

Jackie O. Clark and Charlie M. Fain and was removed from City of Martinsville Circuit Court to Patrick

Co. Circuit Court on April 21st, 2015.

We do not have any forms or documents for pro se litigants (for "depositions, court reporter, and

court  
ordered production of discover").

Susan Gasperini

-----brian <brian@csatnet.com> wrote: -----  
To: sgasperini@courts.state.va.us  
From: brian <brian@csatnet.com>  
Date: 01/24/2016 08:00AM  
Subject: RE:

Mrs Gasperini

I also need the Patrick County assigned "case number" to the Still pending "Declaratory Judgement" case move from Martinsville Circuit Court over the Patrick County Circuit Court.

This Suit was originally filed back at BB&T non suited withdrawal request for a 21 day judgement to avoid producing discovery request. I have a 21 page Civil Suit amendment in which I will need to file also.

This suit WILL be amended accordingly against BB&T and others involved in this case.

In addition I have depositions that I will be requesting on various individuals and court order production of documents against Counsel for Charlie Fain and Jackie Fain Clark. We will skip the requesting production of documents from Mr. Gardner because he never complys because he ignores them.

Please send over the appropriate documents to get these depositions, court reporter, and court ordered production of discover request done.

I look forward to the finding of a Judge that's not biased that has been engaged in these matters since 2013. If, such a Judge can be identified and not further briefed or coached in these matters as Judge Williams was by Judge Martin Clark Jr. in the other cases before this court.

Sincerely

Brian Clark

Carolina Sat Net Solutions

866-515-6719 x 101

----- Original message -----

From: sgasperini@courts.state.va.us  
Date: 01/21/2016 4:08 PM (GMT-05:00)  
To: brian <brian@csatnet.com>  
Subject:

Mr. Clark,

I am in receipt of the civil suit mailed to the Patrick County Circuit Court but am unable to file it without the filing fee of \$344.00, payable to the Patrick County Clerk's Office. The filing fee is based on the claim amount.

I will hold all paperwork and the check for \$60.00 (sheriff's fee) until I receive your check. Our mailing address is P. O. Box 148, Stuart, VA 24171.

Please let me know if you have any questions.

Susan Gasperini

**From:** brian <brian@csatnet.com>  
**To:** sgasperini@courts.state.va.us

---

**Date:** Wednesday, January 27, 2016 01:09PM  
**Subject:** Re: RE:

---

There is one additional suit Counter Filed against Charlie M. Fain by attorney Mark B. Holland as well that was not listed in your email.

This is a counter suit against Fain from Gardners February 4th 2013 suit he filed in Patrick County Circuit.

I will send you the Deposition request and documents to have those severed on various individuals involved in these numerous matters.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

----- Original message -----

**From:** sgasperini@courts.state.va.us  
**Date:** 01/26/2016 10:10 AM (GMT-05:00)  
**To:** brian <brian@csatnet.com>  
**Subject:** Re: RE:

Mr. Clark,

Case #CL15-98 is styled Branch Banking & Trust Co. vs Carolina Satellite Networks, LLC, Brian H. Clark Jackie O. Clark & Charlie M. Fain. It was removed from City of Martinsville Circuit Court to Patrick Co. Circuit Court on April 21st, 2015.

Case #CL15-99 is styled Carolina Satellite Networks LLC and Brian H. Clark vs. Branch Banking and Trust Co., Jackie O. Clark and Charlie M. Fain and was removed from City of Martinsville Circuit Court to Patrick Co. Circuit Court on April 21st, 2015.

We do not have any forms or documents for pro se litigants (for "depositions, court reporter, and court ordered production of discover").

Susan Gasperini

-----brian <brian@csatnet.com> wrote: -----

To: sgasperini@courts.state.va.us  
From: brian <brian@csatnet.com>  
Date: 01/24/2016 08:00AM  
Subject: RE:

Mrs Gasperini

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I look forward to the finding of a Judge that's not biased that has been engaged in these matters since 2013. If, such a Judge can be identified and not further briefed or coached in these matters as Judge Williams was by Judge Martin Clark Jr. in the other cases before this court.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

----- Original message -----

From: sgasperini@courts.state.va.us  
Date: 01/21/2016 4:08 PM (GMT-05:00)

To: brian <brian@csatnet.com>  
Subject:

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I will hold all paperwork and the check for \$60.00 (sheriff's fee) until I receive your check. Our mailing address is P. O. Box 148, Stuart, VA 24171.

Please let me know if you have any questions.

Susan Gasperini



**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

---

**Date:** Tuesday, February 02, 2016 01:30PM  
**Subject:** Fwd: Your fired (Patrick McGraw)

---

Mrs. Gasperini

For your records

Counsel McPheeters and Judge Williams will need to send these matters to me pro, se.

I will respond with objections and documents as case matter for those objection if required pending review of the Final Order.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

----- Original message -----

**From:** brian <brian@csatnet.com>  
**Date:** 02/02/2016 12:16 PM (GMT-05:00)  
**To:** Patrick McGraw <patmcgrawlaw@cox.net>  
**Subject:** Your fired

Patrick

You are fired, and are no longer authorized to sign or conduct an legal matters on my behalf at ALL.

All matter must be directed to me for a response.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

---

**Date:** Tuesday, February 02, 2016 07:04PM  
**Subject:** Law cases for laymen.

---

Mrs. Gasperini

4. Brotherhood of Trainmen v. Virginia ex rel. Virginia State Bar (377 U.S. 1); Gideon v. Wainwright 372 U.S. 335; Argersinger v. Hamlin, Sheriff 407 U.S. 425. Litigants may be assisted by unlicensed layman during judicial proceedings.

12. "The practice of law can not be licensed by any state/State. Schwere v. Board of Examiners, United States Reports 353 U.S. pgs. 238, 239. In Sims v. Aherns, 271 S.W. 720 (1925) "The practice of law is an occupation of common right." A bar card is not a license, its a dues card and/or membership card. A bar association is that what it is, a club, A association is not license, it has a certificate though the State, the two are not the same.

Fraud is further a Felony Criminal Charge as Abuse of Process is the Act of carrying out the purported fraud and fabrication. Felony is a criminal offense and is further aided and abetted by Danny Smith and others in the Sherriff's Office of Patrick County. Common Law and just plain Common sense trumps statutory laws being used to "protect criminals actions of individuals" operating under the color of law..These individuals are therefore not immune to prosecution for "Criminal Fraud" and the acts thereof that are used in carrying them out by abuse of process and misuse of the courts and the common law practices that apply in these matters.

It is therefore that I duly inform this Court of its further overbearing stance that only a BAR Attorney can execute legal proceeding on behalf of myself. The above Cases clearly debunk that stance and I am my own legal counsel.

Have a nice week and please do send me this purported final custody order for my review. McPheeters is not above me nor is any Judge in regards to the equal protection under the law. Mr. McGraw is not able to make decisions without my approval and written consent. He "does NOT" have that consent.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

---

**Date:** Sunday, February 14, 2016 05:17PM  
**Subject:** Judges resusal letters

History:       ➔ This message has been forwarded.

---

Dear Mrs. Gasperini

Please forward me ALL Local Area Judges individual Recusal Letter's stating that they "can not be biased in their rulings", over this Matter with the Commonwealth Attorney's of Patrick County.

Further we will deny the demur attempt and request that it be forwarded to the US Attorney Generals Office and the US Supreme Court for a Grand Jury hearing panel selection of my peers. We are not going to go back and forth with these A stereo type litigation delay tactics using Cases as adopted LAW, certianly not .INC case law at that. CASES are not Constitution Law, nor do they apply to this particular case.

Case are not LAW, in fact it's circular logic to even attempt to imply such. The Attorney for Defendant cites immunity under statutory Law for a Constitutional Elected Official. This is completely Debunked as a matter of Common Law..They further fail to cite the Constitutional immunity that gives the Commonwealth such "Title of Nobility". Commonsense will show that NO one is Above the LAW by position, or statutory law, which does not even apply in these matters. The laws refrenced are for States, Corporations, and Government entities.

While I do concur with his claim that the Patrick County Commonwealth Attorneys Office is not a Corporate Entity. We can amend that to reflect the Patrick County Government Entity. Please provide me with the following:

The Full Legal Business Name of the Patrick County Government, it EIN number and full address. I assume that the Department of Social Services falls into this entity as well within the County, since the Director Joan Rogers is paid by the County. She will be added to this Suit, and others further named as well like the Sherriff Danny Smith, Judge Bushnell, Martin Clark Jr. The magistrate and the others, so the case connections in the RICO Co-Conspiracy can be named with their Aiding and abbeting with BB&T local area Executives.

As a matter of Equality and Common Law Justice under the Law, every Citizens is to be afforded a fair and just trail to put on his or her case, without disclosing key witness, without them being placed under a witness protection plan. I have a list of individuals that will need to be placed on this list and am working to secure this with the proper channels.

Given the very nature of the High Level official involved in this matter that have Co-Conspired with BB&T, and other local area Corporations and their staff with other individual Patrick County Citizens. It's very "Apparent" that these individual stand to lose six figure a year Salaries and extreme embarrassment and local area ridicule. These people involved local area Law Enforcement Official that I have on Video Harrassing me along with your County Supervisors putting him up to it.

I will not be bullied, threatened or harassed by these individuals involved in these matters of "abuse of Process" RICO, and numerous other violations. Certianly not someone like Danny

Smith, and his Deputies that have aided, escorted, orchastrated, and carried it out via a off site video magistrate to Aid Stephanie Brinegar Vipperman carry out Fraud and Fabrication to aid BB&T cover up criminal evidense of Fraud and Forgery of Bank Documents surrounding this case. Her motives are very clearly documented by my evidence which will be shown at trail as I stated in my Civil Complaint.

I therefore Deny these Demures and as it appears there isn't " a Judge One" in either Patrick or Henry County that's not already recused themselves out of this matter. That "in and of itself" gives my Claim Serious Merits, and is in no way able to be demure citing cases as reasons but not the laws of the US Constitution in which she hangs her oath of office to uphold. I therefore request copies of each ones Oath of Office, and the surety Bond information and VSB licence numbers.

I WILL tie in their Motives with BB&T and others involving the theft of hundreds of thousands of Dollars, including illegal Counsel representation of my Sole Owned LLC. Martin Clark Jr. is additionally very closely intertwined in this case from the very begining Feb 4th 2013, with Phillip G. Gardner and Stephanie Brinegar Vipperman, which manifested these matters into these fabricated evidences and staged attacks as my case has clearly brought to light within this community.

This case can be settled or we will go through the processes of extreme embarrassment and drag in ALL involved, it's fully up to this County and their legal counsel on just how far they want to take Statutory Law in a A&B Domestic matter already proven a lie before a Jury panel of 7 members, who will be witnesses and are being listed as protected and no contact or strong arm harrasment orders submitted to these defendants against them or any Jury Member that was present during the Jan 26th 2015 case.

Have a nice weekend.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

---

**Date:** Monday, February 15, 2016 09:15AM  
**Subject:** Civil Suit Complaint

History:       ➔ This message has been forwarded.

---

Mrs. Gasperini

For the record: My case has very well documented FACTS and Court recorded records to support this Claim against those named in it.. No way any demur is VALID in this case. It's a disgrace to even attempt it and these area Judges obviously know this, which is exactly why they are Running into hiding. They should have thought about their oaths long before now, shouldn't they.

A Civil Suit Complaint is just an initial draft naming the "key players" involved in carrying out those acts before this court. I may select to amend the complaint and name additional defendants, which as noted, by use of "others" is immensely justly noted within the Complaint. The Court Room is no place for fraud, lies, untruths, exaggerations. It's a disgrace to use it for such acts. IT'S Sicking to see Staff surpress and support it, including law enforcement officers in uniform. This simply needs to be cleaned up and removed from Patrick County so that honorable integrity can be restored to this County.

I may chose to use some as witnesses in these matters verses defendants involved. That would be my choice. Mrs Wright from EMI was on the Jury panel during this Jan 26th trial, her Sons run the police academy and aRe very well know for an EMI imagining, recycling business both in Henry and Patrick Counties..She has known both sides of this family for years. I've know her Son's and Daughters for years and years myself. Grew up right in the same area.

These people are to be left alone by these individuals surrounding this case and local law enforcement as well. I WILL bring this story to its FULL exposer in Patrick County as GOD is my strength and has brought ALL things to light here. It's a disgrace and a gross embarrassment in what this court has done and empowered others in Continuing to do.

These people are running around acting like King PIN Mafia, and untouchable with a claim of immunity. Anyone that would even remotely have to USE such Law, as a Constitutional Attorney Elect, is by my personal opinion a disgrace to the Judicial due process of law. It shows that She is willing to lie, commit FRAUD, and Fabrication and Conspire with other for addition motives to aid BB&T in Covering up "Court Recorded Testimonies" of Fraud and Forgery of Bank Documents with Defendant Jackie Fain Clark. They Further will aid her with Joan Rogers and Judge Bushnell to use my minor Son by creating fear and adult intemmidation in court, including PLANTING Kenneth Trent as a Supervisor in my house, to lie before the courts. This was Phillip Gardner and Bourland McPheeters plant. This is so obvious. It also wasn't the person Martin Clark Court Ordered To Do THE Visits. Judge Williams is totally out of line in his Rulling. He us a disgrace to this Bench. He clearly knows what's he's engaged in.

This WILL not be sustained, this injustice WILL be righted with my SON. Those involved will EXPLAIN this to Him, and ask him for his forgiveness, and we will then move on from there. This can end the entire 4. 5 million dollar suit, and we can settle this one without the full up embarrassment and legal recourse I'm very well prepared to carry out. It's just that simple.

I can certianly drag Ward Armstrong, former State Delegate, in and Clearly Connect him, Phillip,

Martin, and Stephanie, with their "collective objectives" with Robert Bushnell in the very first JD court Cases. I got the evidence and much much much more. Stephanie Brinegar, Knows this very well including her Sister in law and Dr Mahoneys involvement in this matters. It's all uncovered and I'll show the connections, motives, and mutual benefits.

These area Judges pick the wrong Man to attempt this on, and Martin Clark Jr. Knows all to we'll how far out of hand this one has gotten since Feb 4th 2013. I gave him ever opportunity to undo this matter..He can not say that I didn't. I attempted to do it with respect to him years of service on this bench. He chose to take a different path, and it was not a just one to take, in my opinion.

I will continue to Pray that God will minister here in ALL these matters, and that his will continue to be carried out until this is over completely.

Have a blessed week.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

---

**Date:** Monday, February 15, 2016 04:04PM  
**Subject:** These are to be amended and added to this case.

History:       ➔ This message has been forwarded.

---

CIVIL suit Violation under Title 18 covered in my suit but not section listed.

Title 18, U.S.C., Section 241  
Conspiracy Against Rights

This statute makes it unlawful for two or more persons to conspire to injure, oppress, threaten, or intimidate any person of any state, territory or district in the free exercise or enjoyment of any right or privilege secured to him/her by the Constitution or the laws of the United States, (or because of his/her having exercised the same).

It further makes it unlawful for two or more persons to go in disguise on the highway or on the premises of another with the intent to prevent or hinder his/her free exercise or enjoyment of any rights so secured.

Punishment varies from a fine or imprisonment of up to ten years, or both; and if death results, or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title or imprisoned for any term of years, or for life, or may be sentenced to death.  
back to top Title 18, U.S.C., Section 242  
Deprivation of Rights Under Color of Law

This statute makes it a crime for any person acting under color of law, statute, ordinance, regulation, or custom to willfully deprive or cause to be deprived from any person those rights, privileges, or immunities secured or protected by the Constitution and laws of the U.S.

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

---

**Date:** Monday, February 15, 2016 04:08PM  
**Subject:** One more

History:       ➔ This message has been forwarded.

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Title 42, U.S.C., Section 14141  
Pattern and Practice

This civil statute was a provision within the Crime Control Act of 1994 and makes it unlawful for any governmental authority, or agent thereof, or any person acting on behalf of a governmental authority, to engage in a pattern or practice of conduct by law enforcement officers or by officials or employees of any governmental agency with responsibility for the administration of juvenile justice or the incarceration of juveniles that deprives persons of rights, privileges, or immunities secured or protected by the Constitution or laws of the United States.

Whenever the Attorney General has reasonable cause to believe that a violation has occurred, the Attorney General, for or in the name of the United States, may in a civil action obtain appropriate equitable and declaratory relief to eliminate the pattern or practice.

Types of misconduct covered include, among other things:

1. Excessive Force
2. Discriminatory Harassment
3. False Arrest
4. Coercive Sexual Conduct
5. Unlawful Stops, Searches, or Arrests

Violations of this code are both 2, and 3 above respectfully.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101



**From:** brian <brian@csatnet.com>  
**To:** jjohnson@faplawfirm.com  
**Cc:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>, Travis Knobbe <tknobbe@spilmanlaw.com>

---

**Date:** Tuesday, February 16, 2016 06:20PM  
**Subject:** CL16-16

History:       ➔ This message has been forwarded.

---

Dear Mr. Johnson

I have just received you letter stating .INC cases as LAW for Demur reasons.

Motion to Demur is denied, as im not sure what Judge will be assigned to this matter to rule on this in any regards to such a obsurd motion.

I do concur that the CA office is not an legal entity, so that needs to be amended to reflect the Patrick County Virginia Government. I've asked the Clerk of Court copied above fir this information. That is much in like the VSB purports to be a State Agency but it's not, according to the State Governers Office.

First off this case is very solidly founded on FACTS and Court Recorded Documents and transcripts. The suit further state as the evidense WILL reflect. It also identifies various relationships by membership associations know as the VSB. This seems very fraught with danger to me, for yet another VSB no. 33133 to join into this matter. It is an "apparent" conflict of interest on your behalf to do so, in my opinion.

Essentially this case and initial complaint draft is just the begining of uncovering a very complex Co-Conspiracy of VSB Attornies, and local area Banking Executives, who by association and "membership" all have ties that can be directly additionally linked to Branch Banking and Trust and thus civil suit matter.

You can do what you feel is appropriate but I would require a copy of your oath of office and surety Bond. I would state a further claim that at this stage that any VSB licensed attorney would simply be aiding and abetting with the other VSB Attorneys and the Defendants. All the local area Judges have also "already recused themselves from this matter." One must ask himself. Why is that?

Let me advice you, they also are VSB members and All these local area Judges have had parts in this case and other Civil Cases since Feb 4th 2013, including the opinion letter written by Mrs. Vipperman to aid Phillip G. Gardner before these attempted fabrication of lies began being planned out and then craftly carried out and attempted by these defendants. They was given every possible opportunity to undo this matter numerous times.

I additional have contacted with this firm myself for representation in some of these very same matters involving these parties and BB&T, so there's a second Conflict of interest noted as well in my records.

I look forward to hearing back from you and your Firm regarding this matter and the Conflicts of Interest noted above.

Legal Counsel for BB&T is Travis Knobbe out of Roanoke. You might want to consult with him as

well. They will highly likely be add as a third party to this suit moving forward as well as pending suits already before this court that's gone unheard or placed on docket now for going on 3 years.

If you still feel there's no conflict, then I'll be glad to discuss a just and proper alternative settlement to this matter.

Have a nice week.

I can be reached at the number below.

Brian Clark, pro se  
866-515-6719 x 101

**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

---

**Date:** Wednesday, February 17, 2016 07:29AM  
**Subject:** CJ15-02, CJ15-03

History:       ✦ This message has been forwarded.

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Susan

I reject this Custody order above as invalid as it is not signed by legal Counsel or myself. It's an unexecuted order.

This Custody Case was unlawful, and unjustly entered and is past statutes. Yet, another fabricated Court Case.

Judge Williams, has conspired with other VSB members and Counsel for Defendant Jackie Clark in PLANTING a biased supervisor not approved by temporary order of Judge Martin Clark Jr. In Martin Clark Jr. Counsel for Defendant McPheeters clearly knew Reverend Rick Randall was to be present during this Custody Visitation.

Instead McPheeters and Defendant PLANTED Kenneth Trent, against the Court Order of Judge Martin Clark Jr. and not further cleared by myself or through my legal Counsel Patrick McGraw as a substitute to Reverend Rick Randall. That's another Show Cause violation in which she has been fined and convicted of already before.

Oh, by the way. What's Brian Clark been convicted of? NOTHING.

This Custody Order is illegal, unjust, and fraud. Judge Williams knows exactly what he is doing and as stated before this is a disgrace to the bench. There is no merits or jurisdiction of a Criminal acting Court or Judge that is going to enforce such an order over my relationship with my Son.

This order hereby denied and rejected as invalid by no signature by Counsel or myself as Pro, Se, based on the follow above. Your Courts need to pull the temporary order that was in place during these visit by Judge Martin Clark Jr. This order was CLEARLY violated and I will file a Show Cause and Custody Appeal, which will be forth coming.

McPheeters has NO signed order for Kenneth Trent that was agreed upon by myself through Counsel..Period. McPheeters is out of order and did not get this courts approval for Kenneth Trent, whom is the boyfriend of Jackie Fain Clark and is who she's having an affair with. He's a married man, and I'm sure his wife Patricia Trent might have a few things she's like to tell this court as a witness.

This is such a unreal bunch of Criminals ACTS going on in Patrick County Virginia and I pray that everyone involved goes to Federal Prison for a very very long time.

It is sickening to bully and intimidate a now 15 year old for 3 years into engaging in these matters. These individuals, Judges, Lawyers, and adults are telling my Son if he doesn't do these things that his Papa or Mother might go to Jail or Prison. What kid wouldn't protect his mother. This is unbelievable and I can't believe that you would even Stamp your name onto such an order, knowing what you know about this matter and what's been on docket before this court unheard and delayed for three years. I guess your salary makes it all worth enabling these

individuals to engage in these illegal acts. At some point does in bother you at all, or are you guys just that malicious and cold hearted that you'll use a 13 year old boy like this. If he gets so stressed that he carries out a commits suicide, then his blood will be on all your hands.

These Judges all recused themselves, including Judge Williams, and that speaks volumes in itself. He knows exactly who he is aiding and it's Phillip Gardner and BB&T and your Commonwealth Attorney. I have notified State and have made it very clear of the local area harrassment from Law Enforcement Sherriff Danny Smith and have that on Video.

This court has no authority or domain over my life, by planting known hostile witnesses.

This will all be coming out very Soon.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

---

**Date:** Wednesday, February 17, 2016 01:30PM  
**Subject:** Fwd:

History:       ↻ This message has been replied to and forwarded.

---

Mrs. Gasperini

Please note the above motion to dismiss fails to state why it should be dismissed at ALL on her behalf or the others as well. I therefore deny any request for Dismissal of these defendants, as that would require a non biased Judge which has yet to be named or found in this area and apparently in the entire State of Virginia.

It's is therefore that I request this matter has no choice but to be heard by a Grand Jury of our peers which are none attorneys and BAR members. Everyone should be able to have legal counsel if others are afforded such.

