

Pro Bono Legal Self Help

Helping Pro Se Litigants

Fraud Upon the Court

Fraud Upon the Court

1. **Fraud Upon the Court:** The key with Fraud Upon the Court is the absolute simplicity of the matter when you have identified that the opposing party has purchased injustice by buying out the officers of the court. Working in Concert, your [Attorney of Record](#), [Working in Concert](#), was instrumental in the “[Law and Motion Waltz](#)” and ultimately withheld critical [Material Evidence](#) from being admitted on your behalf. *Fraud upon the court is fraud which is directed to the judicial machinery itself and is not fraud between the parties or fraudulent documents, false statements or perjury. [Bulloch v. United States](#), 763 F.2d 1115, 1121 (10th Cir. 1985).*
2. **Extrinsic Fraud:** [Extrinsic Fraud](#) is most commonly associated with [Fraud Upon the Court](#) as defined herein because it deals with directly withholding information in an Omission as described. It is a specific form of Fraud that that allows an [Attorney of Record](#) to use [Attorney Client Privilege](#), [Excusable Negligence](#), [Plausible Deniability](#) and an [Omission](#) of critical facts that would allow the aggrieved party no means to establish a *Cause of Action*. When Extrinsic Fraud occurs it typically is accompanied by [Demurrers](#), [Motion for Summary Judgment](#) and other means of avoiding *Discovery* regarding the [Gravamen of the Complaint](#). The solution of the aggrieved party is usually a result of [Declaratory Judgment](#) without relief.
3. **Proven Examples:** There is significant case law to show that in matters of Extrinsic Fraud and Fraud Upon the Court can be solved by

way of [Declaratory Judgment](#) without Relief. There are many other grievous acts committed by [Gorgeous George](#) that you may want to also include out of spite, but this is not an emotional matter; strictly business. Simplicity through [Declaratory Judgment](#) is a successful, proven means in accordance with the [Evidence Code](#) and the [Rules of Civil Procedure](#) that would also allow you to avoid the [Statute of Frauds](#) and the [Statute of Limitations](#) from being used against you in a [Demurrer](#). In [Assisting Pro Se Litigants](#) the key issue is are you capable of removing the emotional ties and the emotional entanglements and strictly adhere to the [Law and Motion Waltz](#). Without the foresight to understand that they will play on your emotions will be used against you and used as a distraction away from the sheer simplicity of [Declaratory Judgment](#). Simplicity is the ultimate solution to you [Establish a Cause of Action](#) related to the [Controversy](#) defined as the [Gravamen of the Complaint](#).

4. **Law and Motion Waltz:** The [Law and Motion Waltz](#) puts on a show that is headed up by your own attorney. When they are suspected to be fraudulent, they will set the matter for Trial and do the [Law and Motion Dump](#). In actuality, whether your attorney is the lead person or just following the wolf pack and working in concert, your attorney is putting on a show for pomp and circumstance acting like [Gorgeous George](#). In many cases, he would put on a show much like your attorney did. As your, [Attorney of Record](#), he has the ability to act and speak on your behalf and you do not have a direct voice in the court. I would define as a means of allowing blood money to be dissipated through the court wherein the officers of the court end up with a majority if not all of the blood money and the party that committed the initial [Fraud](#) most likely gets off by allowing the officers of the court to take what they want from the blood money. All officers of the court are [Working in Concert](#). As such, any attorney you hire will most certainly participate in the *Fraud Upon the Court*. Your own counsel will not have a choice but to participate or the other Officers of the Court will ultimately report him to the [State Bar](#) for some action. Furthermore, if the Judge is on the take then your attorney will ultimately side with the court and take a bribe also. It never fails. [Legal](#)