In addition upon further review of defendant Fain's response, she just rambles on about non relevant topics, to this civil suit claim.

For the RECORD: Statement of FACTS.

On Jan 26th 2015. I Brian H. Clark was finally granted my day in court on my appeal and plea of "Not Guilty" . The Results of this Jury Trial returned a verdict of "Not Guilty". My case additional meets all 4 requirements for abuse of process and malicious prosecution against the Defendants.

Response to her attached PDF

No lawyers want to touch this matter, because they are all BAR members and their associates and colleges are all twisted up into being caught RED Handed.

She gains ZERO sympathy from this letter, by statements of lost wages and can't find an Attorney to represent her. Phillip Gardner had her as his Paralegal secretary during depositions in the Circuit Court, until he figured out She had committed Fraud, Bank Note Forgery, and FEDERAL Online Fraud, Forgery and Identity Theft. He dropped her like a Hot Potato. She and her Fraud and CASH embezzling Father has cost me 500,000.00 and well over 75,000.00 in legal expenses, plus 3 years worth of harrassment, and lost wages. Hense the Suit against these Co-Conspiring Defendants, and "others" for the 4.5 million. I really do not seek to entertain who has a house where and where I chose to live, as that is totally irrelevant to this CASE. Perhaps she should sign my Divorce Settlement AGREEMENT, as that's the proper legal setting for that matter.

This Case is Solely About the Jan, 26th 2015 case and the abuse or process and malicious prosecution chargers. Mrs. Fain is facing 55,000.00 in sought restitution for legal expenses and lost wages incurred in this above case. The "others" with these named defendant are being sued for the 4.5 million.

I've even reached out to the named Defendants Attorney to discuss a settlement. He has not responded to me as of yet. My requirements is fairly simple, but I'm sure those involved will only

want to drag it out and make this so complex, and that's their choice.

I will not officially acknowledge or respond to this Demur request, because I've already done so via email and there has not been an assigned Judge identified in this matter to even rule on such a demur request. All Local area Judges have recused this matter, so therefore they cannot rule. Anything requested.

Mrs Fain, in the above response, continues to slander my name and has now opened to a potential filing of an additional civil suit for written libel, slander, and defamation of Brian H. Clark. Mrs. Fain is still trying to imply that I'm guilty of this matter, which has already been proven a clear staged, fabrication, orchestrated, a purported "Brutal Attack" as attempted to be portrayed before this Jury and this Courts by the Patrick County Virginia Commonwealth Attorney's Office.

In addition the Patrick County Sherriffs Office Danny Smith and others were engaged in this staged matter. In Fact, Deputy Haymore essentially was the Taxi Service, that drove her in his Patrol Car, to the Jail, Signed her Statement, and brought her before the VIDEO magistrate, adding an "apparent appearance" of credibility before a video magistrate. Deputy Haymore further stated he saw no signs of assault on the Defendant, and even stated that on court recorded testimony. Deputy Haymore, the 911 call, the purported visit to Dr. KRAMER at Pioneer or his medical report was never called by the CA. In FACT Deputy Haymore was our Witness. He testified to what he did and was instructed to do. He even drove her around in his patrol car with my Son in the car with them to these places, further adding an appearance to my SON that his mom was in fact hurt, when in fact she was not, according to Deputy Haymore's own statements.

This is simply a total embarrassment to this County and as stated a CLEAR abuse of process and malicious prosecution that was planned out and carried out by these defendants. My complaint and evidence WILL clearly SHOW and Connect this in grand detail, including a 5th element of motive. That would be to Aid BB&T and local area executive cover up Fraud, forgery, and Embezzlement of well over 500,000.00.

Jackie Fain is right that everyone is well aware of this matter. This will serve as one of my many pieces of documented evidence to support that FACT. This is what happens when people Co-Conspire together with so many. It's hard for ALL of them to keep their stories Aligned and their lies covered up.

Sincerely

Brian Clark

866-515-6719 x 101

----- Original message -----

From: Jackie Clark <jclark@davenportenergy.com>  
Date: 02/17/2016 9:57 AM (GMT-05:00)  
To: brian <brian@csatnet.com>  
Subject:

Attachments:

image2016-02-17-094646.pdf

**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

---

**Date:** Wednesday, February 17, 2016 05:08PM

**Subject:** Re: Fwd:

History:       ➔ This message has been forwarded.

---

Mrs. Gasperini

The response to these is premature, based on the Recusals of the Judges and the FACT that no Judge is assigned to even review these Demurs.

I think the ball in your court as to identifying if this is being forwarded to US Supreme Court and who the Judge is. It's the Clerk of CouRTS responsibility to have a judge review both plaintiff and defendants coorspondense. It the Job then of the Judge to hear arguments from both sides regarding validity of these demur reason as it pertains to the particular LAW code they reference and not other Case Law, that never been adopted into VA law. Then we are allowed to respond accordingly if required to do so on those accounts we feel are inaccurate or that the law the judge is referencing is actually an adopted law or simply a case.

It's very apparent that I'm Pro, se and the spirt of law should afford everyone right the legal counsel or appoint me legal counsel, if that's required as the defendants are BAR members abd are "apparently" preventing that, except one.

If that's the case then they are running in fact a monopoly which is a violation of US title15 sections 1 and 2, which is a fine of up to 100 million per Corporation involved and up to 1 million per person involved, which can include others.

The FACT of the matter is that unless you're a member of this VA Country Club with a VSB #, my legal counsel options are also Jackie has Noted ZERO. Not that they HAVE or will Do anything other than what they are instructed or authorized to do by the Control over the BAR by BB&T. That then is a monopoly and will become an entirely seperate Suit filing.

This would take on nearly close to a trillion dollar lawsuit, Mrs Gasperini.

I will be happy to File that and name all defendants involved which in my case would be well over 20 plus individuals and around 4 or 5 Corporations including BB&T, DSS, Patrick County Government, a Purported VA Budiness operating as, Church Street Partners, GS Industries of Bassett, Dr. Mahoneys Office, serveral LAW Firms, and also a OH Company.

This is no secret Mrs. Gasperini. This is exactly why this matter is taken on the posturing it has.

Have a nice Week.



Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

----- Original message -----

From: sgasperini@courts.state.va.us  
Date: 02/17/2016 2:00 PM (GMT-05:00)  
To: brian <brian@csatnet.com>  
Subject: Re: Fwd:

Mr. Clark,

If you want to file any motions, answers, etc., the originals must be sent to the court and will be timely stamped and placed in the court file. Emails are not acceptable.

The address for mailing is: Patrick County Circuit Court Clerk's Office, P. O. Box 148, Stuart, VA 24171

Thanks!  
Susan Gasperini

-----brian <brian@csatnet.com> wrote: -----  
To: "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>  
From: brian <brian@csatnet.com>  
Date: 02/17/2016 01:30PM  
Subject: Fwd:

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Brian Clark

866-515-6719 x 101

----- Original message -----

From: Jackie Clark <jclark@davenportenergy.com>

Date: 02/17/2016 9:57 AM (GMT-05:00)

To: brian <brian@csatnet.com>

Subject:

[attachment "image2016-02-17-094646.pdf" removed by Susan Gasperini/CC/VaJud]

**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

---

**Date:** Thursday, February 18, 2016 10:40AM  
**Subject:** Re: Fwd:

---

Susan

Correction the VA Supreme Court according to the Letter from Frith Anderson and Peake to you directly dated February 11th 2016.

This would require a Grand Jury of our peers for selection and hearing date set for this, I would think? Can you please provide a link to the rules of the Supreme Courts of VA.

Personally it seems that this is likely just a stepping stone to go before the US Supreme Court of Appeal.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

----- Original message -----

From: brian <brian@csatnet.com>  
Date: 02/17/2016 5:08 PM (GMT-05:00)  
To: sgasperini@courts.state.va.us  
Subject: Re: Fwd:

Mrs. Gasperini

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Have a nice Week.

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

**From:** brian <brian@csatnet.com>  
**To:** John Johnson <jjohnson@faplawfirm.com>  
**Cc:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

**Date:** Thursday, February 18, 2016 07:32PM  
**Subject:** RE: What's a Catering Company got to do with this case.

Mr. Johnson

I've never asked you for ANY advise on this legal matter, nor have I, nor do I expect you to do so. To uses legal mumbo jumbo with CateCorp INC vs Catering Concepts is plain unverifiable that even such a Comany even existed. Even if it did, there's no way to validate it Today, is it now. Go back to your legal jungle of cases that you believe is valid because it's written in you generic law template and continue to live your life as a PFAP..

If you are implying that you are by virtue of your BAR membership and association that you are some sort of "superior authority" in CASE LAW then that's your opinion. Everybody has one. God is my counselor on all matters and I'll assure you that there is no one higher or more knowledgeable than him.

I will also remind you that a BAR membership is not a license to practice law, as a matter of fact, its no more than if you was a member of a local County Club. The VSB purports itself out to be a Virginia State Agency, in which it is not. It's a membership club which consist of lawyers and Bankers, go figure. You think money provides you and your other BAR members authority to violate someone's civil rights, because you are a member of a BAR club? Please don't answer any questions as to not self incriminate yourself as a VSB member under number 33133. I certainly wouldn't want to waste your precious time and your Catering business comparisons.

I expect you will find yourself quickly out matched in the field of direct knowledge of this particular case matter, regardless of the law book you live in and believe is ALL truth, and has no flaws untruths in it. To say or lay any claim that the very laws you use to convict criminals for RICO activities, and to in the same bresth claim that the same laws does not apply to you BAR, Flys, is absurd. It's certian not "absolute immunity"

You should read laws under US title 15 sections 1 and 2.

Every person who shall monopolize, or attempt to monopolize, or combine or conspire with any other person or persons, to monopolize any part of the "trade, or commerce" among the several States, or with foreign nations, shall be deemed guilty of a felony, and, on conviction thereof, shall be punished by fine not exceeding \$100,000,000 if a corporation, or, if any other person, \$1,000,000, or by imprisonment not exceeding 10 years, or by both said punishments, in the discretion of the court.

(July 2, 1890, ch. 647, § 2, 26 Stat. 209; July 7, 1955, ch. 281, 69 Stat. 282; Pub. L. 93-528, § 3, Dec. 21, 1974, 88 Stat. 1708; Pub. L. 101-588, § 4(b), Nov. 16, 1990, 104 Stat. 2880; Pub. L. 108-237, title II, § 215(b), June 22, 2004, 118 Stat. 668.)

Of by the way, what's the corporation you work for (Frith Anderson & Peake).

Let me make sure you understand that I am in no way intemidated by your BAR membership. Nor has BB&T and Charlie Fain been successful in their direct threats with a firearm aimed directly at me either.

May God take these matters into his hands and under his high counsel. I will pray for all those involved in this matter.

Have a blessed day.

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

----- Original message -----

From: John Johnson <jjohnson@faplawfirm.com>  
Date: 02/18/2016 2:26 PM (GMT-05:00)  
To: brian <brian@csatnet.com>  
Subject: RE: What's a Catering Company got to do with this case.

Mr. Clark

The scope of my representation does not extend to answering your questions. I do not represent you. If you have questions concerning the application of caselaw that you cannot figure out yourself, I would suggest you seek help from an attorney willing to become involved on your behalf.

John C. Johnson

Attorney

Frith Anderson & Peake, PC

29 Franklin Road, SW

Roanoke, VA 24011

P.O. Box 1240

Roanoke, VA 24006-1240

(D): 540-725-3363

(F): 540-772-9167

[jjohnson@faplawfirm.com](mailto:jjohnson@faplawfirm.com)

[www.faplawfirm.com](http://www.faplawfirm.com)

This communication is confidential and is intended to be privileged pursuant to the attorney-client privilege and work product doctrine and/or is intended only for the individual or entity to which it is addressed. Any unauthorized use, distribution, copying or disclosure of this communication is strictly prohibited. If you have received this communication in error, please contact the sender immediately

---

**From:** brian [mailto:brian@csatnet.com]  
**Sent:** Thursday, February 18, 2016 2:09 PM  
**To:** John Johnson  
**Subject:** What's a Catering Company got to do with this case.

Mr. Johnson

Citation Catercorp, Inc. v. Catering Concepts, Inc., 431 S.E.2d 277 (Va. 1993).  
Subject Covenant Not To Compete

Defendants operated a catering business in competition with the plaintiff. The wife of one defendant was a former officer, director, stockholder and employee of plaintiff's who had signed an agreement that "for two years beginning April 1, 1991, he would not contact any of plaintiff's past or present customers or provide any services to such customers that are the same as or similar to services provided by plaintiff" (at 280). Plaintiff brought suit alleging tortious interference with contract, conspiracy to harm the plaintiff's business, and seeking injunctive relief pursuant to this agreement. The trial court sustained defendant's demurrer. On appeal, the court held that plaintiff stated a case and remanded suit for trial. With respect to the non-competition agreement, the court found that the plaintiff might be entitled to injunctive relief if it could prove the conspiracy and that former employees' affiliation with the defendant would cause irreparable injury

Your Clients claiming we are .INC's and are baking Cakes or Cookies, who's your customers and clients and that I am in illegal competition with them in a baking conspiracy.

What's that got to do with "Abuse of Process" under the color of Law?



You got some sort of purported or implied sign Contract that this particular argument will sustain as a fully adopted VA law that's on the books? This seems to be mere circular logic to imply such, as a Commonwealth Attorney Elect is bound by their Oath of Office.

This is just the initial drafted Civil Complaint.

Given the very nature of ALL Circuit Court as others are to be named, and each will have their individual connections and ties to your clients and the core Complaint Defendants.

In any regards ALL 21st Circuit Judges have recused themselves speaks volumes to the merits of this case in and of itself.

Sincerely

Brian Clark

Pro, se

866-515-6719 x 101

**From:** brian <brian@csatnet.com>  
**To:** John Johnson <jjohnson@faplawfirm.com>  
**Cc:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

---

**Date:** Friday, February 19, 2016 09:36AM  
**Subject:** RE: What's a Catering Company got to do with this case.

---

John

I guess it will be your last communications with me.

Friths, Grindstaffs, Carters, Hall, Jarrett, and Gardners, Armstrongs, Mahoneys, Brinegars, BB&T and the Fidelity Bank all point back to:

Phillip G. Gardner / Ward Armstrong  
Stephanie Brinegar Vipperman, Marcus Brinks 5 local area judges and two county Sherriffs.

And others.

You need me to paint you a flow chart and PowerPoint presentation, already got that.

Like I said you have NO idea what you are stepping into..On piece of advice, never insult opposing counsel's knowledge, integrity, investigative skills, or real life experience with LAW. It not ethical to engage in such. It doesn't lean you any favors what so ever.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

----- Original message -----

**From:** John Johnson <jjohnson@faplawfirm.com>  
**Date:** 02/18/2016 3:22 PM (GMT-05:00)  
**To:** brian <brian@csatnet.com>  
**Subject:** RE: What's a Catering Company got to do with this case.

Mr. Clark,

This is my last communication by email with you. Perhaps reading it a third time will help you understand – I do not function to explain my client's position to you. I will present my argument to the Court, and not to you. I will, of course, provide you with a copy of that which I file with the Court as required by the Rules of the Supreme Court of Virginia. As I stated to you before, I do not serve to answer your questions. Nor will I engage

in useless communications with you. If you have an argument to make, I would submit that you should make it to the Court in the form of a proper pleading and not waste your time and mine.

John C. Johnson

Attorney

Frith Anderson & Peake, PC

29 Franklin Road, SW

Roanoke, VA 24011

P.O. Box 1240

Roanoke, VA 24006-1240

(D): 540-725-3363

(F): 540-772-9167

[jjohnson@faplawfirm.com](mailto:jjohnson@faplawfirm.com)

[www.faplawfirm.com](http://www.faplawfirm.com)

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---

**From:** brian [mailto:brian@csatnet.com]

**Sent:** Thursday, February 18, 2016 3:11 PM

**To:** John Johnson

**Subject:** RE: What's a Catering Company got to do with this case.

Mr. Johnson

This case below CaterCorp, INC vs Catering Concepts, INC is merely an example of a Case, in which it is referencing that the Plaintiff "needs not disclose" all the particulars surrounding his claim to be heard in Court of law.

This then seems to imply that you are trying to twist this to favor your defendants claim for reason of awarding a demur. That logic seems flawed according to the nature that it appears to be a very common misuse of demur, as your content doesn't state ANY thing that would establish beyond any reasonable doubt that these defendants clearly "could not have Co-conspired with this defendant and or others". Its their burden to prove they didn't when faced in court with the evidense and court recorded trascripts of the Jan 26th 2015 trail, and other related evidense that WILL reflect my claim. It's then up to a Jury panel to decide after hearing the arguments and review of ALL the evidense.

Also you might want to visit rule 1:4 (d)

A simple statement of the essential Facts is sufficient.

Also see Rule 3.18 (b)

It's therefore "apparent" that a demur is commonly misused and is failing to adhere to the standards of a demur. It's further a commonly used tactic of lawyers to avoid trail and the judicial black eye for getting exposed for a wide spread area curruption under the color of law. We can go into those various law codes as well, but I respect your integrity and education as a lawyers and that you are simply trying to zelously defend your clients. I welcome that true spirit, due diligence, and equal rights to that due process. You will find that I "do not" shy away from it, and in fact I am begining to gain an even greater appreciation for it.

Here's a more clear cut example of when to use a demur in a case, in which a false statement or purported ownership is made.

Ex: If Plaintiff A claims to have ownership of Catering Corp, INC, against a defendant.

The defendant files a demur, accompanied with an attached exhibit showing that he has the sole ownership of Catering Corp, INC, by the Articles of Corporation, which by FACT proves or establishes evidence of record that plaintiff A's cannot possible be true by a documented facts, then a demur is appropriate and could possible be ruled and sustained for a dismissal by a judge.

This is not even remotely possible in this Case, as the defendants have nothing that establishes such Fact or proof.

Sincerely

Brian Clark

Carolina Sat Net Solutions

866-515-6719 x 101

----- Original message -----

From: brian <[brian@csatnet.com](mailto:brian@csatnet.com)>

Date: 02/18/2016 2:09 PM (GMT-05:00)

To: [jjohnson@faplawfirm.com](mailto:jjohnson@faplawfirm.com)

Subject: What's a Catering Company got to do with this case.

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In any regards ALL 21st Circuit Judges have recused themselves speaks volumes to the merits of this case in and of itself.

Sincerely

Brian Clark

Pro, se

866-515-6719 x 101



**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

---

**Date:** Monday, February 22, 2016 04:50AM  
**Subject:** What a Family your Courts ruin.

---

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

Attachments:

IMG\_67376136137620.jpeg



**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

---

**Date:** Monday, February 22, 2016 04:51AM  
**Subject:** Me, Bailey, My Daughter, and Opal

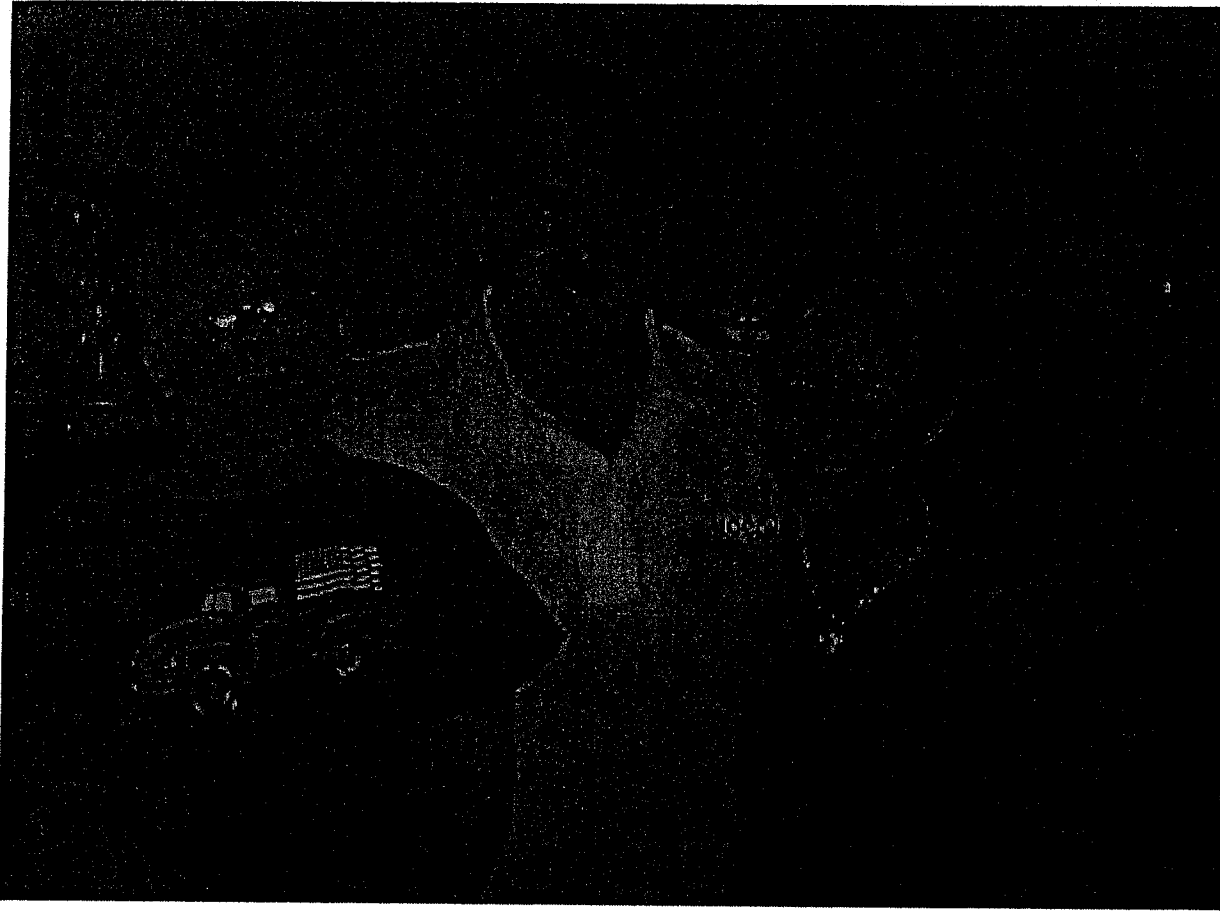
---

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

Attachments:

IMG\_67398768436465.jpeg





**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

---

**Date:** Monday, February 22, 2016 05:06AM  
**Subject:** The other Family.

---

Susan Clark

Look very Closely to this Photo and you'll see.  
Look real Close and you'll see my Daughter Married Jordan Williams, grandson of Jack Williams.

This was taken too when I had Visitation Friday after School till Monday morning every other weekend, per Kelli Krumenaker.

Your School Officials Kim Kendrick got involved in preventing me from picking him up at School one Friday. I filed Show Cause, Jackie was Fined 300.00 and my Custody was stripped for ZERO reasons other that your Courts using this young man as their pawn.

Have a nice week, but I pray these photos will serve as a reminder of house Virginia 21st District Courts Destroy Families for monetary gains, to extort monies, and aid BB&T in Covering up Court testified Fraud, Forgery, including Federal Aid loan forgery and identity theft.

Judge Martin Clark Jr. Has been at the helm of this matter and this circuit court in aiding and abetting ALL these matters with BB&T and these local areas BAR lawyers. Now more lawyers, and more Judges are needed to attempt to find one that not biased or influenced by their BAR licences, and Judge ships. This is just grossly sickening and a disgrace to the Virginia 21st Judicial system and it's Clearly been exposed and documented very well on these matters.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

Attachments:

IMG\_67516152689702.jpeg

**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

---

**Date:** Monday, February 22, 2016 05:08AM  
**Subject:** During one of my Weekend visitations.

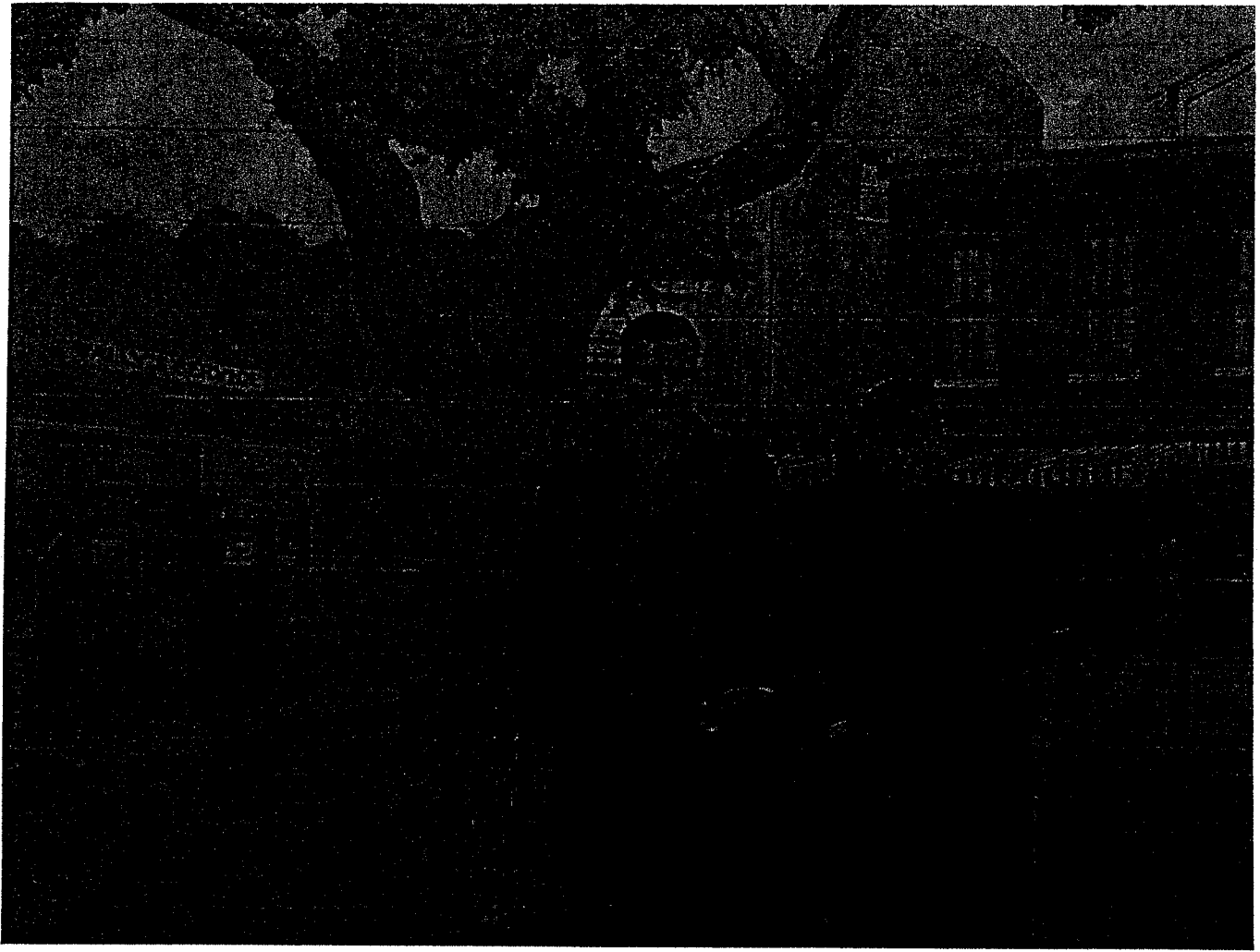
---

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

Attachments:

IMG\_96009279972193.jpeg



**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

---

**Date:** Monday, February 22, 2016 05:16AM  
**Subject:** Another one for you to look at.

---

Susan Clark Gasperini.

One of my Weekend Visits with Baikey. OH, and by the way this was "after the Staged /alleged: "Attack" as Jackie likes to call it. We ALL know what this is about as She Stated it in her Response to this civil suit matter.

Yes, Stepfanie, Danny Smith, Deputy Haymore, Jackie, Phillip Gardner, Ward, Bushnell, Martin Clark and BB&T ALL do know very well what this is about. IT'S ALL about greed, money, family connection in local small town of Patrick County Virginia.

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

Attachments:

IMG\_67556117782238.jpeg





**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>  
**Cc:** Charles Poindexter <jbp@jetbroadband.com>, Mary Pendleton Stafford <marypstafford@gmail.com>, Michelle Jenkins <Michelle.Jenkins@mail.house.gov>, Travis Knobbe <tknobbe@spilmanlaw.com>

---

**Date:** Monday, February 22, 2016 08:04AM  
**Subject:** STOP PAS in the 21st District Courts of VA

---

Susan Clark Gasperini

Who gave Patrick County Virginia the SOLE authority to Abuse a Child for fun and Games as A PAWN, to aid BB&T in Covering up Criminal Banking Fraud and Forgery.

Those that engage in such acts are domestic terrorist operating for profits under the color of law. This nation should place these people in Federal Maximum security Prisons for 25 to 30 years to life.

One things will then be accomplished. These same individuals will never do it to another family or another Child for at least three decades. Those that fill these positions will certainly think long and hard about engaging in similar conduct.

Pending 4.5 Million Dollar Suit, 5 Judges Recused themselves. Now seeking another Virginia Supreme Court Judge outside the 21st District to hear case.

State Delegates, well aware of this situation take ZERO actions and Congress Covers up Federal Loan Fraud and Identity theft, and BB&T continues to evade their Direct involvement with Stephanie Brinegar Vipperman, Phillip G. GARDNER, Ward Armstrong, and numerous other VSB #'s.

This is simply a disgrace to out 21 Circuit Judicial Branch of Government in Virginia. These people are running around acting like Domestic Terrorist engaging with Sherriff Danny Smith and his deputies and others to harrass and trying to intemidate and provoke something to attempt to aid them in cover up their Criminal acts.

Enough is Enough.

Turning a blind eye to this matter NOW, is the same as enabling it.

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

Attachments:

images(12).jpeg      d766c9f5fbee514fba5f353df19f69b.jpg      family-court-sponsered-child-abuse-via-pas-2015.png      images(11).jpeg  
  
c031cf294954507be9e54ba891b02978.jpg

**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>  
**Cc:** Charles Poindexter <jbp@jetbroadband.com>, Michelle Jenkins <Michelle.Jenkins@mail.house.gov>

---

**Date:** Thursday, February 25, 2016 07:47AM  
**Subject:** 4.5 million dollar Suit.

History:      ✦ This message has been replied to.

---

Mrs. Gasperini

I still have not received any coorspondense from your office, regarding the letter to request a Judge from the Virginia Supreme Court.

This seems a matter headed to be heard in Supreme Court under a Grand Jury Trail at this stage.

Your sitting Judge, the CA, Phillip G. Gardner, Ward Armstrong, McPheeters, and others are all engaged in this matter to aid BB&T cover up Fraud and Forgery of Banking Documents. This is public "Court Recorded" Facts. This is not some accusation. His Demurs and Motions Crave Oyer is meritless. This is all public records, court recorded testimonies, and documents generated by this court. And his defendants and the attorneys involved.

If he wants me to supply him copies of documents and public records or court recorded documents. That he should already have..I refuse to cater to meritless misuses of motion to Demur ir Crave Oyer in which all this is very well document by Court Records and documents including Court recorded testimonies. He can pay for those just like I've had to do. Over \$4,000.00 worth of Court Recordings now in these matters.

You can also advise Judge Clark, of Frith, Anderson, and Peak of these matters fully, as they have been called out for their conflicts and I'm awaiting a response from their Counsel and all I got from him was insults. I can certianly give what I get and simply do not tolerate this type of behavior of intimitation and harrassment from anyone especially opposing counsel. That type of response from Counsel's is not going to be tolerated..

BB&T, Phillip Gardner, Travis Knobbe, Ward Armstrong, Joan Rogers, Judge Robert L. Bushnell are just a brief list of the "others" as I was referring to in this initial Drafting of this lawsuit. They will be considered Third Parties in with engaged in Conspiracy and Co-Conspired with the other defendants in their Red-Herring attempts to employ this tactic to aid BB&T in Covering up Fraud.

In fact, Phillip G. Gardner has drug everyone into his mess, and is clearly the leading Tortfeasor in ALL these matters. I look forward to exposing him fully, which I already have. He's went off the radar after Jackie git fully exposed for Federal Loan Forgery and Banking Forgery and Fraud. He and Judge Clark was Banking with BB&T on pushing through these tactics and meritless staged, fabrucated, and purported acts to gain advantage in these civil matters and cover up this Fraud, Forgery and Embezzelment of CASH from my Sole owned and Formed LLC that begin back in 2004 and continued through 2012 and beyond even into 2015, even AFTER charges was filed and pending before the local area Courts and still on Docket with this Court Today unheard. This was ALL by design of Judge Clark in aiding his fishing buddy Phillip Gardner and others.

This is ALL very well known and Documented.

It's is a disgrace to also see Video Magistrates, Police deputies, and your Sherriff aid the's defendants as well in transporting, orchastrating, and aiding these defendants in these acts, under the color of law. Then when you call them out for it they use their position to attempt to harrass you by calling a meeting just to do so. Thats simply a disgrace to his oath of office and the very uniform and badge he wears as an elected Sherriff. He best have solid probably cause and not these types of fabrucated Court recorded, lies, before he engages me or any of his deputies, and that's just standing up for my rights. I will not be bullied nor am I intemidated by law enforcement officers that engage in abuse of power under the color of law. Let me make sure that this is fully understood, I nor my family will tolerate abuse of power under the color of law without probably cause that is initated, requested, or provoked by them. If a Sherriff texted me and asked me to meet him at his office on the 23rd at 9am, I'll show up at 8:45. That's what was done to me, only for Danny Smith to attempt to bully, intimidate, and harrass me. I had a physical witness and was wearing a Video Camera record that entire event.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>  
**Cc:** Michelle Jenkins <Michelle.Jenkins@mail.house.gov>, Charles Poindexter <jbp@jetbroadband.com>

---

**Date:** Thursday, February 25, 2016 08:45AM  
**Subject:** Re: 4.5 million dollar Suit.

---

Mrs. Gasperini

Thank you for your response. What about the Civil Suit Counter file back in 2013 against Charlie M. Fain?

What about the Suit against BB&T thats also before this court as well.

It's seems that these Case Delays, only morphed into this expose currupt matter, isn't that very obvious to you and this Court, included the 5 recusal of the 21 district judges? Regardless of that now, this case before this court is by clear design, a product of the overall objectives of ALL these defendants.

Having your Sherriff harrass me and or visit my family members after the DEC 23rd texted requested meeting needs to be addressed. Intemidation of potential witnesses in this case by Danny Smith, will not be advised nor tolerated. You County needs to get its people in check, before this matter gets really sideways and totally out of hand on behalf of actions of your people that are involved iN the's matters. This is written docunented notification to your office that Anyone in my Family that's potential witnesses in this matter needs to be left alone by Danny Smith and this Counties Sherriffs office.

I am not in Virginia, nor do I every intend to make it my full time residence there until ALL these matter is fully addressed. I've done be shot at, had a gun pulled on me by Charlie Fain, and harassed by Danny Smith. We all know that blood line between the Fain's and Smiths crosses. Thus is no secret that can be covered up in this day and age. May 30 years ago it could, but not today.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

----- Original message -----

From: sgasperini@courts.state.va.us  
Date: 02/25/2016 8:12 AM (GMT-05:00)  
To: brian <brian@csatnet.com>  
Subject: Re: 4.5 million dollar Suit.

The request for a judge has been sent and I'm awaiting notification from the Supreme Court. I will

let you know as soon as I hear.  
Susan

-----brian <brian@csatnet.com> wrote: -----  
To: "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>  
From: brian <brian@csatnet.com>  
Date: 02/25/2016 07:47AM  
Cc: Charles Poindexter <jbp@jetbroadband.com>, Michelle Jenkins  
<Michelle.Jenkins@mail.house.gov>  
Subject: 4.5 million dollar Suit.

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Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

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**Date:** Wednesday, March 02, 2016 02:36PM  
**Subject:** Family.

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Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

Attachments:

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**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>  
**Cc:** Travis Knobbe <tknobbe@spilmanlaw.com>

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**Date:** Friday, March 11, 2016 08:12PM  
**Subject:** Judge Greer

History:       ➔ This message has been forwarded.

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Mrs. Gasperini

I just received a letter from Gardner, yet again claiming he is representing my Sole Owned LLC.

Carolina Satellite Networks, LLC

He is not a legal representative of this LLC, nor is his purported clients, as evidence by the Articles of Corporation and the EIN number which both state is and always has been a Sole Member LLC, belonging ONLY to me. Period.

I object to Gardners Pre meeting on the 15th at 10 am in Martinsville City and the following dates on the 24th, in March, as I'm out of town during those times.

A: Judge Greer has given this up already once and moved these dockets to Judge Clark. I understand he has had some sort of Medical Condition.

B: The Articles of Corporation and EIN simply speak for the FACTS.

C: Gardner is simply "Knowingly" Making False Claims, accusations, and himself has committed Fraud and further has engaged in embezzelment negotiation without authority. He has even further engaged in additional Corporate Espionage via the courts and illegal depositions geared Solely to Destroy me as well as my LLC for cover up of Fraud conducted by local banking executives employed by BB&T at the time of those offenses. This is even on Court Recorded Testimony.

I will not continue entertain his same old tactics, by use of his legal connections and already recused local area Judges that's closely intertwined in ALL these matters.

I further am Pro, se, due to the number of VSB Attorney's engaged in this matter with Phillip Gardner and Others.

Second, I have an already booked business trip and am currently in NC on Business and will be in another State during these dates. I further have made it very clear that Judge Greer is potentially biased, as to the case in point, of his back door set meeting with himself and Phillip Gardner ONLY???? I certainly will "object to that", as he's already had numerous discussions with him already in Court and I was present at one of them. THIS is further a violation of the rules of proceeding of the Virginia Supreme Courts. I do not think he can be unbiased in his ruling. If he is of a different opinion, then he can call me and explain. I am pro, se and deserve the same respective court courtesy. I simply do not want to waste his time or the courts entertaining meritless claims and accusations claiming "LLC ownership" that in no way proven by any FACT by Phillip Gardner and his Clients. My Articles show CLEARLY exactly who is the ONLY member of the LLC..They have be sent numerous time in my response filings in these counter claims to these meritless claims of Phillip G. Gardner.

We can certianly have a collective "attempted mediation" or arbitration settlement discussion

meeting if that's what this is about, however I object to this being a pre-trial disposition hearing that's before a Judge that's "Apparently" already recused himself of these matters in other related cases involving the same parties. If Phillip Gardner needs to contact me to readdress and reset this date when i return and am available, then he can do so at the number below.

Judge Greer can also call me at the number below and we can arrange a three way conference call to discuss this matter as o am the Council for myself and Carolina Satellite Networks, LLC.

Furthermore Doris Walker, Tommy Joe Williams, and Carolina Sat Net Solutions, LLC has nothing to do with these matters what so ever. She is 100% owner of the above LLC formed apparently by public records in 2013.

Sincerely

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>  
**Cc:** Travis Knobbe <tknobbe@spilmanlaw.com>

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**Date:** Saturday, March 12, 2016 04:36PM  
**Subject:** Supreme Court Appointed Judge for case

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Mrs. Vipperman

Has there been and assigned Judge by the Virginia Supreme Court in the Case involving the Patrick County Commonwealth Attorneys, Jackie Fain Clark and others?

Second, I request a conference call immediately with Judge Greer, as to determine if I'll ask for his recusal. He's "apparently" already recused himself along with numerous other 21st District Judges. That act alone speaks volumes to the validity of my case.

While I remain very optimistic, I'm eager to discuss a very reasonable resolution to end all these matters. Having said that, ALL three of these Case are unfortunetly intertwined and very much ALL related.

In any regards to that statement, I've already noted to you and this Court of my absence during the times when Phillip G. Gardner has notified me of his intentions to discuss this with Judge Greer ONLY. I noted my objections, however its irreverent at any such request. We ALL already know this matter has been discussed by every Judge in the 21st District numerous numerous times.

I will attempt to discuss this matter with Judge Greer, and I'll do so with Phillip G. Gardner and all three of use, including Travis Knobbe the lawyer for BB&T, who can attend this as well just like he was present in Court for the Jan 26th 2015 Jury Trail that I was found "Not Guilty" of by the Jury members.

We can cut to the chase and bypass all this legal mumbo jumbo delays and discuss a reasonable resolution that can end all three of these case matters.

Sincerely

Brian Clark  
Pro,se

866-515-6719 x 101

**From:** brian <brian@csatnet.com>  
**To:** "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

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**Date:** Saturday, March 12, 2016 08:20PM  
**Subject:** Emailing Articles Of Corporation Documents.pdf

History:        ➤ This message has been forwarded.

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Articles of Corporation Documents for Judge Greer..

Brian Clark

Carolina Sat Net Solutions  
866-515-6719 x 101

Attachments:

Articles Of Corporation Documents.pdf

**Exhibit G**

**Additional notices of Filing:**

This filing will be openly released and is authorized to be published as public record of claim to local, State and National Media.

In addition, it is solely justified and noted that due to the nature and complexities of this claim, Plaintiff request that: It is therefore established and hereby requested from the Courts that in order to protect various legal firms that may be currently engaged with aiding the Plaintiff in this case or that engages in this case going forward, that they may be granted the options to chose to remain anonymous, if they so desire up until the day of trial.

Plaintiffs will request from the courts to reserve their rights to amend this suit as may be deemed required through ongoing investigation, discovery, and depositions, if necessary.

**Civil Claim Complaint Brief Summary:**

Plaintiffs Carolina Satellite Networks, LLC and Brian Clark files Civil Suit claims with the Patrick County Virginia Circuit Court, seeking 100 of millions of dollars from **(BB&T)** and others. Plaintiff alleges that BB&T purported, and further

fabricated various other Bank documents dictating ownership interest not reflective of the legal Corporate Articles of Incorporation according to the public records of Carolina Satellite Networks, LLC. Plaintiffs allege that over the course of the last 3 years from the alleged collective actions of a formed (Local area Monopoly) which formed in Patrick and Henry Counties, and in the Roanoke, Martinsville, and Danville City areas in the State of Virginia that consists of various; Local area Lawyers, Elected Officials, County Officials, Corporations, and individuals. Plaintiffs alleged that they collectively conspired and aided in Corporate Industrial Espionage and engaged in other Malicious Prosecutions through the defendants, Attorney Phillip G. Gardner, other Attorneys named in this Suit, including receiving the alleged aid from the Patrick County Commonwealth Attorney's Office, in order to create a monopoly and "Control" over the Trade of Carolina Satellite Network's, LLC, and Brian Clark, as the evidence will show and connect at time of trial by Jury.

Plaintiff Brian H. Clark is filing this as if he is without legal counsel at this present time as pro, se.

**Statement of FACTS:**

The Plaintiff, Brian H. Clark, is the sole owner and founder of Carolina Satellite Network, LLC that was formed in Charlotte, NC and was filed and registered with the Secretary of State of North Carolina in 2003, as evident by the Article of Corporation (Labeled Exhibit 1), which will be presented at time of trial by Jury. Plaintiff registered his North Carolina formed business Carolina Satellite Networks, LLC with the Virginia State Corporation Commission in 2004 and was issued a certificate to operate the North Carolina LLC in Virginia in March of 2004 (Labeled as Exhibit 2), which will be presented at time of trial.

Civil Suit Complaint Filing:

Carolina Satellite Networks, LLC and Brian Clark is filing a civil suit for 100 million US dollars directly against Co-Defendant **BB&T (Branch Banking and Trust)** hear by **(BB&T)** for their alleged Monopoly involvement in this Civil Suit Claim along with other Corporations, and individuals which co-conspired and formed a **(local area Monopoly)** consisting of local Patrick and Henry County Virginia elected Official, Lawyers, Agents, various Individuals, and Corporations. Plaintiffs allege that the collective Monopoly engaged in aiding and abetting with **(BB&T)** and other defendants through their Attorney Phillip G. Gardner and other local area Attorneys, as the evidence



presented at time of trial will further identify, name, and connect. Plaintiff further allege that they all co-conspired in a Monopoly with **(BB&T)** in order to protect Local area Branch Executives, whom at that time were involved in covering up embezzlement, Fraud and Forgeries carried out on behalf of defendants and Charlie M. Fain and Jackie Fain Clark at various local area **(BB&T)** Branches in Virginia, as the evidence and other Court Recorded Testimonies will reflect at time of trial by Jury. Plaintiff alleges that BB&T purported, and further fabricated various other Bank documents dictating ownership interest, that was not reflective of the legal Corporate Articles of Incorporation according to the public records of Carolina Satellite Networks, LLC. Plaintiff is suing **(BB&T)**, for the alleged formation of the Monopoly with defendants, co-defendants, and the collective (Local area Monopoly) consisting of Corporations and individuals) for the violations of a Form of Title 15 U. S. Code- Monopolizing trade a Felony under sections 1 & 2 and all other applicable local, **State** and Federal Banking law violations including 18.2.22 that may apply to this case to be further announced and time of trial by jury, or by an amendment.

"Plaintiff asserts that they will petition the Honor of the Courts to grant the Plaintiffs the unconditional rights to file further suits against other Corporations, Agencies, Agents, Lawyers, elected official, and other individuals which are identified in

this civil suit as a party now or through later discovery which may be later identified, in order to protect, preserve key evidence, and safe guard potential witnesses, of this Claim until such time as a proper trial by Jury hearing can be set to hear this case by Jury Trial".

"Plaintiffs assert that in this Claim they could actually seek up to 100 million against each Corporation involved and up to 1 million from each person involved under title 15 U.S. Code- Monopolizing trade a Felony under sections 1 & 2 of the law code and other applicable laws to be later identified.