Malpractice

5. **Malicious Prosecution:** In the event that your counsel is not directly engaged against you then it would stand to reason that the opposing counsel is engaged in Malicious Prosecution. Malicious Prosecution involves an attorney that is using is authority over a litigant and directly engaged in actions that are directly targeted to held the litigant in actions that would be the same as Vexatious Litigation. If a party is engaged in actions against a litigant In Pro Per. One of the ways to cover up their fraud is to commit even more Fraud in the hopes that they will put you in default. As such, the cycle becomes more pronounced as they fear their license is at stake. At some point they may even resort to Entrapment in order to cause more damages.
6. **Fabricating Evidence:** The key premise here is that all of the parties are Working In Concert to deny any of your evidence and admit fraudulent evidence against you over a very long period with extensive litigation that seems to hide any and all Omissions. It is all about denying the true facts in the case that are clearly within your possession, withholding a critical Omission and ultimately unleashing fraudulent and fabricated evidence at trial that the judge will simply admit at trial.
7. **Omission of Evidence:** When Officers of the Court are conducting Fraud, they are very careful not to present direct evidence that is Fraudulent it is strictly based on the Wanton Omission. In addition they do not fabricate evidence until Trial wherein Material Misrepresentations and Inconsistent Declarations are made to focus the efforts away from the Wanton Omission. Statute of Frauds Errors and Omissions
8. **Plausible Deniability:** The fact is that when Lawyers are engaged in Fraud Upon the Court the means of creating a hook that will cause your case to ultimately lose is to omit critical evidence. In that manner, your attorney has Plausible Deniability that the omission ever existed. You will have to prove that your attorney actually took direct Acts to hide the Omissions from being introduced into evidence. By the time you figure out what is happening, your attorney is long gone from the case, the judge has dismissed

him from the case because you were not able to continue to pay him. Your attorney can directly state that there is a lack of evidence to prove that they omitted the fact intentionally. Furthermore, the opposing attorney and the judge will cite that the issue was never raised by opposing counsel and therefore your attorney did not have any need to bring the matter into the case.

The key is to find this Omission and all of the circumstances that relate to it.

[Plausible Deniability](#)

9. **Creating a Cloud of Litigation to Cover Up:** With all of the other officers of the court against his own client ultimately leaving the client without any admissible evidence, the matter was set for Pretrial where no further evidence is admissible and the client's own counsel admitted to the court that he informally accepted evidence on behalf of his client. However, the client is no longer able to communicate with his own counsel about what evidence he accepted. As such, the client is set for trial with no means of admitting evidence for the pending trial and his own counsel has ultimately requested to be removed from the case. There is no chance of even having a fair trial and the matter is merely no being able to admit evidence or object to fraudulent evidence that the opposing counsel will unleash on the court at trial. The judge ultimately accepts any and all fraudulent evidence presented by the favored party and denies the unfavored party any right to admit any and all evidence that would provide a defense against fraudulent [allegations](#). The result is that the judge does not need to rule on the merits of the case but rather just on the admission and objection to [Facts in Evidence](#) that will be used in deciding the case.
10. **Basic Principals:** [Basic Principals](#): The basic principals that are involve Facts in Evidence, [Conclusive Presumption](#), Material Misrepresentation and Plausible Deniability. [Loop Hole](#): The Loop Hole that directly causes most all *Fraud Upon the Court Cases* to look alike is based on the your attorney relying on these basic principals of [Attorney Client Privilege](#), [Excusable Neglect](#) and [Plausible Deniability](#)
11. **Reasonable Person:** In the evidence code there is a presumption of what a [Reasonable Person](#) would infer from [Circumstantial](#)

[Evidence](#). Hindsight is 20/20. In reviewing your case, it will be obvious that the wolf pack was [Working in Concert](#) and creating a cloud of litigation to allow [Plausible Deniability](#).