Plaintiffs further asserts that Attorney Phillip G. Gardner is a Lawyer and a Business owner of Church Street Partners in Martinsville, Virginia, which is a Contractor that since 2000 has only won and done 1 Contract with a totally obligation amount of \$109,735.36, according to public records and as the evidence will show at time of trial by Jury. Plaintiff further alleges that defendants, **(BB&T)**, Attorney Phillip G. Gardner, Church Street Partners of Martinsville Virginia, along with the (Local area Monopoly), including various other local area **(BB&T)** executives, got engaged with defendants, **(BB&T)** and others who further co-conspired together in order to Spy and pry into how Carolina Satellite Networks, LLC, and plaintiff Brian Clark and the Companies, Contract Business, as the evidence will show, connect and further outline, at time of trail by Jury. Plaintiffs further alleges that this was Attorney Phillip G.

Gardner's one of many motives for bringing forth his Civil Suit that he crafted with Defendants on the **4<sup>th</sup> day of February 2013**, which will be marked as plaintiffs (Exhibit 3), as will be later defined and presented at time of trial by Jury. Plaintiff alleges that **Attorney Phillip G. Gardner** knowingly purporting himself to be acting as the legal counsel of Carolina Satellite Network, LLC by this filing to aid **(BB&T)** in covering up fraud and forgeries, by defendants, as the further evidence and (Exhibit 3), in which he filed with this Court will show at the time of trial by Jury. The Plaintiffs assert that they timely responded with a (Counter Claim) with their Attorney for Plaintiffs at that time Mark B. Holland of Danville Virginia and filed with this Court, as the evidence will further show at time of trial by Jury. Plaintiff further alleges that Attorney Phillip G. Gardner enlisted the aid of Mark B Holland shortly after this filing and then further got engaged with Attorney Ward L. Armstrong later on, whom it is further alleged that ALL three have engaged with **Attorney Phillip G. Gardner to aid (BB&T)**, the defendants, and others in forming of the (local area Monopoly) and it is further alleged that they then used their collective Law Degrees simply to stall proceedings and position themselves into aiding **(BB&T)** to further "extort monies by means of legal fees" from the Plaintiffs Brian Clark, and Carolina Satellite Networks, LLC and others. Plaintiffs also alleged that

this aided Phillip G. Gardner in gaining further insight into how Brian Clark, wins Government Contracts, and help him in his personal plans in draining the Plaintiffs out of monies for any ability to surmount a defense against (BB&T), as the evidence and court recorded testimonies will show and clearly connect at time of trial by Jury. Plaintiffs alleges that Attorney Phillip G. Gardner used this situation with (BB&T) to gain mutual benefits for, "the defendants and (BB&T)", and as a personal MOTIVE it would additionally allow him to pry and spy into the intellectually property and specific industry knowledge of Plaintiffs Brian Clark, and Carolina Satellite Networks, LLC. Plaintiffs allege that this would further aid (BB&T), the defendants, and benefit himself and his other owners of Church Street Partners of Martinsville, VA by gaining more insight into the business dealings and relationships of Carolina Satellite Networks, LLC and learn how it obtains Contracts and conducts Business, as the evidence will show at time of trial by Jury. Plaintiffs further allege that these combined MOTIVES would accomplish the following; aid (BB&T) in covering up their liabilities done on behalf of the defendants, (as his Primary Motive 1), further protect his clients, "the defendants", and their close relationships with the local area (BB&T) executives, and others who aided them in covering up their fraud and forgeries conducted at local area BB&T Branches by his Clients

"the defendants", (as his Motive 2), and thus further allowing his other (local area Monopoly), participants, consisting of; local area lawyers, other associates and colleges to positions themselves to aid (**BB&T**) and further extort Monies from Plaintiffs, (as his Motive 3), and it is alleged that it additional allowed him to pry and spy into and obtain the intellectually property gaining specific industry knowledge , (as his Motive 4) of Carolina Satellite Networks, LLC, and Brian Clark as the evidence will show and clearly connect at time of trial by Jury.

Plaintiffs further alleges that (**BB&T**), Attorney Phillip G. Gardner, Church Street Partners, and other Local Corporations, (**BB&T**), local area executives, engaged in (Corporate Industrial Espionage) with the other Defendants with aid from the (local area Monopoly) who is alleged to have co-conspired together to aid (**BB&T**), Attorney Phillip G. Gardner, Mark B. Holland, Ward L. Armstrong, Church Street Partners, and others who aided in further carrying out of (Corporate Industrial Espionage) by means of the formation of Monopoly and Control that impacted the Trade of Carolina Satellite Networks, LLC and Brian Clark, as the evidence will show and further connect and name at the time of trial by Jury. Plaintiff further alleges that they all collectively engaged in conspiracy acting as a (local area Monopoly) that formed in Patrick County Virginia in the small

town of Stuart Virginia, which aligned with defendants Attorney Phillip G. Gardner in Monopolizing the Trade of Carolina Satellite Networks, LLC Plaintiff Brian Clark, as the evidence will reflect at time of trial by Jury. Plaintiffs further alleges that they did so in order aid and protect (BB&T), their local branch executives, the (Local area Consortium), while it is also alleged that Attorney Phillip G. Gardner manipulated and leveraged the Courts and others that aiding him in carrying out depositions to obtain the discovery and create delays for (BB&T), all while he was knowingly purporting himself to be legal counsel for Carolina Satellite Networks, LLC, as the evidence present at time of trial will identify as the collective alleged parties, and the alleged Motives in exchange for mutual benefits, in which the Plaintiffs will show, outline, and connect at the time of trial by Jury.

Plaintiffs further alleges that Attorney Phillip G. Gardner also did obtained various Banking Records of Carolina Satellite Networks, LLC through various subpoenas without a signed order of the courts, and retrieved other sensitive documents through various deposition discovery requests that he conducted in Henry County and Patrick County Court Buildings with alleged aid from others, including with aid from others as the evidence, and witness testimonies will reflect and further name at time of trial by Jury. Plaintiff alleges that Attorney Phillip G.

Gardner wanted every detail about how Brian Clark secures Government Contract Business in these various court recorded depositions conducted by Phillip G. Gardner, as the evidence and witness testimonies will show at the time of trial. Plaintiff asserts that Phillip G. Gardner, did in fact, obtained numerous documents, contract proposals, various other Government Contractor Paperwork related to numerous contract business awards that Brian Clark negotiated and won on behalf of Carolina Satellite Networks, LLC and also while working as a Subcontractor for Carolina Sat Net Solutions, LLC during various Court recorded depositions hearings, as the evidence and witness testimonies will reflect at time of trial by Jury. Plaintiffs further alleges that this information was of also of particular interest to certain (**Local area Monopoly**) elected officials and participants of Stuart Virginia, as their MOTIVES, which plaintiffs will further identify show and bring forth at the time of trial by Jury

#### Counter Claim Suit

Plaintiff Brian H. Clark is also seeking in this their Counter Claim 250,000.00 in US Dollars from each individual defendant, Co-Defendants, named above in this civil suit and 3 million US Dollars from each additional corporation named as the Third Party Defendant that is identified above as parties of this

Civil Suit and alleged party members that co-conspired with other (**local area Monopoly**) participants; and or any other individual or Corporation that may be later identified in this Civil Suit Claim or through later discovery or by amendment at time of trial. Plaintiffs further alleges that Attorney Phillip G. Gardner, Mark B. Holland, Ward L. Armstrong, Church Street Partners, and other Local Corporations, engaged in (Corporate Industrial Espionage) with the other Defendants, (**BB&T**) with aid from the (**local area Monopoly**) who is alleged to have co-conspired together to aid (BB&T)and defendants cover up fraud and forgeries, which thus aided Attorney Phillip G. Gardner, Mark B. Holland, Ward L. Armstrong, Church Street Partners, and others in further carrying out (Corporate Industrial Espionage) and through the formation of a Monopoly and Control over the Trade of Carolina Satellite Networks, LLC and Brian Clark, as the evidence will show and further connect and name at the time of trial by Jury. Plaintiff further alleges that they all collectively engaged in conspiracy acting with aid from the (local area Monopoly) formed in Patrick County Virginia in the small town of Stuart Virginia, which aligned with defendants, Attorney Phillip G. Gardner and others in Monopolizing the Trade of Carolina Satellite Networks, LLC Plaintiff Brian Clark, as the evidence will reflect at time of trial by Jury. Plaintiffs further allege that they did so in order aid and protect (**BB&T**)



from anyone uncovering liabilities done on behalf of his clients, "**the defendants**". Plaintiffs further allege this protected local branch (**BB&T**) executives, and the formed (Local area Monopoly), while it is also alleged that Attorney Phillip G. Gardner manipulated and leveraged the Courts and others in delays which aiding him in carrying out depositions to obtain the discovery and aided "the defendants", as the evidence presented at time of trial will identify as the collective alleged parties objectives, and the alleged (Motives in exchange for mutual benefits), in which the Plaintiffs will show, outline, and connect at the time of trial by Jury. Plaintiffs further allege that these delays aided (BB&T) and the other defendants avoid facing their liabilities in Court and would in hopes drain the plaintiffs, as the evidence will show and connect at time of trial by Jury. Plaintiffs further alleges that Attorney Phillip G. Gardner directly obtained various Banking Records of Carolina Satellite Networks, LLC through various subpoenas, without a signed order of the courts, and other sensitive documents, through various deposition discovery requests that he conducted in Henry County and Patrick County Court Buildings with alleged aid from others, as the evidence, and witness testimonies will reflect and further name at time of trial by Jury. Plaintiff alleges that Attorney Phillip G. Gardner wanted every detail about how Brian Clark secures

Government Contract Business in these various court recorded depositions conducted by Phillip G. Gardner, as the evidence and witness testimonies will show at the time of trial. Plaintiff asserts that Phillip G. Gardner, did in fact, obtained numerous documents, contract proposals, various other Government Contractor Paperwork related to numerous contract business awards that Brian Clark negotiated and won on behalf of Carolina Satellite Networks, LLC and also while working as a Subcontractor for Carolina Sat Net Solutions, LLC during these Court recorded depositions hearings, as the evidence and witness testimonies will reflect at time of trial by Jury. Plaintiffs allege that others aided Phillip G. Gardner in preparing and organizing and retrieving these records and other sensitive documents that allowed him to pry and spy into and obtain the intellectually property and gaining specific industry knowledge, of Plaintiff Brian Clark, as the evidence and Court Recorded Depositions, and witness testimonies will clearly show at time of trial by Jury. Plaintiff alleges that this information also had ZERO bearing on the alleged "Knowingly Purported" civil suit brought forth by Phillip Gardner purporting that he represented Carolina Satellite Networks, LLC, which he never established by means of law or ANY legal proven fact, prior to obtaining, as the evidence will show at time of trial by Jury. Plaintiffs further allege that these MOTIVES would accomplish the

following; aid (BB&T) and his clients in covering up their liabilities, (as his Primary Motive 1), protect his clients relationships with the local area (BB&T) executives by further aiding them in covering up their fraud and forgeries conducted at local area BB&T Branches by his Clients "the defendants", (as his Motive 2), and thus further allowing his other (local area Consortium), alleged participants, consisting of; local area lawyers, other associates and colleges to position themselves to further extort Monies from Plaintiffs, (as his Motive 3), and it is further alleged that it additionally allowed him to pry and spy into and obtain the intellectually property gaining specific industry knowledge, (as his Motive 4) of Carolina Satellite Networks, LLC, and Plaintiff Brian Clark as the evidence will show and clearly connect at time of trial by Jury.

"Plaintiffs will make the request of the Courts to reserve and grant Plaintiffs the unconditional rights to Cross Connect individuals or corporations whether they are alleged to be a party to the Main Claim, Counter Claim, or identified as a participant in the Third Party Claim, as it may deem appropriate in order to preserve key evidence, and testimonies of individual witnesses, to be presented at time of trial by Jury, according to court proceedings of the law in order to make and clearly present their case and MOTIVE identified to the Jury Panel".

#### Third Party Claim

Plaintiff is also suing the Patrick County Commonwealth Attorney's Office, for 50 million dollars for and alleged "Abuse of Process" and aiding Defendant Jackie Fain Clark in and

conspiring in a form of Monopolizing trade by Control in conspiracy with other Defendants and their local area Attorney Phillip G. Gardner, to aid them and defendants in their civil objectives, as the evidence will reflect at time of trial by Jury. Plaintiffs further alleges that this Co-conspiracy group consisted of local area elected officials, lawyers, county employees and individuals which is alleged to have formed the (Local Area Monopoly), hereby throughout is called (Local Area Monopoly). Plaintiff further alleges they collectively conspired in also aiding Phillip G. Gardner and defendants in the efforts of (Corporate Industrial Espionage) carried out by Attorney Phillip G. Gardner, whether known or unknown to them at that time of engagement, as the evidence, (His Motives 1-5) of the Civil Claim, and the court the recorded testimonies will reflect and further outline in detail at time of trial by Jury.

Plaintiff further alleges that the (Local area Monopoly) further conspired in aiding the Patrick County Commonwealth Attorney's Office, (BB&T) and the defendants, and their various Attorneys engage in a "malicious prosecution" attempt against the Plaintiff Brian Clark, by further manipulation attempts of the local Courts, as the evidence and court recorded testimonies, will clearly show and further outline at the time of the trial by jury.

The Plaintiff Brian Clark is seeking punitive damages for an additional \$750,000.00 for each of the 3 years and ongoing meritless harassment, slandering, and defamation of character of damages brought upon Brian H. Clark, directly against Attorney Phillip G. Gardner. Plaintiff further alleges that some of the (Local area Monopoly) participants even engaged with defendants in the leveraging of Brian Clark's son, who was 13 at the time and is now of the age of 15, which plaintiff alleges constitutes acts of intentional gross negligence in the form of psychological child abuse of a minor, on behalf of those participants, and the defendants involved, as the evidence and witness testimonies will reflect and further be name at time of trial by Jury. Plaintiff alleges that these acts were a form of exercising "Control" over plaintiff Brian Clark and his SON directly, by using his minor Son as leverage in these alleged **"Abuse of Process"** in order to gain an advantage in pending civil disputes with defendants, to gain advantage over plaintiffs, as the evidence will show and connect at time of trial by jury. The Plaintiff further alleges that the defendants, with aid from the Patrick County Commonwealth Attorney's Office, and the Department of Social Service Staff, and elected official, aligned in with the (Local area Monopoly) to further aid defendants and their Attorney Phillip G. Gardner in his civil suit claims, for the alleged collectives motives

efforts in protecting (BB&T) and the other defendants.

Plaintiffs further allege that this also aided Phillip G. Gardner in obtaining the intellectual insight from the plaintiffs for various personal and monetary gains as outlined in his (Motives 1-5) of this Civil Claim, as the evidence will show, outline, and further connect at time of trial by Jury. Plaintiffs further allege that this was done in order to destroy and control, over the plaintiff's, as the evidence will show and connect at time of trial by Jury. Plaintiff alleges that the Patrick County Commonwealth Attorney's Office aligned with (BB&T) in the (Local area Monopoly) of participants, who further co-conspired in and engaged in carry out intentional gross negligence through psychological abuse and misuse of a minor, to gain leverage over Plaintiffs and to aid defendants, and their alleged Attorney Phillip G. Gardner in their civil suit matters and personal Monopoly objectives, as the evidence will reflect at time of trial by Jury. Plaintiff further alleges that these various Abuse of process and frivolous domestic cases was ALL being used as clear and calculated leverage in an early on developed relationship by "Opinion" between the Patrick County Commonwealth Attorney's Office and Attorney Phillip G. Gardner, and the (Local area Monopoly) engaged to aid the defendants in their Civil Actions brought against the Plaintiffs, by the defendants Attorney Phillip G. Gardner. Plaintiff's further

alleges that Phillip G. Gardner was further being aided by Ward L. Armstrong, and others, as the evidence will reflect and connect at time of jury trial. Plaintiff further alleges that Defendants and the Patrick County Commonwealth Attorney's Office aided, orchestrated, and carried out this with defendants Attorney Phillip G. Gardner, Ward L. Armstrong, and other Attorneys in the (Local area monopoly) of participants consisting of other lawyers, elected officials, social workers, and other local individuals, ALL in order to gain favor and advantage in aiding the defendants and their **Attorney Phillip G. Gardner**, as the evidence will reflect, name, and connect at time of trial. Plaintiff further alleges that they then conspired in further intentional gross negligence by even enlisting the help and leveraging aid from the minor son to further aid defendants and their Attorney Phillip G. Gardner and other local attorneys in attempting to cover up their collective liabilities in various Civil suit in these domestic and custody matters involving aiding the defendants, as the evidence, court recorded testimonies will show and further name, and connect at time of trial by Jury.

Plaintiff Brian H. Clark asserts that he was found unanimously "Not Guilty" by a 7 member jury trial on January 26<sup>th</sup> 2015, in the Circuit Court of Patrick County Virginia of an

alleged abuse of process "purported" and as a Brutal Assault charge filed on behalf of the Patrick County Commonwealth Attorney's Office against Plaintiff, as the evidence and the court recorded transcripts will show at time of trial by Jury. Plaintiff further asserts that defendant Jackie Fain Clark, at the time of her accusations, was a named party in a pending Patrick County Circuit Court Civil Suit case regarding Carolina Satellite Network, LLC along with Charlie M. Fain, the father of Jackie Fain Clark.

Carolina Satellite Networks, LLC and BRIAN H. CLARK

BY: \_\_\_\_\_  
Pro, Se

Brian H. Clark  
1351 Fairmont Drive  
Bassett, VA 24055

**CERTIFICATE OF SERVICE**

I, Brian H. Clark do hereby certify that I have mailed a true copy of Civil Suit to Travis A. Knobbe, counsel for BB&T, at the address of Spillman, Thomas & Battle, PLLC, Post Office Box 90, Roanoke, Virginia 24002-0090 and to Charlie M. Fain at the address of 5298 Iron Bridge Road, Stuart, Virginia 24171, and others listed on this the 9th day of January 2016.

\_\_\_\_\_  
Brian H. Clark  
Pro, Se



CIRCUIT COURT, COUNTY OF PATRICK, STATE OF VIRGINIA

Case Numbers:  
CL-13-0030-00  
CL-13-0260-00  
CL-13-0172-00  
CL-15-0007-00

To include all other related case matters relating to BB&T (Branch Banking and Trust, Charlie M. Fain, Jackie O. Fain Clark, Stefanie Brinegar Vipperman, Marcus Brinks, Tonya Hayes, Phillip G. Gardner and others.

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MOTION TO RECUSE and Appeal JUDGE G. Carter Greer rulings done on 20<sup>th</sup> April 2016 before the Circuit Court of Patrick County, Virginia

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Brian H. Clark  
Carolina Satellite Network, LLC

Petitioners

and,

Phillip G. Gardner & BB&T Branch Banking and Trust, et al

Respondent

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NOW Comes petitioner, Brian H. Clark, pro-se and moves to recuse and appeal the Honorable Judge G. Carter Greer court rulings done on the 20<sup>th</sup> day of April 2016 for the reasons that the said judge is biased and prejudiced against the petitioners and for the further reason that he shows clear favor towards Phillip G. Gardner. Judge G. Carter Greer has deep rooted ties to BB&T, through their acquisitions of First Virginia Banks. The Honorable G. Carter Greer's family members served on the board of the First Virginia Bank and has ties directly traceable to BB&T, the Banking Industry, attorney Phillip G. Gardner, and various law firms involved in these cases, all as more particularly appears in the attached document and the Affidavit of Bias and Prejudice submitted herewith.

WHEREFORE, the petitioners respectfully request and pray that the Honorable G. Carter Greer fully recuses himself and retracts his ruling done on the 20<sup>th</sup> day of April 2016 in the circuit court of Patrick County in Virginia, pursuant to rule 1.13. Mr. Clark hereby challenges rule 1.13, as the Judge must be clearly acting without prejudice. It is hereby noted that Judge G. Carter Greer was acting with clear prejudice in his rulings against Plaintiffs in this matter by this waving of Mr. Clark Signature, and as a result has caused him damages. The plaintiffs have filed suits against the above named defendants, in which it has been alleged that their motives surrounding these cases were done in order to aid and protect BB&T (Branch Banking and Trust) cover up fraud and forgery. If the Honorable G. Carter Greer refuses to retract his ruling and fully recuse himself for the reasons noted above. Plaintiffs will hereby file sanctions against this Judge and request that a motion be heard by a judge other than Judge G. Carter Greer pursuant to the doctrine of Johnson v. District Court, 674 P.2d 952 (1984), to the end that another judge be hereby reassigned by the Virginia Supreme Court, as it has been in other matters, to hear and try all matters in the instant case. It is hereby further requested that the appointed Judge by the

Virginia Supreme Courts should be properly vetted as having no direct or indirect ties or affiliations to the above parties, or others surrounding these cases.

In the United States, Two sections of Title 28 of the United States Code (the Judicial Code) provide standards for judicial disqualification or recusal. Section 455, captioned "Disqualification of justice, judge, or magistrate judge," provides that a federal judge "shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned." The section also provides that a judge is disqualified "where he has a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding"; when the judge has previously served as a lawyer or witness concerning the same case or has expressed an opinion concerning its outcome; or when the judge or a member of his or her immediate family has a financial interest in the outcome of the proceeding.

Judge G. Carter Greer had clear knowledge of this case and others involving these defendants prior to this Court Hearing and had already recused himself of those case matters and thereby was "Knowingly" engaging in these case matters above based on his relationships as duly noted. It is further very possible it was for financial interest and favor with BB&T given his family history and involvement in the Banking Industry. The Honorable Judge G. Carter Greer should have sua sponte (on his own motion) of conscience and discretion. It is therefore that an appeal to his ruling is duly warranted. Plaintiffs will reserve the right to issue a further request from the Supreme Court of Virginia for an issuance of a Writ of Prohibition in these cases matters going forward.

This is the 9<sup>th</sup> day of May 2016



Brian H. Clark  
Pro-se  
1351 Fairmont Drive  
Bassett, Virginia 24055  
(704) 467-9524

VERIFICATION AND AFFIDAVIT

STATE OF North Carolina)

: ss.

COUNTY OF Randolph)

Before me, the undersigned authority personally came and appeared the affiant named below, who, being first duly sworn upon oath, deposed and said that he has read the above and foregoing

document and knows the contents thereof, and that all statements of fact contained therein are true.

This is the 9th day of May 2016,

Subscribed and sworn to before me, this 9 day of  
May 2016.

AFFIANT  
Sharon H. Carter  
NOTARY PUBLIC  
Address of Notary:  
Sharon H. Carter  
57 Bebores  
NOTARY  
PUBLIC  
RANDOLPH COUNTY, NC

CERTIFICATE OF MAILING

I do hereby certify that the above foregoing MOTION was mailed postage pre-paid by placing the same in a stamped envelope and Placed in the United States mail, to the respondents last known attorney's.

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# Column: Past Times

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Posted: Thursday, November 26, 2009 7:00 pm

By Ken Lauterstein

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Courtesy of Franklin County Historical Association

After years of petitioning from local residents for the creation of a new county, the Virginia legislature passed an act in 1785 to create a new jurisdiction from existing land in Henry and Bedford counties.

The General Assembly mandated that the new county be formed "from and after the first day of January next ... [to be] called and known by the name of Franklin."

On Dec. 12, 1785, Gov. Patrick Henry issued a commission appointing the justices of the new county: They were Hugh Innes, Spencer Clark, Robert Hairsto, Swinfield Hill, Robert Woods, John Gipson, Peter Saunders, John Renfro, Thomas Arthur, Jonathan Richeson, John Smith and Moses Greer.

Moses Greer, born in Ann Arundel County, Md., on June 2, 1744, was the youngest of seven sons. His father, William Greer, arrived in Maryland from England with his wife, Ann Fitch, and their three children, William, James and Shadrock.

The Honorable G. Carter Greer with his wife, Amy. Greer is the great-great-great-great grandson of Moses Greer.

After arriving, the family grew with the births of John, Aquilla, Benjamin, Walter, Moses, and a daughter, Rebecca.



William, the oldest son, remained neutral during the American Revolution. Shadrock joined the British Army, which caused great distress to the family. James, Aquilla, Walter and Moses fought under the leadership of Gen. George Washington. Moses, a captain, was on the march to Yorktown as an aide to Washington at the time of the British surrender. It was during this time that the family moved to Bedford (now Franklin County).

Moses married Nancy Bailey and after the war, served as a justice on the Bedford County Court. He was appointed to the Franklin County court in 1786. Of the county's first justices, Moses Greer had the longest career on the bench.

He was 41 years old when the new court convened; he served on the bench for almost half a century. Between 1793 and 1807, Moses Greer represented Franklin County in the Virginia House of Delegates. He lived on the north side of the Blackwater River near what is now Gogginsville. Moses Greer died in 1834 at the age of 89.

Of the 12 original justices appointed in Franklin County, Moses Greer is special in that he has direct male descendants remaining in Franklin County today. Moses Greer's son, a grandson and a great-grandson succeeded him in representing Franklin County in Richmond.

His great-great-great-great grandson (Keister Greer's son), the Hon. G. Carter Greer, currently serves as a judge for the Martinsville Circuit Court. Other family members include Walter Greer (a former Rocky Mount postmaster), John Henry Greer (son of the late Edwin Greer of Sontag), and his sons, Michael and Robert Greer.

"The Grove" in Rocky Mount was the home of T. Keister Greer. Originally completed by the Hale family in 1854, the home was purchased by Greer in 1959 from the Saunders family. The late Keister Greer, who died in May of 2008, was an attorney and member of the bar in Virginia and California.

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Greer handled significant water rights cases in California while maintaining his practice in Rocky Mount. He also argued successfully in the U.S. Supreme Court. The ruling saved military personnel from having to pay property taxes in more than one state.

Greer also was involved in civic activities, including serving on the board of the First Virginia Bank and on the Board of Visitors of the University of Virginia. He authored several books, including a detailed history of the "Great Moonshine Conspiracy Trial of 1935."

T. Keister Greer also was a member of the U.S. Marine Corps and served in Okinawa in WWII. He retired from the Marine Corps Reserve as a lieutenant colonel.

After the death of his first wife, Dorothy, in 1989, Greer in 1990 married Elizabeth "Ibby" Taylor Call, who continues to live at "The Grove."

*Ibby Greer, the Franklin County Historical Association and the Virginia Conservation Commission and the Works Progress Administration (1936) contributed to this article.*

Print

Posted in Webmin on Thursday, November 26, 2009 7:00 pm.

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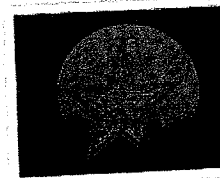
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# COMPLAINT

MAIL TO: Judicial Inquiry and Review Commission  
Post Office Box 367  
Richmond, Virginia 23218-0367  
Note: The Commission does not accept fax or e-mail complaints.

Name of Judge G. Carter Greer  
Location of Court Martinsville City & Patrick County VA  
Date of Incident April 20th 2016 & May 20th 2016  
Case Name or Number (if known) CL-13-0030 - CL-13-0160 - CL-13-0172  
Current Status of Case CL 15-0007 (Cases still pending)

Name and telephone number of persons who witnessed the judge's conduct:

DIANNE WRIGHT 276-29-1900  
DANNY WRIGHT 276-29-1900

Description of what the judge said or did that you believe was improper:

Judge Greer has created delays to Wfa BBT and Attorney Phillip G. Gardner in covering up BANK FRAUD AND FORGERY OF MY SOLE OWNED LLC.

CAROLINA SATELLITE NETWORKS, LLC  
He has ~~FA~~ refused to recuse himself after noting <sup>HIS</sup> <sub>HIS</sub> to

(BBT)

★ See? (additional pages may be attached) ★

DO NOT SEND ORIGINAL COURT RECORDS/RECORD WILL NOT BE RETURNED

Name (Please Print Clearly) Brian H. Clark Daytime Telephone 704-467-9524  
Address 1351 Fairmont Drive  
Bassett, VA 24055

Brian H. Clark Date 5/27/2016  
Signature

Note: The Commission does not accept unsigned complaints.

# THE JUDICIAL INQUIRY AND REVIEW COMMISSION

## General Public Information

### WHAT IS THE COMMISSION?

The Judicial Inquiry and Review Commission was created by the Constitution of Virginia to investigate charges of judicial misconduct or serious mental or physical disability. The Commission has seven members consisting of three judges, two lawyers, and two citizens who are not lawyers. The members are elected by the Virginia General Assembly for four-year terms.

The Commission employs a staff to assist in the investigation of complaints of misconduct against all state court judges, members of the State Corporation Commission, and members of the Virginia Workers' Compensation Commission.

### WHO MAY FILE A COMPLAINT?

A complaint may be filed by anyone.

### WHAT TYPES OF COMPLAINTS DOES THE COMMISSION INVESTIGATE?

The Commission investigates complaints of judicial misconduct or serious mental or physical disability that interfere with a judge's duties. Misconduct includes, but is not limited to:

- allowing family, social or other relationships to influence judgment;
- failing to maintain proper courtroom decorum;
- failing to be patient, dignified and courteous;
- failing to promptly dispose of court business;
- engaging in private conversations which may influence judicial actions;
- commenting publicly concerning a pending matter;
- failing to disqualify in a proceeding in which impartiality might reasonably be questioned;
- accepting gifts or favors from litigants or lawyers;
- engaging in the practice of law (unless a retired or substitute judge); or
- engaging in political activity.

Mental or physical disability may include alcohol or drug abuse, senility, or serious physical or mental illness.

### WHAT ARE THE LIMITS OF THE COMMISSION'S AUTHORITY?

The Commission investigates complaints against judges only, not lawyers, magistrates, or court personnel. The Commission does not investigate matters of judicial discretion, such as the rulings and decisions of the judge. The Commission does not investigate complaints related to pending cases, unless there is a complaint of delay. Other complaints will be investigated only when the case is concluded.

The Commission cannot change any judicial decision or finding. Reversal of a judicial decision generally can be accomplished only by an appeal to a higher court.

### HOW IS A COMPLAINT FILED?

All complaints must be in writing, addressed to the Commission, and signed by the complainant. The writer should include the name of the judge, a detailed description of the alleged misconduct or disability, the names of any witnesses, and the writer's address and telephone number. The Commission does not accept fax or email complaints.

## **WHAT HAPPENS WHEN YOU FILE A COMPLAINT?**

Upon the receipt of a written complaint, the matter will be reviewed by the Commission staff. If the complaint alleges conduct that the Commission is authorized to consider, an investigation will commence. During the investigation, the complainant may be interviewed by a member of the Commission staff. Ordinarily, the judge is not notified of complaints filed with the Commission unless the Commission determines that an ethics violation may have occurred. The identity of the person making the complaint is not disclosed to the judge absent the complainant's consent or waiver. It may be necessary, however, for a complainant to testify as a witness in the event of a hearing. When the matter has been concluded by the Commission, the complainant will be contacted by a member of the Commission staff.

## **ARE COMMISSION MATTERS CONFIDENTIAL?**

All Commission matters are confidential unless the Commission files a formal complaint against the judge in the Supreme Court of Virginia or, pursuant to statute, reports information to the General Assembly when the judge is being considered for re-election.

## **WHAT MEASURES MAY BE TAKEN?**

The Commission may consider a complaint informally or it may conduct a formal hearing. If the Commission determines there has been no ethical violation, the complaint will be dismissed. If it is determined that there may have been an ethics violation, the Commission may handle the matter informally by some form of counseling with the judge. If the Commission issues a formal charge against the judge, it may conduct a hearing and, if it finds the charge to be well-founded, may reprimand the judge privately, or place the judge on a period of supervision subject to terms and conditions. Charges that the Commission deems sufficiently serious to require the retirement, public censure or removal of the judge are filed by the Commission in the Supreme Court of Virginia. The Court may dismiss the complaint or it may retire, censure or remove the judge.

### **For Further Information:**

Please write or call:

Judicial Inquiry and Review Commission  
P.O. Box 367  
Richmond, Virginia 23218-0367  
804/786-6636  
FAX 804/371-0650

<http://www.courts.state.va.us>



VIRGINIA: IN THE CIRCUIT COURT OF Patrick County Virginia.

Carolina Satellite Networks, LLC  
, and Brian H. Clark

PLAINTIFF,

v.

**Defendants:**

BB&T, (Branch Banking and Trust  
Charlie M. Fain and Carol O. Fain,  
Jackie Fain Clark

**Co Defendants:**

Phillip G. Gardner  
Ward L. Armstrong  
Mark B. Holland

Leave and Motion to Amended Complaint: CASE NO. (CL15-99)

DEFENDANTS.

**SERVE:** CHARLIE M. FAIN, Carol O. Fain, Jackie Fain Clark  
5298 IRON BRIDGE ROAD  
STUART, VA 24171  
(PATRICK COUNTY)

**Serve:** Phillip G. Gardner  
231 E. Church Street  
Martinsville, VA 24112  
(Martinsville City)

**Serve:** BB&T (Branch Banking and Trust)  
Travis Knobbe (Attorney for BB&T)  
310 First Street, Suite 1100  
Roanoke, VA 24011

**Serve:** Ward L. Armstrong  
1 Walnut Street  
Martinsville, VA 24114

Serve: Mark B. Holland  
Haymore and Holland  
219 Patton Street  
Danville, VA 24541

By Mail:

Circuit Court of Patrick County Virginia  
101 W. Blue Ridge Street  
Stuart, VA 24171

Other Party's to this suit will be served and issued a Certified Copy via U.S. Postal Service Mail, and civilly served accordingly once named.

PLAINTIFF'S MOTION FOR LEAVE TO FILE AMENDED COMPLAINT AND  
MEMORANDUM OF LAW IN SUPPORT  
INTRODUCTION

Plaintiffs Carolina Satellite Networks, LLC and Brian H. Clark herby (Plaintiff or Plaintiffs) respectfully moves the Court, pursuant to Rule 15 of the Federal Rules of Civil Procedure, for leave to file an AMENDED COMPLAINT, a copy of which is attached hereto. The new complaint maintains the counts and allegations against the same defendants from the original complaint, but accounts for the significant factual and procedural developments that have occurred since the original complaint was filed, and accounts for and adding of the Co-defendants and the wife of Charlie M. Fain based on the recent discovery as is outlined below.

ARGUMENT

PLAINTIFF HAS MET THE STANDARD FOR OBTAINING LEAVE TO FILE AN AMENDED COMPLAINT UNDER FEDERAL RULE OF CIVIL PROCEDURE 15

Pursuant to Federal Rule of Civil Procedure 15(a)(2), "a party may amend its pleading only with the opposing party's written

consent or the court's leave. The court should freely give

\_\_\_\_ 7 Id. at \*5, n.3 (citing *Knox v. Service Employees*, 567 U.S. \_\_\_, \_\_\_ (2012) (slip op. at 7) and *FTC v. Whole Foods Market, Inc.*, 548 F.3d 1028, 1033-34 (D.C. Cir. 2008) (Brown, J.)). 5 \_\_\_\_\_

leave when justice so requires."8 The decision whether to grant leave to amend a pleading is within the sound discretion of the district court,9 but as this Court has aptly recognized, "this discretion is strictly circumscribed by the proviso that 'leave [should] be freely given when justice so requires.'"10

Therefore, a justifying reason must be apparent for denial of a motion to amend.11 "Unless a substantial reason exists to deny leave to amend, the discretion of the district court is not broad enough to permit any such denial."12 In light of the significant factual and procedural developments since Plaintiffs filed suit in 2013, good cause for amending the Complaint is immediately apparent. Defendants will in no way be prejudiced if the changes are allowed at this point in the proceedings as no actions has been taken by this courts to date in this matter. Furthermore, there is no apparent reason for denying the motion to amend, as none of the factors that may militate against it is present or possible in this case. Consistent with the liberal standard that applies to motions to amend under Rule 15(a)(2), the Court should therefore grant Plaintiff's motion.

None of the factors that may militate against granting a motion to amend is present in this case. Plaintiff moved swiftly to file these papers once the Court's issued a Leave to Amend proceeding request to Plaintiff. Thus, there is no undue delay in Plaintiff's request to amend. The newly-alleged facts were entirely unknown - and, in fact, not in known existence - at the time the Plaintiff filed its original complaint with their then Attorneys of Ward L. Armstrong, Mark B. Holland, and Bob Lunger, whom two of them are now a named Co-Party defendant in this case. Plaintiff is not seeking the amendment in bad faith or with a dilatory motive. The interests of justice and judicial economy will undoubtedly be served by having all allegations and involved parties brought properly before the Court as set forth in Plaintiff's proposed amended complaint. The amendments are narrowly tailored to reflect the present circumstances various cases and actions of the above named Defendants. Plaintiff's present understanding of the case is solidly founded on its facts and its Corporate Documents. In so doing, the action can more effectively proceed on the clearly established facts and its merits. Defendants will not suffer any undue prejudice by virtue of the Court's allowance of the proposed amendment. The determination of whether prejudice would occur often includes assessing whether allowing an amendment would result in additional discovery, cost, and preparation to defend against

new facts or new theories. Defendants cannot be prejudiced, or caught off guard, by the new facts alleged, already known to them, in the proposed amendment, since the Defendants have first-hand knowledge of the roles that they each has played in the transaction at issue and the appellate proceedings described therein. The proposed amended complaint does not involve the addition of any new defendants that was not already clearly known to be involved in various aspects of this case, including various negotiations they took part in. This request for leave to amend does not further set forth any new claims, or raise any new legal theories. No prejudice would result to Defendants in allowing the amendment under these circumstances.

Four pivotal events have transpired since filing of Plaintiffs' original complaint by then Attorney Ward L Armstrong.

A: Plaintiff has filed and recorded an Affidavit of Truth, which undisputedly establishes that 100 Percent Ownership of Carolina Satellite Networks, LLC, belongs ONLY to Brian H. Clark by the Corporate Article of Corporation records and it's EIN Number. This filing further establishes that ONLY Brian Clark had the Sole Authority to conduct business of the LLC, create and establish accounts.

B: Discovery of a Settlement and release agreement, which was carried out by BB&T, through the drafting of the Contract

agreement by Co-Defendant Attorney Phillip G. Gardner and the Banks Attorney Travis Knobbe at the time. Plaintiffs assert that this was clearly without implied authority, absent any merits, or any ruling of the courts. The plaintiffs claim that this was simply a purported settlement and release agreement, all while the named Defendants were already named in this pending case between BB&T, Charlie M. Fain, and Jackie Fain Clark. Plaintiffs assert that this was by clear design and simply to extort the remaining cash in accounts that were in the name of the LLC. It is further noted that the defendants were individually acting without any factual or proven established authority on behalf of Carolina Satellite Networks, LLC as required by Law, and thus was further "knowingly" committing Fraud and theft. A Check was further issued to BB&T in this alleged purported settlement and release Agreement in form of a Check for \$125,000.00 drawn on the personal BB&T Checking Account of Charlie Fain and his wife Carol Fain. Further "Court recorded testimony" was given under oath in the Circuit Court of Patrick County by Jackie Fain Clark on Jan 26<sup>th</sup> 2015 in case Number CR 14000427-00 regarding this check. Jackie Fain Clark's own statement made in this court recorded testimony, under oath and subject to perjury, was clearly stated that the monies that made up this Check for the 125,000.00 further came from these various company accounts in question, which was solely opened and maintained apparently ONLY

by her father Charlie M Fain, which was obtained and opened in 2004 in the name of Carolina Satellite Networks, LLC, by fraud.

C: On April 20<sup>th</sup> 2016 additional discovery was further obtained, which was verified by public records which clearly connected the Judge and his family's history in the Banking Industry with First Virginia Banks, which was acquired by the defendant BB&T in 2003. The Honorable Judge G. Carter Greer was notified in writing of this appearance of an obvious conflict of interest and he was asked for his recusal, in which he has refused to do in a written letter response. According to the Law the Plaintiffs are only required to establish a reasonable doubt that his impartiality might be questioned, according to the Virginia Judicial Canons of Law under Section E (1) (C) (D). Plaintiffs felt strongly that this was clearly founded by the preponderance of the Public records and that this would not be in the best interest of the Plaintiff's or the defendants, as any unfavorable outcome to either party would simply be unfair and cause each increase cost and expense, and certainly would be appealed to the Virginia Supreme Courts.

I have provided various sections of the Virginia Judicial Canons of Law for reference for the courts below.

B. A judge shall not allow family, social, political or other relationships to influence the judge's judicial conduct or judgment. A judge shall not lend the prestige of judicial office to advance the private interests of the judge or others; nor shall a judge convey or permit others to convey the impression that they are in a special position to influence the judge. A judge shall not testify as a character witness.

C. A judge shall not hold membership in any organization that practices invidious discrimination on the basis of race, sex, religion or national origin.

D. Disciplinary Responsibilities.

(1) A judge who receives reliable information indicating a substantial likelihood that another judge has committed a violation of these Canons should take appropriate action. A judge having knowledge that another judge has committed a violation of these Canons that raises a substantial question as to the other judge's fitness for office should inform the Judicial Inquiry and Review Commission.

(2) A judge who receives reliable information indicating a substantial likelihood that a lawyer has committed a violation of the Code of Professional Responsibility should take appropriate action. A judge having knowledge that a lawyer has committed a violation of the Code of Professional Responsibility that raises a substantial question as to the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects should inform the Virginia State Bar.

(3) A judge shall have absolute immunity from civil action with respect to the discharge of disciplinary responsibilities required or permitted by Sections 3D(1) and 3D(2).



A JUDGE SHALL PERFORM THE DUTIES OF JUDICIAL OFFICE IMPARTIALLY AND DILIGENTLY.

A. Judicial Duties in General. The judicial duties of a judge take precedence over all the judge's other activities. The judge's judicial duties include all the duties of the judge's office prescribed by law. In the performance of these duties, the following standards apply. B. Adjudicative Responsibilities. (1) A judge shall hear and decide promptly matters assigned to the judge except those in which disqualification is required. (2) A judge shall be faithful to the law and maintain professional competence in it. A judge shall not be swayed by partisan interests, public clamor or fear of criticism. (3) A judge shall require order, decorum, and civility in proceedings before the judge.

(5) A judge shall perform judicial duties without bias or prejudice. A judge shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice, including but not limited to bias or prejudice based upon race, sex, religion, national origin, disability, age, sexual orientation or socioeconomic status, and shall not permit staff, court officials and others subject to the judge's direction and control to do so. This Section 3B(5) does not preclude proper judicial consideration when race, sex, religion, national origin, disability, age, sexual orientation or socioeconomic status, or similar factors, are issues in the proceeding

(8) A judge shall dispose promptly of the business of the court.

B. Administrative Responsibilities. (1) A judge shall diligently discharge the judge's administrative responsibilities without bias or prejudice and maintain professional competence in judicial administration, and shall cooperate with other judges and court officials in the administration of court business. (2) A judge shall require staff, court officials and others subject to the judge's direction and control to observe the standards of fidelity and diligence that apply to the judge and to refrain from manifesting bias or prejudice in the performance of their official duties. (3) The chief judge shall take reasonable measures to assure the prompt disposition of matters before the court. (4) A judge shall not make unnecessary appointments. A judge shall exercise the power of appointment impartially and on the basis of merit. A judge shall avoid nepotism and favoritism. A judge shall not approve compensation of appointees beyond the fair value of services rendered.

**E. Disqualification.** (1) A judge shall disqualify himself or herself in a proceeding in which the judge's impartiality might reasonably be questioned, including but not limited to instances where:

(a) The judge has a personal bias or prejudice concerning a party or a party's lawyer, or personal knowledge of disputed evidentiary facts concerning the proceeding;

(b) The judge served as a lawyer in the matter in controversy, or a lawyer with whom the judge previously practiced law served during such association as a lawyer concerning the matter, or the judge has been a material witness concerning it;

(c) The judge knows that he or she, individually or as a fiduciary, or the judge's spouse, parent, or child wherever residing, or any other member of the judge's family residing in the judge's household, has an

economic interest in the subject matter in controversy or in a party to the proceeding or has more than a de minimis interest that could be substantially affected by the proceeding;

(d) The judge or the judge's spouse, or a person within the third degree of relationship to either of them, or the spouse of such a person:

D: Financial Activities. (1) A judge shall not engage in financial and business dealings that:

(a) may reasonably be perceived to exploit the judge's judicial position, or  
(b) involve the judge in frequent transactions or continuing business relationships with those lawyers or other persons likely to come before the court on which the judge serves.

F. Service as Arbitrator or Mediator. A judge shall not act as an arbitrator or mediator or otherwise perform judicial functions in a private capacity.

This is further expounded upon in the amended complaint attached here with. This discovery fully exposed various local area BB&T's relationships and their connections to the defendants that clearly by the preponderance of the evidence will establish that the defendants have further engaged in Corporate Espionage, cover up of fraud, Forgery, embezzlement, and other violations against the plaintiffs.