12. **Mirror Your Claims to Confuse the Issue:** Whenever you state a claim it will most likely be turned into a claim against you in order to confuse the issue. This is very common in *Fraud Upon the Court* cases. By making outrageous claims against you it confuses the issue and it allows them to diffuse the claims that you made against them. If you claim [Money Laundering](#) and [Embezzlement](#), they will make the same claims against you, even if they have no evidence to back it up. Eventually you will have a claim for [Defamation of Character](#), Liable and Slander in a following case because the claims are clearly unfounded and filed with malicious intent.
13. **Blood Money Fueling the Fraud:** The key to this particular type of *Fraud Upon the Court*. that requires that the opposing litigants who actually committed the initial [Fraud](#), [Deceit](#), [Material Misrepresentation](#), Inconsistent Declarations, [Money Laundering](#), IRS Fraud, [Embezzlement](#) etc. against you has “Blood Money” that he cannot keep unless the attorneys and the court are complicit in [Working in Concert](#) to conceal an [Omission](#), Inconsistent Declarations and Material [Misrepresentations](#) that ultimately result in providing a plausible story that will ultimately only be revealed at trial.
14. **Fraudulent Evidence:** Your own counsel will be directly involved in making sure that none of the evidence that would prove your innocence is never provided to the court. Furthermore, your own counsel will informally advise the court that he has accepted evidence from the Opposing Counsel but that evidence will never be provide to you. As such, when your counsel petitions the court to be removed from the case, the opposing counsel can claim that the fraudulent evidence that is provided at trial cannot be contested by you. The Judge only needs to inform you that you should not have dismissed your counsel and that your prior counsel accepted that evidence on your behalf.
15. **Working In Concert:** The key is to have all of the

Officers of the Court working together against you. Any attempt for you to claim conspiracy is directly dismissed by the court. Any attempt for you to admit evidence is directly dismissed by the court. Any attempts for you to expose the Fraudulent Evidence that was presented as an ambush at trial is directly accepted by the court without any qualification. In essence the matter is set up by the court and all of the Officers of the Court to directly rule against you at Trial without objection. At Trial the court does not need to evaluate your Cause of Action since you have absolutely no evidence. The court does not need to evaluate any Cause of Action against since the Fraudulent Evidence was accepted against you without any objection. The judge does not need to rule on the case, all the court did was admit and deny Material Evidence.

16. **Creating a Cloud of Litigation:** In order to hide the *Fraud Upon the Court* it is imperative that all of the *Officers of the Court* create a *Cloud of Litigation* that will hide the fact that most of what is happening is an attempt to hide an *Wanton Omission*. In order to create the impression that justice is being served here the parties engage in extensive litigation that is intended give the impression that your attorney is actually doing something to further your cause.

17. **Your Own Counsel is Harming your Case:** During the Cloud of Litigation your counsel is instructed to skew the evidence by hiding your evidence and not objecting to fraudulent material misrepresentation against you. Your attorney will put on a show of “pomp and circumstance” much like [Gorgeous George](#) would before a wrestling match. Your attorney is [sandbagging](#). However, your own counsel is merely following the instructions of opposing counsel and the court in complying with any and all requests through [Law and Motion](#). In reality, your own counsel is merely giving the impression that he is working hard and charging you massive fees to comply with any and all of the requests that the court and opposing counsel are demanding of him. Your counsel will inform you that your account is daunting and the requests are massive. Your counsel will inform you that this Cloud of Litigation is causing him lots of problems and taking up most of

his time in attempting to defend you. Your counsel will inform you that he needs to be relieved as counsel as it comes close to trial. In fact, your counsel is making it look like he is working hard for you and demanding as much payment from you as is possible to bill your account without creating suspicion that he is merely depleting your resources prior to setting you up for the pretrial dump. Your counsel is merely depleting your resources, making sure that none of your evidence is properly admitted to the court and also allowing opposing counsel to admit evidence this completely fabricated. The reality is that all of the parties are committing Legal Malpractice and the court is complicit in allowing the parties to do so. [Legal Malpractice](#)

18. **Your Attorney of Record:** The Blood Money that is ultimately your rightful belonging is being used against you and all of the Officers of the Court are going to directly benefit at your expense. Your own client is doing most of the harm to your case as your Attorney of Record. As your [Attorney of Record](#) he can do the most harm to your case since anything that they do on your behalf will ultimately result in that action being recorded by the court as your direct statement.