D: Ward L. Armstrong was granted a withdrawal from the case, and Attorney Phillip G. Gardner has filed a similar motion to withdraw from the case before this court. Both Attorneys are

named Co-Defendants in this matter based on their roles they played in these matters. These attorneys must adhere to certain ethical standards of conduct, and in those must not "knowingly" make false statements before the courts, and a Judge that has knowledge of these violations should adhere to the requirements of his duties according to the Judicial Canons of law. Attorney Phillip G. Gardner clearly, was "knowingly" making false statement to the court, and engaged in fraud by further purporting himself as legal counsel for Carolina Satellite Networks, LLC before this court without any authority, either implied or established by facts. Plaintiff assert that by the legal Article of Corporation documents and EIN number belonging ONLY to Brian H. Clark, that ONLY Brian H. Clark could have hired a lawyer for Carolina Satellite Networks, LLC. Plaintiff did not hire Attorney Phillip G. Gardner. Plaintiffs further asset that in April of 2012 they reported suspicious CASH Check activities to the Virginia State Police Office Joey Hilton, and that he reported this to Salem BCI. Defendant Charlie M. Fain was therefore already under a pending criminal investigation for embezzlement, prior to him consulting with Attorney Phillip G. Gardner. Plaintiffs further assert that Attorney Phillip G. Gardner "knowingly" filed a civil suit on Feb 4<sup>th</sup> 2013 using Carolina Satellite Networks, LLC as his plaintiff. Plaintiffs assert that this is a violation of the code of ethic and that he

should be reported immediately to the Virginia State Bar, according to the Judicial Canon of Virginia Law. Under the laws of the state no absolute immunity can apply in this particular case to the Co-defendants, as they "Knowingly" acted outside their duties as officers of the courts in further violation of the Virginia Code of Ethics. Phillip G. Gardner has since orchestrated and drafted a purported settlement and release Contract, and has attempted to re-file an amended complaint, which was already responded to by demur filing before this court by the plaintiff's then attorney Patrick McGraw. This action was done without any motion to amend filed with the courts, which "apparently" now is so required under Judge G. Carter Greer by his ruling during a show cause hearing on April 20<sup>th</sup> 2016. The Plaintiffs contested this hearing and a ruling that was merely specific to review a Civil Show Cause Hearing in which the then attorney for plaintiffs, Patrick McGraw was fined 250.00 on that show cause hearing. Plaintiff's felt this was showing favor or nepotism to Mr. Gardner by allowing him to slip in an amended complaint under a simply show cause hearing regarding the status of Attorney Patrick McGraw. Plaintiffs contest that they was not properly notified or advised by any motion for leave to amend in this show cause case hearing on April 20<sup>th</sup> 2016, which is why they did not file any such response to such matter that was not properly set prior to the court date, or properly introduced and

upheld to the same standards of filing for motion of leave to amend complaint requirements set forth by this Judge and the courts.

8 As no scheduling order has been issued in this case, Federal Rule of Civil Procedure 16(b), which governs modifications to pretrial scheduling orders, is not applicable. 9 Florida Foundation Seed Producers, Inc. v. Georgia Farms Services, LLC, No. 1:10-CV-125, 2012 WL 4840809, at \*21 (M.D. Ga. Sept. 28, 2012) (Sands, J.) (citing Nat'l. Serv. Indus., Inc. v. Vafla Corp., 694 F.2d 246, 249 (11th Cir. 1982)). 10 Id. (quoting Gramegna v. Johnson, 846 F.2d 675, 678 (11th Cir. 1988)). 11 Id. (citing Moore v. Baker, 989 F.2d 1129, 1131 (11th Cir. 1993)). A court may consider such factors as undue delay, bad faith, or dilatory motive on the part of the movant, repeated failure to cure deficiencies by amendments previously allowed, undue prejudice to the opposing party by virtue of allowance of the amendment, and futility of the amendment. Id. (citing Foman v. Davis, 371 U.S. 178, 182 (1962)). 12 Id. (citing Shipner v. Eastern Air Lines, Inc., 868 F.2d 401, 407 (11th Cir. 1989) (internal quotation marks omitted)).

#### CONCLUSION

For the reasons stated and identified above, the Plaintiffs request that the Court hereby grants the Plaintiff's motion for leave to file the proposed amended complaint, and that the Judges of this court is further hereby duly informed of various likely violations of code of ethics violations of these lawyers, which should be duly reported according to the law to the Virginia State Bar (VSB).

BY: \_\_\_\_\_

Pro, Se

Brian H. Clark  
1351 Fairmont Drive  
Bassett, VA 24055

CERTIFICATE OF SERVICE

I, Brian H. Clark do hereby certify that I have mailed a true copy of Civil Suit to Travis A. Knobbe, counsel for BB&T, at the address of Spillman, Thomas & Battle, PLLC, Post Office Box 90, Roanoke, Virginia 24002-0090 and to Charlie M. Fain at the address of 5298 Iron Bridge Road, Stuart, Virginia 24171, and others listed on this the 28th day of June 2016.

**Affidavit of Truth on behalf of Brian Clark and Carolina Satellite  
Networks, LLC**

STATE OF VIRGINIA  
COUNTY OF PATRICK

The undersigned, BRIAN CLARK, being duly sworn, hereby deposes and says:

1. I am over the age of 18 and am a resident of the State of Virginia. I have personal knowledge of the facts herein, and, if called as a witness, could testify completely thereto.
2. I suffer no legal disabilities and have personal knowledge of the facts set forth below.
3. I Brian H. Clark solely owned and formed Carolina Satellite Networks, LLC in 2003 in Charlotte, North Carolina. Carolina Satellite Networks, LLC was issued a EIN number 86-1084909 as a Sole Owned LLC in 2003 belonging ONLY to Brian H. Clark. Brian H. Clark established a Checking account ending in 23707 for the Business Operations of Carolina Satellite Networks, LLC at Branch Banking and Trust in Charlotte, North Carolina. Carolina Satellite Networks, LLC was registered to operate as a North Carolina, LLC in Virginia with the State Corporation Commission in 2004 and issued a certificate. Brian H. Clark did not sale any ownership to anyone or change his company legal structure after it was formed and when registered with the Virginia State Corporation Commission. Carolina Satellite Networks, LLC or Brian H. Clark has never hired or retained Phillip G. Gardner as its legal counsel for Carolina Satellite Networks, LLC
4. I Brian H. Clark have attached the Legal Articles of Corporation for Carolina Satellite Networks, LLC as organized on the 17th day of October, 2003 and registered with the North Carolina Secretary of State under certification # C200329000128-1 page 1 of 3. I Brian H. Clark further has attached the Virginia State Corporation Commission certificate dated March 30th 2004 that was issued to Carolina Satellite Networks, LLC.

BHC

I declare that, to the best of my knowledge and belief, the information herein is true, correct, and complete.

Executed this 22 day of April, 2016.

  
\_\_\_\_\_  
Brian Clark



NOTARY ACKNOWLEDGEMENT

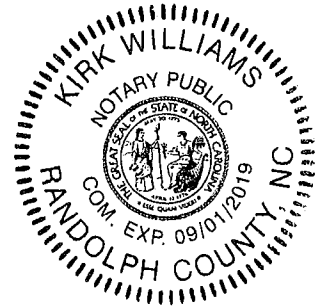
*North Carolina*  
STATE OF ~~VIRGINIA~~, COUNTY OF *Randolph*, ss:

This Affidavit of Truth was Jurat before me on this *22<sup>nd</sup>* day of *April*,  
*2016* by Brian Clark, who, being first duly sworn on oath according to law, deposes and says  
that he/she has read the foregoing Affidavit subscribed by him/her, and that the matters stated  
herein are true to the best of his/her information, knowledge and belief.

*Kirk Williams*  
\_\_\_\_\_  
Notary Public

*Notary Public*  
\_\_\_\_\_  
Title (and Rank)

My commission expires *September 1<sup>st</sup> 2019*





# NORTH CAROLINA Department of the Secretary of State

To all whom these presents shall come, Greetings:

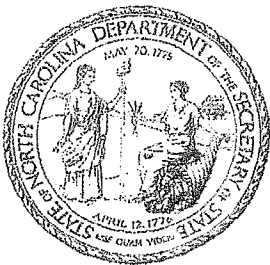
I, Elaine F. Marshall, Secretary of State of the State of North Carolina, do hereby certify the following and hereto attached to be a true copy of

## ARTICLES OF ORGANIZATION

OF

## CAROLINA SATELLITE NETWORKS, LLC

the original of which was filed in this office on the 17th day of October, 2003.



Scan to verify online.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at the City of Raleigh, this 25th day of April, 2013.

*Elaine F. Marshall*

Secretary of State

State of North Carolina  
Department of the Secretary of State

Limited Liability Company  
ARTICLES OF ORGANIZATION

Pursuant to §57C-2-20 of the General Statutes of North Carolina, the undersigned does hereby submit these Articles of Organization for the purpose of forming a limited liability company.

1. The name of the limited liability company is: CAROLINA SATELLITE NETWORKS, LLC.
2. If the limited liability company is to dissolve by a specific date, the latest date on which the limited liability company is to dissolve; (If no date for dissolution is specified, there shall be no limit on the duration of the limited liability company.) \_\_\_\_\_
3. The name and address of each person executing these articles of organization is as follows: (State whether each person is executing these articles of organization in the capacity of a member, organizer or both).

Brian H. Clark, Organizer, Manager and Member  
5800 Carmel Road  
Charlotte, NC 28226

4. The street address and county of the initial registered office of the limited liability company is:

Number and Street: 5800 Carmel Road

City, State, Zip Code Charlotte, NC 28226 County Mecklenburg

5. The mailing address, if different from the street address, of the initial registered office is:  
N/A

6. The name of the initial registered agent is: Brian H. Clark

7. Principal office information: (Select either a or b.)

a.  The limited liability company has a principal office.

The street address and county of the principal office of the limited liability company is:

Number and Street: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_ County: \_\_\_\_\_

The mailing address, if different from the street address, of the principal office of the corporation is:  
\_\_\_\_\_

- b.  The limited liability company does not have a principal office.

NOV 2 2016 PG0020

8. Check one of the following:

(i) *Member-managed LLC*: all members by virtue of their status as members shall be managers of this limited liability company.

(ii) *Manager-managed LLC*: except as provided by N.C.G.S. Section 57C-3-20(a), the members of this limited liability company shall not be managers by virtue of their status as members.

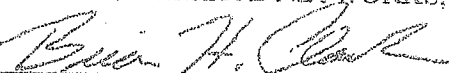
9. To the fullest extent from time to time permitted by law, no person who is serving or who has served as a manager of the limited liability company shall be personally liable in any action for monetary damages for breach of his or her duty as a manager, whether such action is brought by or in the right of the limited liability company or otherwise. Neither the amendment nor repeal of this Article, nor the adoption of any provision of these Articles of Organization inconsistent with this Article, shall eliminate or reduce the protection afforded by this Article to a manager of the limited liability company with respect to any matter which occurred, or any cause of action, suit, or claim which but for this Article would have accrued or arisen, prior to such amendment, repeal, or adoption.

10. These articles will be effective upon filing, unless a date and/or time is specified:

\_\_\_\_\_

This is the 15th day of October, 2003.

CAROLINA SATELLITE NETWORKS, LLC

By: 

Brian H. Clark, *Member, Manager  
and Organizer*

NOTES:

1. Filing fee is \$125. This document must be filed with the Secretary of State.

CORPORATIONS DIVISION  
(Revised January 2002)

P.O. Box 29622

RALEIGH, NC 27626-0622  
(Form L-01)

MAY 2 2016 PG0021

# Commonwealth of Virginia



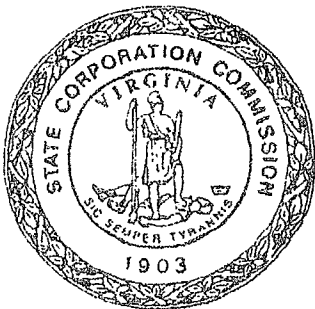
## STATE CORPORATION COMMISSION

Richmond, March 30, 2004

*This certificate of registration to transact business in Virginia is this day issued for*

**CAROLINA SATELLITE NETWORKS, LLC**

*a limited liability company organized under the laws of NORTH CAROLINA and the said company is authorized to transact business in Virginia, subject to all Virginia laws applicable to the company and its business.*



State Corporation Commission

Attest:

*Joel H. Beck*  
Clerk of the Commission

INSTRUMENT #160001458  
RECORDED IN THE CLERK'S OFFICE OF  
COUNTY OF HENRY ON  
MAY 2, 2016 AT 10:26AM

JENNIFER K. ASHWORTH, CLERK  
RECORDED BY: CYN



OFFICIAL RECEIPT  
HENRY COUNTY CIRCUIT COURT  
3160 KINGS MOUNTAIN ROAD STE B  
MARTINSVILLE, VA 24112  
276-634-4880

DEED RECEIPT

DATE: 05/02/16 TIME: 10:26:54 ACCOUNT: 089CLR160001458 RECEIPT: 16000006760  
CASHIER: CYM REG: HT53 TYPE: AF PAYMENT: FULL PAYMENT  
INSTRUMENT : 160001458 BOOK: PAGE: RECORDED: 05/02/16 AT 10:26  
GRANTOR: CLARK, BRIAN EX: N LOC: CO  
GRANTEE: CLARK, BRIAN EX: N PCT: 100%

AND ADDRESS :

RECEIVED OF : CLARK, BRIAN

CHECK: ~~CASH~~ \$21.00

DESCRIPTION 1: AFFIDAVIT OF TRUTH ON BEHALF OF BRIAN CLARK  
2:

PAGES: 4 OP: 0  
NAMES: 0

CONSIDERATION: .00 A/VAL: .00 MAP:  
PIN:

301 DEEDS 14.50 145 VSLF 1.50  
106 TECHNOLOGY TRST FND 5.00

TENDERED : 21.00  
AMOUNT PAID: 21.00  
CHANGE AMT : .00

CLERK OF COURT: JENNIFER R. ASHWORTH

PAYOR'S COPY  
RECEIPT COPY 1 OF 2

*Cym*  
*5/2/16*

VIRGINIA: IN THE CIRCUIT COURT OF Patrick County Virginia.

Brian H. Clark

PLAINTIFF,

v.

**Defendant:**

Jackie Fain Clark

V.

Co-Defendants:

Patrick County Commonwealth Attorney's Office

Marcus Brinks, Tonya Haynes, Stefanie Brinegar Vipperman

CASE NO. (TBD)

DEFENDANTS.

**SERVE: Jackie Fain Clark  
5380 IRON BRIDGE ROAD  
STUART, VA 24171  
(PATRICK COUNTY)**

**SERVE: Patrick County Commonwealth Attorney's Office  
Marcus Brinks, Tanya Haynes, Stefanie Brinegar  
Vipperman  
124 Slusher Street  
P.O. Box 268  
Stuart, VA 24171  
(Patrick County)**



Plaintiff is filing this Civil Suit Claim against the Patrick County Commonwealth Attorney's Office, for 4,500,000.00 dollars for and alleged intentional "Abuse of Process" and malicious intentional aiding and conspiring with Defendant Jackie Fain Clark and others in trying to gain a conviction of a purported "Brutal Assault" as tried and portrayed before this court by the Commonwealth Attorney Marcus Brinks with aid from Tanya Haynes the Victim Witness Coordinator, against the Plaintiff on Jan 26<sup>th</sup> 2015. Plaintiff further alleges that this was ALL done in order to gain civil suit advantages for defendant and to protect others involved in those pending Civil suits, and that such acts constitutes misuse of law and the courts, as the evidence will reflect at time of trial. Plaintiff further alleges that local elected officials and others are involved with aiding the Patrick County Commonwealth Attorney and defendant, which will be further announced at time of trial. Plaintiff asserts that this case contain elements for violations of 42 U. S. Code 1983- Civil action for deprivation of rights and under sections (iii) subjects or causes to be subjected, including defamation and liable violations of Virginia Law, against Plaintiff.

Civil Counter Claim against Defendant

Plaintiff is additionally seeking a civil counter claim against defendant directly for "Malicious Prosecution" for the incurred legal expenses of over \$20,000.00 and lost wages of \$35,000.00

for total of \$55,000.00. Plaintiff alleges that defendant engaged in malicious prosecution with **specific intent to harass** Plaintiff and **gain advantage in custody** of their Son and aid defendant in pending Civil Suit matters. Plaintiff further asserts that defendant Jackie Fain Clark, at the time of her accusations, was a named party in a still pending Patrick County Circuit Court Civil Suit case regarding Carolina Satellite Network, LLC along with Charlie M. Fain, the father of Jackie Fain Clark, as the evidence and court recorded transcripts will reflect at time of trial. Plaintiff alleges that defendant sought numerous meritless protective orders against plaintiff which was denied in both JD court and in Circuit Court of Patrick County. Plaintiff further alleges that these acts was attempted as a means of harassment and abuse of the legal system, and in order to gain further advantages in defendants custody and pending civil cases and to obtain sole rights of joint property in divorce, as the evidence and court recorded transcripts will reflect at time of trial. Plaintiff asserts these are very typical reasons why the defendant would engage in such acts, not to mention the FACT that she already knew the Plaintiff Brian Clark had discovery on the defendants Bank Note forgery documents and Federal aid Loan Fraud, before the defendant even made these allegations of a purported "Brutal" assault and battery charges conducted on behalf of and with aid

from the Commonwealth Attorney Marcus Brinks, as the evidence and court recorded testimony of the Jan 26 2015 Jury trial will reflect. Plaintiff Further alleges that ALL these cases was carried out by defendant in the Courts of Patrick County Virginia, and it is so alleged that the Commonwealth Attorney's Office engaged with defendant in abuse of process to aid the defendant and other local area attorneys and bank executives involved gain advantages with the defendant in these Civil suit matters, as the court records, court recorded testimony's and other evidence will reflect at time of trail. Plaintiff further alleges that this is 4 very clear Motives for Patrick County Commonwealth and the defendant to seek to gain this type of conviction against plaintiff in exchange for mutual benefits in pending civil matters, and that such acts constitutes an attempted "Malicious Prosecution" against the defendant, and further merits the alleged, (abuse of process) claim against the Commonwealth Attorney, Marcus Brinks, and Tanya Haynes for aiding and abetting with defendant in these motives and objective of defendant, as the evidence and court recorded testimonies will reflect and connect at time of trial.

"Plaintiff Brian H. Clark asserts that he was found unanimously "Not Guilty" by a local 7 member jury trial on January 26<sup>th</sup> 2015, in the Circuit Court of Patrick County Virginia of an alleged "purported" Brutal Assault charge filed on behalf of the Patrick

County Commonwealth Attorney's Office against Plaintiff, as the evidence and the court recorded transcripts will show at time of trial."

Plaintiff further asserts that the Patrick County Commonwealth Attorney's Office pursued after this conviction on behalf of and with alleged aid given to the defendant Jackie Fain Clark with further aid from others involved with the defendant and her Fathers Civil Suits on January 26 2015, against Brian Clark, as the evidence will show and connect at time of trial. Plaintiff further alleges that they ALL collectively conspired in aiding defendant without ANY investigation or ANY sufficient probable cause established prior to even pursuing for a conviction, but did so any way, as the evidence will further reflect at time of trial. Plaintiff asserts that in and of itself should sustain the (abuse of process) claim against the Commonwealth Attorney, Marcus Brinks, and Tanya Haynes. Plaintiff is filing this as his grievances before this court, within the one year statute. Plaintiff advises the courts that he acknowledges that this case was tried initially in JD Courts. Plaintiff further informs the court that the JD Court ruling was never a final order entered, which prevented Plaintiff from filling an appeal, until it was entered and afforded to Plaintiff. Plaintiff asserts that when the final order was finally granted to Plaintiff by JD Court Judge Robert Bushnell that the plaintiff appealed it immediately

and timely. Plaintiff asserts that the Commonwealth Attorney Marcus Brinks and Tanya Haynes were present during this trial and granting of the final order was entered. Plaintiff asserts that at no time did he ever admit guilt and was seeking to appeal it from day one with his Attorney Patrick McGraw of Roanoke Virginia, but could never get a final order from JD Court Judge Bushnell, and plaintiff further asserts that he reluctantly finally issued it when he did. Plaintiff further states that delays in hearing the appeal trial hearing on Jan 26<sup>th</sup> 2015 was not in his control or his Attorney at that time, Patrick McGraw. Plaintiff alleges that whether known or unknown to the Commonwealth Attorney at that time of ALL the true facts around the accusation and the evidence received from defendant Jackie Fain Clark. Plaintiff asserts that by the law they still had a fiduciary duty and obligation to investigate and gather the police report and other documentation from the Patrick County Sheriff's Office, and at the very least the 911 responding deputy's reports and observations that he saw on the day of the alleged incident. Plaintiff asserts that the deputy's testimony that responded did not substantiate what the Commonwealth Attorney Marcus Brinks purported at trial on January 26<sup>th</sup> 2015, as the court recorded transcripts will reflect at time of trial. Plaintiff alleges that the Commonwealth Attorney Marcus Brinks attempted to gain a conviction by

purporting this as a "Brutal" assault on defendant to aid others gain advantage in pending civil matters with the defendant, as the evidence and court recorded transcripts will reflect at time of trial by Jury. Plaintiff further alleges that the Commonwealths key witness in this case was Mrs. Weeks, in which the defendant is alleged to have seen 9 or 10 days after the date of the incident and that even her observations and written report did NOT substantiate what the Commonwealth purported at trial on January 26<sup>th</sup> 2015 either, as the evidence and court recorded transcripts will further reflect at time of trial by Jury. Plaintiff assert that despite defendant and the minor Son ridding in a Patrick County deputies Patrol car from Iron Bridge Road in Stuart to the Jail to file a complaint, and at her request further driven in his patrol car to the pioneer hospital, and back to Iron Bridge Road in Stuart Virginia. The Commonwealth Attorney Marcus Brinks presented no evidence of the deputy's report, or the hospital report in this trial on January 26<sup>th</sup> 2015, as the court recorded testimonies and evidence will reflect at time of trail.


Plaintiff alleges that the additional leveraging of Brian Clark's son, who was 13 at the time and is now of the age of 15, in these matters constitutes acts of intentional gross negligence in the form of psychological child abuse of a minor, on behalf of ALL those participants, and those defendants

involved, as the evidence and witness testimonies will reflect and further be named at time of trial by Jury. Plaintiff alleges that Marcus Brinks purported evidence before this court in order to gain a conviction to aid defendant and others gain advantage in their Civil matters, which is alleged to be a form of abuse of process, and in doing so clearly aided the defendant with enlisting the aid and use of a Minor. Plaintiff further alleges that it gave an "Apparent" appearance that these injuries where as portrayed instilled in the mind of his son. Plaintiff further asserts that by them doing this concreted in his sons mind that the Plaintiff actually did these purported "BRUTAL" things to the defendant, as the evidence and court recorded transcripts will reflect at time of trial. Plaintiff further states that ANY child, and certainly his Son, would naturally be protective of his mother. Plaintiff further asserts that this entire matter has destroyed his relationship with his Son and is continuing to be used against him by the defendant in the current custody disputes to this day which is the alleged intent of her mutual benefits in engaging in "Malicious Prosecution" and motives already identified, as the evidence will show at time of trial by Jury. Plaintiff asserts that he has NO visitations to this day with his SON despite having Custody and exercising his court ordered visit that was in place even after the defendant alleged her claim. Plaintiff states that his SON simply has anger

towards him that is only further encouraged by the Defendant and aid by the influences of others surrounding this case, as the evidence will reflect at time of trial.