19. **Judges Involvement:** It is absolutely ridiculous to believe that the judge is not in on the take and even leading the “wolf pack.” Any [Reasonable Person](#) that even sees just a glimpse of the depravity and sheer wicked behavior that is resulting from this complete and utter debauchery of the legal system would surely know that this is Fraud. The judge has to sit through a complete two years of this Cloud of Litigation that your attorney is creating along with the opposing party, must have a great deal of avoidance in order to maintain [Plausible Deniability](#). The judge has to maintain as much distance from the matter as possible as the “pack of wolfs” is attacking the “baby lamb with the broken leg.” However, keep in mind that the “wold pack” will gladly throw themselves at the mercy of teh court in order to protect the judge. In turn, the judge will protect the attorney if the matter is brough before the court or to the state bar. When the judge is involved in *Fraud Upon the Court* he will focus the efforts on your attorney to lead the direction of the Fraud. As such, many cases that involve Fraud Upon the Court will have many

attorneys that represent your interests. It will be one attorney after another that will take the case and cause more damage then they answer. As such, the Declaratory Judgement without Relief, will allow a Pro Se Litigant to resolve the basic issue and move the case forward. Attempting to find an “Honest Attorney” in this matter will not prove fruitful. As a Pro Se Litigant, the Judge will dismiss any and all pleadings you have strictly on the basis that you are not represented by counsel of record. In that way the Judge is attempting to force you to hire an attorney that he will coerce into engaging in the fraud.

20. **Richard Fine & Corrupt Judge Yaffe:** As an example of Fraud Upon the Court, Judge Yaffe was a corrupt judge that demanded that Richard I. Fine participate in the corruption. When Fine refused, Judge Yaffe supported a complaint that someone filed against Fine. Fine was removed on the recommendation of Judge Yaffe. However, the story takes an even more sinister and malicious tone. Judge Yaffe had Fine sentenced to jail for 14 months without any cause of action other than contempt of court. Fine is now an advocate for reforming judicial corruption. [Richard Fine](#)

21. **Targeting Lower Income Bracket:** Fraud Upon the Court typically takes advantage of the lower income bracket. It is like a pack of wolfs that are picking from a group of sheep. The wolf pack will look for the “*baby lamb with the broken leg*” as their easy target victim. If you prove that you are not an easy target you will be left alone. Most likely they have been involved in this practice for some time and this is not their first rodeo. The reality is that there is most likely a class action lawsuit it the works if you are successful and it is not just you that would be suing them if this is exposed. It is in their best interest to negotiate and not be exposed. If you know of other that have been targets in their past endeavors it will provide substance and weight to your [Cause of Action](#) against the wolf pack. There have been many cases where the wolf pack is exposed and the matter turns into a class action lawsuit. [Erin Brokovitch](#) is a perfect example.

22. **Ultimate Goal to Deplete your Funds Before Trial:** The Ultimate Goal of your attorney is to (A) Stack the evidence against, (B) Deplete your funds, (C) Set your case for Pretrial and (D) withdraw as your Attorney of

Record, (E) Leave you defenseless and penniless and devoid of Material Evidence before Trial. It is most certain that your attorney will be generously compensated by opposing counsel for devastating your case at which time your counsel will defame you before the court and tell the court that you owe him a balance that is unpaid. The court will undoubtedly view you with contempt before trial is set. Your counsel has completely devastated your case and is directly compensated from funds that were stolen from you by the opposition.

23. **Law and Motion Dump:** The “Law and Motion Dump” defines a specific procedure that results during the [“Law and Motion Waltz”](#) when you find out that your attorney is leading the *Fraud Upon the Court* against you. As your [Attorney of Record](#) he knows that he is liable for [Legal Malpractice](#) if it is found that he was acting against your interests. At this point the “wolf pack” will protect your attorney by allowing them to end [Law and Motion](#) and set your matter for pretrial. That allows your attorney to petition the court and withdraw on the basis that you are not willing to pay exorbitant fees to continue to misrepresent your case at a [Trial](#) that he set up. The reality is if they were unwilling to help you during the case why would they be any better at trial.
24. **Finding a Resolution:** In such matters, finding a resolution may not be simple. In reality, you need to understand how to identify and understand the [Gravamen of the Complaint](#), [Establish a Cause of Action](#) and prepare a [Declaratory Judgement](#). An [Appeal](#) is not appropriate since it was not a technical error but rather [Intentional Fraud](#). In *Fraud Upon the Court* the matter is much more related to [Extrinsic Fraud](#) and the petition would directly bring the action back in on the finding of the material fact. The [Statute of Frauds](#) will define that in the event of [fraud](#) the [Statute of Limitations](#), [Collateral Estoppel](#), [Res Judicata](#) do not apply. As such, the matter can be addressed in a new petition well after the normal [Statute of Limitations](#) is long passed. The finding of the [Omission](#) that was adamantly and intentionally withheld due to fraud becomes the way to bring the matter back in on a new petition.
25. **Defining a Blueprint:** If you are the “baby lamb with the

broken leg” then you would never be able to define an architectural blueprint that would resolve your case. That architectural blueprint in your case is called the [Factual and Procedural History](#) and the Memorandum and Points of Authorities. Attempting to find an “honest attorney” that will expose a corrupt judge and a group of very prominent business men and their corrupt attorneys is futile. One such example is [Richard Fine](#) who refused to throw his client under a bus which resulted in Corrupt Judge Yaffe holding him in Contempt of Court, having him disbarred and thrown in prison for 14 months. Obviously he was the last “honest attorney” and was subsequently disbarred because of it.

26. **Finding an Attorney that will Guide You:** [Limited Scope Representation](#) is a viable option via [Declaratory Judgment](#). If the attorney is willing to guide you as a Pro Se Litigant you will create your architectural plan by [Establishing your Cause of Action](#) to expose the *Omission* via a [Declaratory Judgment](#) or a [Motion for Summary Judgment](#) related to the [Gravamen of the Complaint](#). As shown above if you have a judge that is corrupt, your attorney no matter how honest you may think he is will have no choice but to turn against you and throw you under a bus. If you have a truly honest attorney he will not take the case directly as an [Attorney of Record](#) and guide your case through solving the gravamen. It is professional suicide for a State Bar Licensed attorney to take on a case of *Fraud Upon the Court* and risk what happened to [Richard Fine](#). As a Pro Se Litigant, if you are able to gain a [Declaratory Judgment](#) regarding the gravamen, you have solved 80% of the case. Then the “honest attorney” is safe to take the simple part of the case. An Honest Attorney will look at your [Factual and Procedural History](#) and make improvements. If the so called Honest Attorney merely looks at the Factual and Procedural History and tells you that it will not work and never tells you why and does not provide an alternate route, then beware. All that attorney intends to do is play the [Law and Motion Waltz](#) then throw you under the bus.

27. **Approaching the Problem:** Based on the aforementioned circumstances, you are in a situation that is similar to “David and Goliath.” As a 12 year old boy, David had a slingshot and had to oppose a giant who

happened to also be a expert warrior that was undefeated with a mighty army behind him. However, the [Omission](#) and the [Gravamen of the Complaint](#) if exposed are your the stone that ultimately defeated Goliath. You need a [Declaratory Judgment](#) on that very issue and you are home free and your case is 80% resolved. You may have to resolve this gravamen on your own because you will not find an Honest Attorney that will take on the case. Beware of the wolf in sheep's clothing that tells you they are the Honest Attorney and merely does the [Law and Motion Waltz](#). As a Pro Se Litigant, if you understand how to waltz with wolfs, you can most likely resolve the gravamen. You need to maintain the offensive strategy through a barrage of litigation thrown against you by multiple sources attempting to create a cloud of litigation that ultimately is intended to discourage you and distract the court from the omission and the gravamen that you are attempting to resolve. If there is a possibility of a class action lawsuit, it may be wise to couple up with another baby lamb that was the prior subject or the current subject of the wolf pack. This is definitely not their first rodeo. Once the wolf pack gets a taste of blood, they are compelled to repeat the process whenever a "baby lamb with a broken leg" comes within their cites. You need to prove that you have the direct ability to litigation the gravamen and wolf pack will take you seriously.

28. **Declaratory Judgment:** Your case is like a "blind intersection" because you cannot see the solution due to the [Errors and Omissions](#) created by your prior attorney. [Limited Scope Representation](#) is a possible solution moving forward. The only way for a *Pro Se Litigant* to recover from *Fraud Upon the Court* is to get a [Declaratory Judgment](#) related to the [Gravamen of the Complaint](#). In many cases you can in order to bring [Facts in Evidence](#) you will need to prove the Omission.