Given the nature and complexities of this case and the alleged misuse of the local area courts, Plaintiff request from this court a trial by Jury to be set promptly, and not as to impede or incurred additional delays in this or other pending Civil Cases currently on docket in the Circuit Court of Patrick County Virginia.

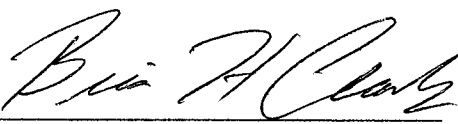
BRIAN H. CLARK

BY:   
Pro, Se

Brian H. Clark  
1351 Fairmont Drive  
Bassett, VA 24055

**CERTIFICATE OF SERVICE**

I, Brian H. Clark do hereby certify that I have mailed a true copy of Civil Suit to Travis A. Knobbe, counsel for BB&T, at the address of Spillman, Thomas & Battle, PLLC, Post Office Box 90, Roanoke, Virginia 24002-0090 and to Jackie Fain Clark at the address of 5380 Iron Bridge Road, Stuart, Virginia 24171, and other Co-Defendants on this the 12th day of January 2016.

  
Brian H. Clark  
Pro, Se



VIRGINIA: IN THE CIRCUIT COURT OF Patrick County Virginia.

Carolina Satellite Networks, LLC  
, and Brian H. Clark

PLAINTIFF,

v.

**Defendants:**

BB&T, (Branch Banking and Trust  
Charlie M. Fain and Carol O. Fain,  
Jackie Fain Clark

**Co Defendants:**

Phillip G. Gardner  
Ward L. Armstrong  
Mark B. Holland

Amended Complaint:

CASE NO. (CL 15-99)

DEFENDANTS.

**SERVE:** CHARLIE M. FAIN, Carol O. Fain, Jackie Fain Clark  
5298 IRON BRIDGE ROAD  
STUART, VA 24171  
(PATRICK COUNTY)

**Serve:** Phillip G. Gardner  
231 E. Church Street  
Martinsville, VA 24112  
(Martinsville City)

**Serve:** BB&T (Branch Banking and Trust)  
Travis Knobbe (Attorney for BB&T)  
310 First Street, Suite 1100  
Roanoke, VA 24011

**Serve:** Ward L. Armstrong  
1 Walnut Street

Martinsville, VA 24114

Serve: Mark B. Holland  
Haymore and Holland  
219 Patton Street  
Danville, VA 24541

By Mail:

Circuit Court of Patrick County Virginia  
101 W. Blue Ridge Street  
Stuart, VA 24171

Other Party's to this suit will be served and issued a Certified Copy via U.S. Postal Service Mail, and civilly served accordingly once named.

(Civil Claim Complaint), Counter Claim, and Third Party Claim:

COMES NOW the Plaintiffs Carolina Satellite Networks, LLC and Brian H. Clark, here by, (Carolina Satellite Networks, LLC), Plaintiff, (Brian H. Clark or Brian Clark) pro Se, and files this here, amended Complaint, Counter Claim.

**Additional notices of Filing:**

This filing will be openly released and is authorized to be published as public record of claim to local, State and National Media.

In addition, it is solely justified and noted that due to the nature and complexities of this claim, Plaintiff request that: It is therefore established and hereby requested from the Courts that in ORDER to protect various legal firms that may be

currently engaged with assisting Plaintiff in this case or any Attorney or Firm that engages in this case going forward, that they may be granted the options to chose to remain anonymous, if they so desire up until the day of trial. Any Lawyer discovered to have been engaged in bribing or approaching legal counsel for the Plaintiff by these defendants and Co-Defendants, should be strictly forbidden by this court, and duly punished to the fullest extent of the law for such criminal acts.

Plaintiffs will request from the courts to reserve their rights to amend this suit as may be deemed required through ongoing investigation, discovery, and depositions, if necessary.

**Civil Claim Complaint Brief Summary:**

Plaintiffs Carolina Satellite Networks, LLC and Brian Clark files Civil Suit claims with the Patrick County Virginia Circuit Court, seeking 12 million in damages directly against (BB&T). Plaintiffs is additionally seeking 250,000.00 in direct damages from each individual defendant for a total of 1.5 million noted thus far in this initial amended draft suit complaint. Plaintiff alleges that (BB&T) is engaged in efforts to cover up fraud and forgery and did purport various documents which were not reflective of the legal Corporate Articles of Corporation of Carolina Satellite Networks, LLC or it EIN number 86-1084909 according to the public records of Carolina Satellite Networks, LLC. The Plaintiffs Filed an unchallenged affidavit of truth

which was filed with the Henry County Circuit Court and deed recorded on May 2<sup>nd</sup> 2016 under court document number 160001458. Plaintiffs allege that over the course of the last 3 years from the collective actions of (BB&T), which was orchestrated through Phillip G. Gardner and the other defendants, has cause irreparable damages to Brian H. Clark and his Sole Member LLC. Plaintiff's further alleges that various Local area Lawyers, Elected Officials, County Officials, Corporations, and other individuals participated and engaged in aiding and abetting with (BB&T) and the other defendants in a scam of Corporate Espionage extortion by fraud. Plaintiffs allege that they collectively conspired and further engaged in various other attempted Malicious Prosecutions through these defendants via the courts in exchange for personal favors, bribes, and other mutual benefits, including receiving the alleged aid from the Government of Patrick County through the local Patrick County Commonwealth Attorney's Office, its Local Judges and through the Local Courts. It is further alleged that they ALL conspired collectively with Phillip G. Gardner to aid (BB&T) in covering up these acts of fraud and forgery done on behalf of the other defendants, through BB&T Local Branches. Plaintiffs allege that accounts and various notes were allowed to be established beginning in 2004 by (BB&T), which was opened in the name of Carolina Satellite Networks, LLC using it EIN number. Plaintiffs

assert that in order to cover up these various criminal actions that they collectively formed a monopoly designed to exercise "Control" over the Trade of Carolina Satellite Network's, LLC, and Brian Clark, through Attorney Phillip G Gardner and the other defendants. It is further alleged this was done specifically and with malicious intent to destroy the plaintiff personally and extort the business capital of Carolina Satellite Networks, LLC. (BB&T) engaged with these defendants in order to attempt to run the Company and its Sole Member owner, out of monies required to operate and defend itself as the evidence will show and connect at time of trial by Jury.

Plaintiff Brian H. Clark is filing this as he is currently without legal counsel at this present time, and is acting as pro, se.

**Statement of FACTS:**

The Plaintiff, Brian H. Clark, asserts that he is in fact the sole owner and founding owner of Carolina Satellite Network, LLC which was formed in Charlotte, NC and was filed and registered with the Secretary of State of North Carolina in 2003, as evident by the Article of Corporation (Labeled Exhibit 1), which will be presented at time of trial by Jury. Plaintiff was issued a sole member EIN number 86-1084909 in 2003, and registered his North Carolina formed business Carolina Satellite Networks, LLC

with the Virginia State Corporation Commission in March or 2004 and was issued a certificate to operate the North Carolina LLC in Virginia in March of 2004 (Labeled as Exhibit 2), which will be presented at time of trial. Plaintiff Jurat an unchallenged Affidavit of truth regarding the true Ownership of Carolina Satellite Networks, LLC before a North Carolina Notary on April 22 of 2016, and legally filed this with the court of Henry County Virginia under document number 160001458 and sent it via certified mail to both Phillip G. Gardner and to the Circuit County Court in Patrick County Virginia (Labeled as Exhibit 3).

Civil Suit amended Complaint Filing:

Carolina Satellite Networks, LLC and its Sole owner Brian Clark is filing this amended civil suit to the original Declaratory Judgment suit initially filed by Ward Armstrong, which is believed to be now case number CL 15-99. Plaintiffs are now seeking damages of Carolina Satellite Networks, LLC in the amount of 12 million US dollars directly against (BB&T) (Branch Banking and Trust) hear by (BB&T) based on new and recent discovery.

1: Plaintiffs alleges that (BB&T) has engaged in breach of contract, breach of fiduciary duties, lack of "due diligence", fraud, forgery, fabrication of documents, gross negligence, account embezzlement and Corporate Espionage. (BB&T) did so by

allowing the unauthorized establishment of various depository, credit, and note accounts to be opened in the name of Carolina Satellite Networks, LLC without the Sole owner Brian Clark signature or authority for those accounts to be opened from 2004 -2012.

2: Plaintiff further claims that (BB&T, once notified refused to disclose the account details to the Owner, and then further extorted monies by allowing the removal of deposited LLC funds that was in those accounts even after it was discovered and reported by Brian H. Clark to the then (BB&T) Branch Manager Barry Jarrett and others between 2012 to the present.

3: Plaintiff further asserts that those funds in those accounts rightfully belonged to Carolina Satellite Networks, LLC and that (BB&T) further allowed those funds to be removed by the defendants, which was later then used as a 125,000.00 bribe to (BB&T), in the form of a purported Settlement and release Check orchestrated by Phillip G. Gardner, and Travis Knobbe of Spilman Thomas & Battle the law firm for (BB&T), as the evidence and previous court recorded testimonies will reflect at time of trial by jury.

4: Plaintiffs allege that the defendants and co-defendants then engaged in aiding and abetting with (BB&T) through the local area attorney of Phillip G. Gardner and his Martinsville

Virginia Law firm with the other co-defendants by committing fraud, which is a criminal act under the law.

5: Plaintiffs allege this was a collective conspiracy done in order to specifically aid BB&T in covering up their liabilities, Fraud, and various note forgeries on behalf of the defendants, which was ALL done in the name of Carolina Satellite Networks, LLC at their local Virginia Branches, without the "required signature" of its ONLY sole member owner Brian H. Clark, as the evidence presented at time of trial will further identify, name, and connect.

6: Plaintiff further allege that the defendants, along with the co-defendants then engaged in the formation of this Monopoly with (BB&T) in order to protect (BB&T) and their Local area Branch Executives, whom at that time where involved in covering up various accounts established by fraud, numerous unauthorized checks written out to CASH from those illegal established accounts, and various credit and note account conversion, embezzlement, and note modification forgeries that was carried out by the defendants and in specifically Charlie M. Fain and his wife Carol Fain. Plaintiff assert that this was conducted at various local area banks and (BB&T) Branches in Virginia, as the evidence and other Court Recorded Testimonies will reflect at time of trial by Jury.



7: Plaintiffs further allege that once (BB&T) was notified that they collectively began to also fabricate and purport various documents, refused to grant the owner access to those accounts established in his Business name and then further did fabricate, altered, and modified various other Bank documents to attempt to cover up those mistakes. Plaintiffs assert that those documents was then further purporting to dictate the actual ownership interest and barrowing authority of Carolina Satellite Networks, LLC, which was not reflective of the legal Corporate Articles of Corporation or the LLC, according to the Affidavit of Truth and the Corporate public records of Carolina Satellite Networks, LLC filed with the Henry County courts in Virginia on May 2 2016 under document number 160001458.

8: Plaintiff is suing (**BB&T**) for unrecoverable damages done to Carolina Satellite Networks, LLC, and it sole member owner Brian H. Clark for negligence, fraud, document tampering, extortion, aiding and abetting, and for the alleged formation of the Monopoly with defendants, co-defendants, and other Corporations and individuals) which engaged in Corporate Espionage.

9: Plaintiff is suing for damages to Carolina Satellite Networks, LLC and for violations of Banking law and regulations including Title 15 U. S. Code- Monopolizing trade a Felony under sections 1 & 2 and all other applicable local, State and Federal Banking law violations, including 18.2.22 and others that may

apply to this case to be further announced and time of trial by jury, or by an amendment.

"Plaintiff asserts that they will petition the Honor of the Courts to grant the Plaintiffs the unconditional rights to file further suits against other Corporations, Agencies, Agents, Lawyers, elected official, and other individuals which are identified in this civil suit as a party now or through later discovery which may be later identified, in order to protect and preserve key evidence, including insuring the safe guard of various potential witnesses of this Claim, until such time as a proper trial by Jury hearing can be set to hear this case by Jury Trial by a non biased judge appointed by the Supreme Court of Virginia".

"Plaintiffs assert that in this Claim they could actually seek up to 100 million against each Corporation involved and up to 1 million from each person involved under title 15 U.S. Code- Monopolizing trade a Felony under sections 1 & 2 of the law code and other applicable laws to be later identified.

10: Plaintiffs further asserts that Attorney Phillip G. Gardner is a Lawyer and a Business owner of Church Street Partners in Martinsville, Virginia, which is a Contractor that since 2000 has only won and done 1 Contract with a totally obligation amount of \$109,735.36, according to public records and as the evidence will show at time of trial by Jury.

11: Plaintiff further alleges that defendants, (BB&T), Attorney Phillip G. Gardner, Church Street Partners of Martinsville Virginia, along with the (Local area Monopoly), including various other local area (BB&T) executives, engaged with these

defendants, (BB&T), and local area individuals who further co-conspired together in order to further Spy and pry into how Carolina Satellite Networks, LLC, and plaintiff Brian Clark and the Company operates and earns Contract Business, as the evidence will show, connect and further outline, at time of trial by Jury.

12: Plaintiffs further alleges that this effort was lead by Attorney Phillip G. Gardner's as just one of his tactics and motives behind bringing forth his Civil Suit that he crafted and orchestrated with (BB&T) and the other Defendants which began on the 4<sup>th</sup> day of February 2013, which will be marked as plaintiffs (Exhibit 3).

13: Plaintiff alleges that Attorney Phillip G. Gardner was knowingly purporting himself as the legal counsel of Carolina Satellite Network, LLC, without authority of it sole Owner, by this civil suit filing on February 4<sup>th</sup>, 2013, done solely in order to aid (BB&T) in covering up conversion, Cash embezzlement, fraud, and forgeries, conducted through various (BB&T) accounts. Plaintiff asserts that Martinsville Circuit Court Judge G. Carter Greer has a family history in the Banking Industry and ties directly verifiable by public knowledge and records to the defendants (BB&T). Plaintiffs allege that Phillip G. Gardner knew this family history and therefore exploited these connections and local area Judge relationships with

backing from (BB&T) and further engaged in various meritless and frivolous domestic and civil attacks on the Plaintiffs to include Corporate espionage with malicious intent on destroying the Plaintiffs, which would benefit themselves, the defendants and aid (BB&T) in covering up their liabilities.

14: Plaintiffs assert that the defendant Charlie M. Fain opened and obtained various depository accounts, credit, and notes in the name of Carolina Satellite Networks, LLC through various (BB&T) local area branch executives, without the required signature of the Sole owner Brian Clark, as the evidence will show at the time of trial by Jury.

15: Plaintiffs assert that Charlie M. Fain thus was knowingly committing fraud by purporting himself as a manager of Carolina Satellite Networks, LLC, excluding it owner of any visibility when opening these depository accounts in the name of Carolina Satellite Networks, LLC with defendant BB&T which began in 2004. Plaintiffs assert that this was done without his required signatory and authorization on opening of those accounts.

Plaintiff assert that Charlie M. Fain then used these various accounts to write himself out unauthorized Checks made out to CASH totaling well over \$287,000.00 from 2004 -2012, as the evidence WILL reflect.

15: Plaintiffs assert that Charlie M. Fain had no such authority to open accounts on behalf of Carolina Satellite Networks, LLC

in 2004, nor was he listed on the Articles of Corporation documents of the LLC. Plaintiff asserts that ONLY he had such authority to open accounts in the Name of Carolina Satellite Networks, LLC according to the Articles of Corporation as filed in the affidavit of truth with the courts. Plaintiffs further assert that Charlie M. Fain was knowingly engaging in fraud and corporate account embezzlement by converting CASH rightfully belonging to the LLC for his own personal interest and benefits. Plaintiff assert that this was NOT in the best interest of it Sole Owner Brian Clark and Carolina Satellite Networks, LLC

16: The Plaintiffs further assert that they timely responded to Phillip G. Gardner's February 4<sup>th</sup> Civil Suit with a (Counter Claim) against Charlie M. Fain for a counter claim amount of \$365,000.00. Plaintiffs assert that their then Attorney at that time, Mark B. Holland of Danville Virginia, filed this response and counter suit with this Court, as the evidence will further show at time of trial by Jury. Plaintiffs allege that they have been denied their "due process of law" by this court through its local area Judges who have recently been discovered as having relationships and ties to defendant (BB&T).

17: Plaintiffs asserts that the Articles of Corporation Documents was given to their then attorney Mark B. Holland at that time and he stated that he would be filing a demur and

Counter Claim response with the Patrick County Circuit Courts in Virginia.

18: Plaintiff further alleges that Attorney Phillip G. Gardner then began to enlist the aid of Mark B Holland shortly after this filing and then further solicited the aid of Attorney Ward L. Armstrong later on, whom it is further alleged that ALL three attorneys then did engage and co-conspired with the defendants through Attorney Phillip G. Gardner in order to aid (BB&T) and additionally had positioned themselves to also aid in extorting monies from plaintiffs and even the defendant in order to aid BB&T in covering up their liabilities.

19: Plaintiffs further alleged that they then ALL used their collective Law Degrees and local area relationships simply to create delays, stall proceedings by positioning themselves in craftily by using the defendant Fraud to aid (BB&T), and as an **additional benefit this would also** positioned themselves with the ability to further "extort monies by means of legal fees" from the Plaintiffs Brian Clark, and Carolina Satellite Networks, LLC and others.

20: Plaintiffs also alleged that this directly also aided BB&T and Attorney Phillip G. Gardner in gaining further insight into how the Plaintiffs, wins Government Contracts, which would further helped him in his personal plans in draining the Plaintiffs out of monies to operate with hopes in leaving them

without any ability to surmount a defense against (BB&T) and his clients, as the evidence and court recorded testimonies will show and clearly connect at time of trial by Jury.

21: Plaintiffs alleges that Attorney Phillip G. Gardner and defendants then used this situation with (BB&T) and Charlie M. Fain in order to exchange mutual benefits for, "the defendants and (BB&T)", and as a personal MOTIVE in doing so, it would additionally allow him the opportunity to pry and spy into the intellectually property and specific industry knowledge and business of the Plaintiffs Brian Clark, and Carolina Satellite Networks, LLC through various depositions conducted in Henry and Patrick County courts. Plaintiffs assert that this clear and calculated tactic that would further aid these defendants in contacting it clients and vendors, which further would impact the trade of the plaintiffs and extort monies designed to drain them of any ability to surmount a legal defense.

22: Plaintiffs allege that this further aided (BB&T), and the defendants in creating court delays by stalling these civil suits through orchestrating various other domestic court proceeding through the defendant Jackie Fain Clark and the other defendants, which would benefit (BB&T), himself and the other defendants, as the evidence will show at time of trial by Jury.

23: Plaintiffs further allege that the information Phillip G. Gardner obtained in depositions was used by Jackie Fain Clark in

order to contact various business partners through facebook, linkedin, and by phone, in order to attack the Plaintiffs Name and reputation, as various witnesses will be called in to testify to during the trial by Jury.

24: Plaintiffs further allege that these combined MOTIVES would accomplish the following;

Aid (BB&T) in covering up their liabilities done on behalf of the defendants, (as his Primary Motive 1), further protect his clients, "the defendants", and their close relationships with the local area (BB&T) executives, Judges, and others who aided them in covering up their fraud and forgeries by his clients "the defendants", (as his Motive 2), and thus further allowing his other (local area Monopoly), participants, consisting of; local area lawyers, other associates, and colleges to positions themselves to aid (BB&T) and further extort Monies from Plaintiffs and other parties in form of lengthy litigation and massive legal fees, (as his Motive 3), and it is further alleged that it additional allowed him to pry and spy into and obtain the intellectually property by gaining specific industry knowledge of Brian H. Clark and Carolina Satellite Networks, LLC., which would be used to destroy their ability to operate, (as his Motive 4), as the evidence will show and clearly connect at time of trial by Jury.



25: Plaintiffs further alleges that (BB&T), Attorney Phillip G. Gardner, Church Street Partners, and other Local Corporations, lead by (BB&T) additionally engaged in (Corporate Industrial Espionage) with the other Defendants with aid from the (local area Monopoly).

26: Plaintiffs assert that regardless if known to be doing so directly or indirectly through the false misrepresentation on behalf of Attorney Phillip G. Gardner, while purporting himself to be legal counsel for Carolina Satellite Networks, LLC, at the time. The defendants knowingly obliged and ALL involved greatly profited and or benefited from it as a result of the monopolies collective actions.

27: It is further alleged that these defendants knowingly and collectively co-conspired together to further aid (BB&T), through Attorney Phillip G. Gardner, and others who engaged in carrying out of (Corporate Industrial Espionage by means of the formation of an illegal Monopoly designed to Control and further impacted the Trade of Carolina Satellite Networks, LLC and Brian Clark, as the evidence will show and further connect and name at the time of trial by Jury.

28: Plaintiff further alleges that the defendants knowingly and willfully did then engage together in this conspiracy acting as a (local area Monopoly) that formed in Patrick and Henry County Virginia, which had aligned themselves with (BB&T), and these

defendants, which was lead by Attorney Phillip G. Gardner in a form of under the color of law type RICO umbrella designed to Monopolize and Control the Trade of Carolina Satellite Networks, LLC Plaintiff Brian Clark, as the evidence will reflect at time of trial by Jury.

29: Plaintiffs further alleges that they did so in order aid and protect (BB&T) in the covering up of fraud, forgery and account embezzlement and conversion conducted at various banks and (BB&T) local area branches. Plaintiffs allege that the **defendant via the creation of the (Local area Consortium)** knowingly aided and abetted with **(BB&T)** while attempting to prevent Carolina Satellite Networks, LLC and Brian H. Clark from earning income, and thus run the Plaintiffs out of money and prevent it from obtaining access to legal counsel through strong arm tactics by the Local area Judges, whom Plaintiffs assert is in direct violation of Canon of Judicial conduct Laws. In fact, accordingly these laws the Judges should report these Attorney's to the Virginia State Bar, if they have been given evidence that they violated the code of professional conduct. Plaintiffs allege that **(BB&T)** has apparently established clear ties and great influence over these individuals in Virginia as an apparent result of family ties and personal developed relationships.

30: It is further alleged that when Plaintiffs did retain legal counsel that Phillip G. Gardner and (BB&T) collectively leveraged their local area contacts and their relationships and created various conflicts of interest regarding (BB&T) to pressure various attorneys and firms to withdraw as counsel, as the evidence will clearly reflect at time of trial by Jury.

30: Plaintiffs further alleged that Attorney Phillip G. Gardner manipulated and leveraged these local area Courts, with aid from the local courts, and other defendants which aiding him in carrying out various depositions to obtain discovery, without proving any merits to his asserted claims all while purporting himself as legal counsel for Carolina Satellite Networks, LLC.

31: Plaintiffs allege that this was by clear design to gain favor through the local area courts and judges, in order and create various court delays for (BB&T), all while he was knowingly purporting himself to be legal counsel for Carolina Satellite Networks, LLC before the courts, as the evidence will reflect and connect at the time of trial by Jury.

32: Plaintiffs further alleges that Attorney Phillip G. Gardner also did obtained various Banking Records of Carolina Satellite Networks, LLC through various subpoenas without a signed order of the courts or a Judge, nor was any judgment awarded by the courts in favor of (BB&T) against Carolina Satellite Networks, LLC or Brian H. Clark.

33: Plaintiffs further assert that Phillip G. Gardner retrieved other sensitive documents and intellectually property of Brian H. Clark and Carolina Satellite Networks, LLC through various deposition discovery requests that he conducted in Henry County and Patrick County Court Buildings with alleged aid from others, as the evidence and witness testimonies will reflect and further name and connect at time of trial by Jury.

34: Plaintiff alleges that Attorney Phillip G. Gardner wanted every detail about how Brian Clark secures Government Contract Business in these various court recorded depositions conducted by Phillip G. Gardner, as the evidence and witness testimonies will show at the time of trial.

35: Plaintiff asserts that Phillip G. Gardner, did in fact obtain, financial records without an judges signature or authority and was further granted access to numerous documents, contract proposals, various other Government Contractor Paperwork related to numerous contract business awards that Brian Clark has negotiated and won on behalf of Carolina Satellite Networks, LLC and also while Mr. Clark was working as a Subcontractor for Carolina Sat Net Solutions, LLC during these various Court recorded depositions hearings, as the evidence and witness testimonies will reflect at time of trial by Jury.

36: Plaintiffs further alleges that this information was of particular interest to certain (**Local area Monopoly**

**participants)** elected officials and participants in Stuart Virginia, as their MOTIVES, which plaintiffs will further identify and bring forth at the time of trial by Jury.

37: Plaintiff alleges that this information also had ZERO bearing on the alleged "Knowingly Purported" civil suit claims brought forth by Phillip Gardner, as the evidence will show at time of trial by Jury.

38: Plaintiff's asserts that they have suffered un-repairable damages to its Companies 10 year business history and past performance track record in government related contracting as a direct result of these defendants' actions that have dragged on since April of 2012 to the present. The damages done to the past performance history of Carolina Satellite Networks, LLC is now severely damaged and beyond any chance of full recovery and has cost the Company millions of dollars in lost revenue, future business opportunities, lost contracts, and other related business as a result. Plaintiff prays that the Jury will award Plaintiffs its full damages sought and all expended legal fees incurred are additionally awarded and recovered back to the plaintiffs.

#### Counter Claim Suit

Plaintiff Brian H. Clark is also seeking in this their Counter Claim 250,000.00 in US Dollars from each individual defendant,

Co-Defendants, named above in this civil suit and may additionally seek 1 to 100 million US Dollars from each corporation that may be later identified as a result of this Civil Suit that has engaged and co-conspired with (BB&T) and the other (**local area Monopoly**) participants and defendants; and or any other individual or Corporation that may be later identified in this Civil Suit Claim or through later discovery or so further named at time of trial by Jury.

"Plaintiffs will make the request of the Courts to reserve and grant Plaintiffs the unconditional rights to Cross Connect individuals or corporations weather they are alleged to be a party to the Main Claim, Counter Claim, or identified as a participant in a Third Party Claim filing, as it may deem appropriate in order to preserve key evidence, and testimonies of individual witnesses, to be presented at time of trial by Jury, according to court proceedings of the law in order to make and clearly present their case and these alleged MOTIVEs of these parties and Corporations".

Additional Statement of events:

Plaintiff Brian H. Clark asserts that he was found unanimously "Not Guilty" by a 7 member jury trial on January 26<sup>th</sup> 2015, in the Circuit Court of Patrick County Virginia of an alleged orchestrated and staged Assault and Battery claim. Plaintiff alleges that this was craftily orchestrated by Phillip G. Gardner, Ward L. Armstrong, defendants, and aid from "others" which was then carried out and purported through the Patrick

County Sheriff's Office and further pursued through the Commonwealth Attorney's office in attempt to gain civil suit advantages in aiding (BB&T). Plaintiff Brian H. Clark asserts that this was "purported" as a Brutal Assault charge that was pursued, without ANY Probable Cause, and was then carried out on behalf of the Patrick County Commonwealth Attorney's Office directly against Plaintiff Brian H. Clark, as the evidence and the court recorded transcripts will show at time of trial by Jury.

Plaintiff further asserts that defendant Jackie Fain Clark, her father, and (BB&T), ALL at the time of these purported accusations, was a named party defendant in numerous pending Patrick County Circuit Court Civil Suit case regarding Carolina Satellite Network, LLC vs. (BB&T), along with Charlie M. Fain, the father of Jackie Fain Clark. Plaintiff Brian H. Clark asserts that the Patrick County Government and the Commonwealth Attorney's office was very well aware of these matters and was thus clearly engaging in them in order to aid (BB&T) and the defendants. Plaintiff alleges that local elected Patrick County officials engaged in with (BB&T) and the defendants, in local Patrick County Virginia through the Commonwealth Attorney's Offices in their repeated attempts to further purport this as a brutal assault, even despite their own responding 911 deputy's court recorded testimony that he saw no such signs of any such

assault on defendant. Plaintiff further asserts that the Court recorded testimonies will reflect the same and will further show and connect the motives of the defendants and how it aided (BB&T) in creating delays, designed to only further harass Plaintiff, and destroy his ability to earn a living through the additional leveraging the Plaintiffs Minor Son as a Pawn for control over Plaintiff Brian H. Clark in these matters via the courts against Carolina Satellite Networks, LLC and BRIAN H. CLARK

BY: \_\_\_\_\_  
Pro, Se

Brian H. Clark  
1351 Fairmont Drive  
Bassett, VA 24055

**CERTIFICATE OF SERVICE**

I, Brian H. Clark do hereby certify that I have mailed a true copy of Civil Suit to Travis A. Knobbe, counsel for BB&T, at the address of Spillman, Thomas & Battle, PLLC, Post Office Box 90, Roanoke, Virginia 24002-0090 and to Charlie M. Fain at the address of 5298 Iron Bridge Road, Stuart, Virginia 24171, and others listed on this the 28th day of June 2016.



Exhibit H

1 VIRGINIA:  
IN THE CIRCUIT COURT OF PATRICK COUNTY

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\* \* \* \* \*  
5 THE COMMONWEALTH OF VIRGINIA,

6 Plaintiff,

7 vs. CR16000423-00

8 BRIAN CLARK,

9 Defendant.

\* \* \* \* \*

10

JUDGE: HONORABLE G. CARTER GREER

11

DATE: MARCH 13, 2017

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LOCATION: STUART, VIRGINIA

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REPORTED BY: CAROLINE LANE

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EVANS & COMPANY  
COURT REPORTERS  
POST OFFICE BOX 11822  
LYNCHBURG, VIRGINIA  
(434) 239-2552

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25

**CERTIFIED  
COPY**

## APPEARANCES

1

2

3

4 For the Commonwealth: NATHAN H. LYONS, ESQUIRE  
Commonwealth's Office  
5 605-11 Pine Street  
Hillsville, Virginia 24343  
6 (276) 730-3090

7

8 For the Defendant: HENRY W. McLAUGHLIN, ESQUIRE  
797 East Main Street  
9 Suite 1050  
Richmond, Virginia 23219  
10 (804) 205-9020  
henry@mclaughlin.com  
11 (Telephonically present)

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I N D E X

EXCERPT OF THE PROCEEDINGS

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NONE

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EXCERPT OF THE PROCEEDINGS

THE COURT: All right, sir.

This Court is in the unusual position of knowing a great deal more about this case than has been presented by the Commonwealth, which is not to say that the Commonwealth didn't do a good job.

There is no reason that Mr. Lyons should know about the motion to amend, and the amendment to the civil case.

The Court is quite sure that Mr. Clark sent this e-mail, and that the reason he sent it, was that the Court had refused to recuse itself.

I digress for a second.

Mr. Clark, who tended to take matters into his own hands, in spite of the fact that he had counsel, moved to recuse this judge, and in doing so, filed what I regarded as a contemptuous motion, because it included a photograph of myself and my wife, and it also was based upon the proposition that because my father had stock in BB&T years ago, that somehow, that that tainted my judgment in this

1 case.

2 Any lawyer would know that that is not a  
3 basis for recusal.

4 After consulting with my colleagues --  
5 and I will say, I have been on the bench for  
6 twelve years now, and I have never seen such a  
7 plea -- I decided to approach the matter in a  
8 restrained fashion, because at that point, Mr.  
9 Clark was acting in a pro se manner.

10 And I wanted to impress upon him that  
11 even though he is pro se, or was at the time,  
12 that this judge expected him to comport himself  
13 in a professional and dignified manner.

14 And that is all I was trying to impress  
15 upon him at the time.

16 So I refrained from issuing a show-cause  
17 -- and that was going on a year ago.

18 I thought that would be the end of the  
19 matter.

20 But I think what happened was Mr. Clark  
21 took umbrage at the fact that I would not  
22 recuse myself, and then -- he then decided to  
23 file a motion to amend, and an amendment,  
24 without -- he actually filed an amendment  
25 without seeking leave of the Court first.

1           The reason that I know that Mr. Clark  
2 sent this e-mail, is because the amendment, the  
3 alleged purported amendment on the claim had  
4 motions containing similar accusations.

5           He didn't say that I was corrupt, but he  
6 did accuse me personally, of essentially  
7 committing a criminal act, corporate espionage,  
8 embezzlement, and the like.

9           And that's pretty much what he says in  
10 this e-mail.

11           Now Mr. Lyons -- he didn't introduce any  
12 of those documents, and I am not going to  
13 consider them.

14           Mr. McLaughlin is right, in that Mr.  
15 Clark has behaved himself very well since Mr.  
16 McLaughlin has gotten into the case.

17           And that is a good thing. And the Court  
18 is very happy with that situation, because you  
19 got yourself a good lawyer, Mr. Clark. You're  
20 letting your lawyer do your work instead of  
21 taking that upon yourself.

22           I am not going to repeat everything I  
23 said at the hearing in July -- it was July  
24 25th, the same day that the show-cause was  
25 served on him, because you heard me then. No

1           need for me to repeat myself, other than to  
2           say, that I require absolute civility between  
3           litigants. And there is a reason for that. We  
4           don't have trial by combat, where the victor  
5           stands over the bloody body of his vanquished  
6           opponent.

7                        That used to be the case in the middle  
8           ages, prior to the Magna Carta, but we don't  
9           have that any more, thank goodness. We play by  
10          rules, so as to avoid that type of carnage.

11                      A lawsuit is nothing more than civilized  
12          combat. I know that, because I practiced law  
13          for 20 years. Mr. Lyons knows that, because he  
14          is up against a lot of good defense lawyers.  
15          And Mr. McLaughlin will tell you the same  
16          thing.

17                      But the only thing that makes this system  
18          work is the rules that we follow.

19                      And one of the rules that we follow is  
20          you don't attack the judge.

21                      I sit here as a neutral arbitrator, and I  
22          make my decisions based upon what evidence I  
23          hear, and nothing else.

24                      When I first saw this e-mail, yes, it was  
25          terrible to be accused of corruption and



1 criminal offenses. Yes.

2 I am willing to bet that you are deeply  
3 remorseful of it. I am a little disappointed  
4 that you didn't take credit for it, but you  
5 didn't deny it.

6 Nevertheless, all that said, the Court  
7 believes the Commonwealth has failed to carry  
8 its burden of proof to prove you guilty beyond  
9 a reasonable doubt, and therefore I will find  
10 you not guilty.

11 We will be in recess.

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14 (This ends the excerpt of the  
15 proceedings.)

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1 COMMONWEALTH OF VIRGINIA AT LARGE, to wit:

2 I, Caroline Lane, Court Reporter, Notary  
3 Public in and for the Commonwealth of Virginia at  
4 Large, and whose commission expires February 28,  
5 2018, do certify that the foregoing is a true,  
6 correct, and full transcript of the testimony  
7 adduced.

8 I further certify that I am neither  
9 related to nor associated with any counsel or party  
10 to this proceeding, nor otherwise interested in the  
11 event thereof.

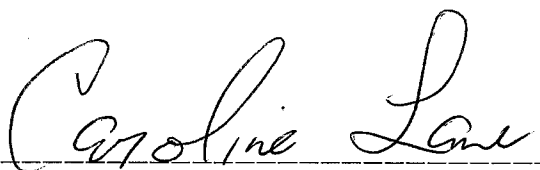
12 Given under my hand at Roanoke, Virginia,  
13 this 3rd day of April, 2017.

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Caroline Lane, Notary Public

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Notary Registration No. 238126

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Commonwealth of Virginia at Large

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**Exhibit I**

**THE LAW OFFICE OF HENRY MCLAUGHLIN, P.C.**

**HENRY W. MCLAUGHLIN, ATTORNEY AT LAW**

Eighth and Main Building, 707 East Main Street, Suite 1050, Richmond, Virginia 23219  
804-205-9020 Toll Free 877-575-0258 Facsimile 877-575-0245  
henry@mclaughlinvalaw.com

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April 22, 2017

The Honorable Martin F. Clark  
Presiding Judge  
Circuit Court of Patrick County, Virginia  
P. O. Box 762, 101 Blue Ridge Street  
Stuart, Virginia 24171-0148  
To Be Sent By Regular Mail on April 24, 2017

Re: Brian H. Clark

Dear Judge Clark:

I write to renew a prior request on behalf of Brian H. Clark for removal of the restrictions on his being able to go to the Clerks' Office of the Circuit Court of Patrick County, Virginia unaccompanied by his legal counsel.

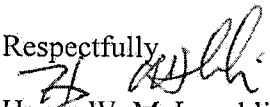
Enclosed please find a copy of a portion of a transcript of a hearing in Patrick County Circuit Court conducted on March 13, 2017. The portion of that transcript that is enclosed is the statement of the Honorable C. Carter Greer, Judge of the Circuit Court of Patrick County, Virginia, at the conclusion of that hearing.

The banning of Mr. Clark from the Clerk's Office impairs his ability to go to that office to look at court records, including records related to litigation in which he is a party. It also stands as a public rebuke of him without any prior written notice with an opportunity to question any witness against him, to present evidence, and to preserve a record for appeal. The Order banning him from the Clerk's Office has also not been stated as limited in time.

Mr. Clark has never been convicted of any felony, or any misdemeanor involving moral turpitude, or anything involving violence or threat of violence. His estranged wife did file a charge against him but a jury found him innocent of that charge. He was the defendant in a charge of contempt pursuant to Va. Code Ann. Section 18.2-456 (3) in Case No. CR16000423-004 in the Circuit Court of Patrick County, Virginia, but as shown from the enclosure to this letter, at the conclusion of the trial in that case, Judge Greer dismissed that charge.

In view of everything relevant to this matter, I renew my earlier request that the banning of Mr. Clark from the Clerk's Office of the Circuit Court of Patrick County, Virginia be reversed and lifted. Thank you for your consideration of this request.

Respectfully,

  
Henry W. McLaughlin  
Attorney-at-Law

Cc: The Honorable Susan C. Gasperini  
Clerk, Circuit Court of Patrick County, Virginia

**Exhibit J**

# Twenty-first Judicial Circuit of Virginia

Henry County • Patrick County • City of Martinsville

JUDGES

DAVID V. WILLIAMS  
MARTINSVILLE, VIRGINIA 24114

MARTIN F. CLARK, JR.  
STUART, VIRGINIA 24171

G. CARTER GREER  
MARTINSVILLE, VIRGINIA 24114

JUDGES

KENNETH M. COVINGTON, RETIRED  
MARTINSVILLE, VIRGINIA 24114

CHARLES M. STONE, RETIRED  
MARTINSVILLE, VIRGINIA 24114

May 5, 2017

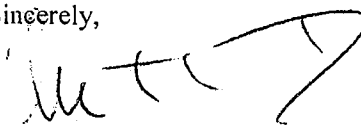
Henry W. McLaughlin  
Attorney at Law  
707 E. Main Street  
Suite 1050  
Richmond, VA 23219

Mr. McLaughlin:

I have received your April 22, 2017 letter regarding Brian H. Clark. There is nothing in Judge Greer's ruling, nor in the transcript, that would in any way affect my decision to place reasonable safety restrictions on Mr. Clark's access to the courthouse and clerk's office. Mr. Clark's thoroughly delusional claim and patently dangerous belief that BB&T officials were shooting at his home—this from an “often armed” man who “vows this [conspiracy] will be brought to an end”—is enough, standing alone, to justify my concern about the safety of the people who use and occupy the courthouse, even if we—for the sake of argument—set aside Mr. Clark's threat to a staff member here, his intentional intimidation of the ladies who work here to the point that these courthouse veterans for the first time ever requested police escorts into work, his paranoid court filings, and his inflammatory e-mails. I think that the clerk has sent you this unsettling statement as it appears in Judge Williams' final, unappealed written opinion from Mr. Clark's custody case. If not, I'm attaching it for your review.

As an accommodation to you and Mr. Clark, if you'd like, I'll instruct the clerk to copy *every* paper in *every* file involving Mr. Clark and send the documents to you without cost. Also, to make our safeguards as *de minimis* as possible, if Mr. Clark will give the clerk twenty-four-hour notice by e-mail or in writing by certified mail and a time certain for his arrival, I will allow him into the building for reasonable periods, without your presence, but with an officer here to monitor him while he is in the clerk's office.

Sincerely,



Martin F. Clark, Jr.

Twenty-first Judicial Circuit  
of Virginia

Henry County • Patrick County • City of Martinsville

JUDGES

DAVID V. WILLIAMS  
MARTINSVILLE, VIRGINIA 24112

MARTIN F. CLARK, JR.  
STUART, VIRGINIA 24171

G. CARTER GREER  
MARTINSVILLE, VIRGINIA 24112

REPLY TO:

3160 KINGS MOUNTAIN ROAD, SUITE B  
MARTINSVILLE, VIRGINIA 24112

JUDGES

CHARLES M. STONE, RETIRED  
MARTINSVILLE, VIRGINIA 24112

KENNETH M. GOVINGTON, RETIRED  
MARTINSVILLE, VIRGINIA 24112

November 25, 2015

Michael McPheeters, Esquire  
BOURLAND, MCPHEETERS & CLARK  
P. O. Box 1272  
Martinsville, VA 24114

Patrick Michael McGraw, Esquire  
MCGRAW LAW, P.C.  
2727 Electric Road, SW, Suite 207  
Roanoke, VA 24018

RE: Clark vs. Clark  
Patrick County Circuit Court Cases #CJ15-002 & CJ15-003

Dear Counsel:

I have very carefully reviewed the evidence in this matter adduced at trial on November 17, 2015. After doing so, the Court makes the following findings pursuant to Virginia Code §20-124.3.

1. *The age and physical and mental condition of the child, giving due consideration to the child's changing developmental needs:* Child is a normal adolescent in terms of physical health. The volatile breakup of his parents' marriage has been extremely stressful on him. His grades have suffered badly since these problems began.

2. *The age and physical and mental condition of each parent:* Parents are physically healthy middle aged adults. Each bears a high level of hostility toward the other. Father has a domineering personality and quick temper.



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The father also has a paranoid conviction that the situation involving his son is part of a conspiracy that includes a local bank, numerous local attorneys, the Sheriff's Departments of Henry and Patrick County, the Commonwealth Attorney of Patrick County, the Patrick County Department of Social Services and its lawyer, and the legal system in general. He claims his home was shot at by a local banker and stated under oath that he "did not feel safe in his own home."

3. *The relationship existing between each parent and each child, giving the consideration to the positive involvement with the child's life, the ability to accurately assess and meet the emotional, intellectual and physical needs of the child:* Child's relationship with mother is strong. Child's relationship with father is awful. Father is legitimately concerned with child's academic problems but focuses on forcing child to do well without recognizing or addressing the child's needs for love, stability and relief from the stress of the hostility between his parents. Father's visitation with child under the supervision of Patrick County DSS was disastrous. The initial visit was tense and filled with hostility between father and son. The next two visits were each worse than the preceding visit. The fourth and final visit abruptly ended when son stood up to confront father, father accused son of hitting him, son denied it and father announced that he was calling 911 and having child charged with assault and battery—all in the presence of the social worker who saw no blows struck.

Since that time, supervised visitation has been described by the father as going very well and by the child and the supervising witness as disastrous, with the father displaying anger toward the Henry County Sheriff's Department for serving papers at his house, discussing his conspiracy belief around the son, and vowing this will be brought to an end, often while armed. The Court finds the testimony of the child and supervising witness to be more credible.

4. *The needs of the child, giving due consideration to other important relationships of the child, including but not limited to siblings, peers and extended family members:* The child needs stability and peace.

5. *The role that each parent has played and will play in the future, in the upbringing and care of the child:* Father cares for his son and wants him to succeed. He has shown commendable interest in his son's education. However, in the recent past, father has played no positive role in the upbringing and care of the child. Mother has provided child with stability. Although father attributes child's academic shortcomings to mother's lack of discipline, the court finds that the stress placed by the father on the child is at least partially the source of the problem.

6. *The propensity of each parent to actively support the child's contact and relationship with the other parent, including whether a parent has unreasonably denied the other parent access to or visitation with the child:* Neither parent has actively supported the child's relationship with the other parent. As residential custodian, mother has not supported father's contact with child.

7. *The relative willingness and demonstrated ability of each parent to maintain a close and continuing relationship with the child, and the ability of each parent to cooperate in and resolve disputes regarding matters affecting the child:* Mother is willing and able to maintain a close and continuing relationship with child. Father is not. Neither parent is capable of cooperating with the other on any matter whatsoever—including matters affecting the child.

8. *The reasonable preference of the child, if the court deems the child to be of reasonable intelligence, understanding, age and experience to express such a preference:* The child is 15 years of age. The court finds him to be intelligent, articulate, and sensitive. He is of sufficient understanding age and experience to articulate a preference toward his parents. He wishes to remain with his Mother and have no visitation with

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his Father, whether supervised or not, and indeed has expressed fear of his Father. The court finds the child's preference to be reasonable and understandable. This comes after court ordered counseling between Father and son.

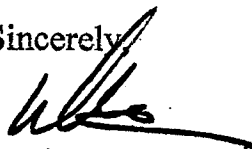
9. *Any history of family abuse as that term is defined in §16.1-228 or sexual abuse. If the court finds such a history, the court may disregard the factors in subdivision 6:* Father was acquitted by a jury for assault on the Mother in the presence of the child.

Based on these findings, the court is of the opinion that the parents have joint legal custody, the Mother with full residential custody with no visitation by the Father at this time.

As no evidence was produced regarding the show cause against the Mother for violation of the Juvenile and Domestic Relations Court's Order, that show cause is dismissed.

I ask Mr. McPheeters to prepare the appropriate Order, noting any and all objections, and forward the same to the Court for entry within 14 days of the date of this opinion letter.

Sincerely,



David V. Williams

DVW/cm