

November 5, 2013 "Pre-Demurrer" Hearing and IN COURT JAILING

This audio, once understood in context of November 5, 2013 v. what he said on January 9, 2014 is a showcase of deliberately malicious and cruel prosecution in order to achieve a specific, pre-determined objective.... no contact orders Ogletree Deakins later used in District Court to get themselves dismissed. That is under Appeal.

The January 9, 2014 Stipulated Trial Audio and transcript are posted on www.risepatriot.com under the picture of Joseph Stalin. That is NOT a slur on Honorable Judge McAlpin. It is a slur on what are traditional Soviet Gulag Processes, right here in Lane County Oregon.

What is clear from this audio: as of November 5, 2013 nobody had looked at much of anything. You will hear the judge saying he just got the case but studied it the night before. I wonder what if any evidence he was presented with or looked at. Mr. Hasselman is also clearly heard saying he had been busy and then goes on to explain he just picked up a murder case, etc, etc. As noted, he was also immediately expecting twin babies in that timeframe which must have been an added time constraint. Notice Judge McAlpin confirmed that he at least had my name correct which could be protocol but in context it could be he had no actual case knowledge and that is what appears as the case.

What happened at this Court is horrific. I arrive in ankle bracelet, suit, tie. I am arrested because I was tested positive for medical marijuana, used per Oregon's Medical Marijuana Program. I require it to control longstanding and well documented seizure disorder that is also treated by a licensed physician. The Complaint spells out what happened.... arrested in front of the public window. Bail forfeited (\$200,000) and doubled to \$400,000 for total of \$600,000.... all for words on paper to a corporation.

To get out of jail, my elderly parents had to come and bail me out twice. I had the money at SELCO just a few blocks away. Regardless, the level of barbarity displayed is epic and disturbing. It all adds up to the same thing: Massive... really MASSIVE 42 USC 1983 relief with 18 USC 241 and 242 violations along with 42 USC 14141 complaints (filed and will be re-filed with FBI per directions on FBI website.) It is MASSIVE violation of Due Process as the citizen is treated as Guilty.

We have highly paid people in a courtroom acting completely against the evidence, the law, common sense, human decency, human rights.... everything America means to anyone was lost in this "Court" on November 5, 2013. I was taken back to jail and placed across the hall from David Taylor, convicted death row murderer. I was only allowed out of the cell 1 hour per day instead of 2.

Way to go, State of Oregon, now get it fixed, thank U :)

There are 4 speakers heard: Judge McAlpin, Erik Hasselman (prosecutor), Kevin Bons (my second attorney, fired the first one for not filing the demurrer), and myself.

Judge: Please be seated. We are here on State of Oregon v. Andrew Glen Clark 211313234. Mr. Hasselman is here for the State, Mr. Bons is here for Mr. Clark, is that right?

Mr. Bons: that is correct, your honor.

Judge: I have...this was a case that was originally set in front of Judge Vogt (*who had just signed the arrest warrant referred to later in the transcript, wonder the real, forensically provable reason she assigned the case at the last moment to the judge along with the arrest warrant.*) on the motion docket and was transferred to me yesterday so I stayed last night and read through the file and read Mr. Bon's demurrer and then I've gotten or received the State's response this morning and I had the opportunity to read that while we were waiting for Miss Baker (court clerk) and looked at some of the case law cited in that. Mr. Bons, whenever you are ready.

Mr. Bons: Ok your honor. First I would move to strike the State's response. I haven't the opportunity

to read it, he just handed it to me this morning and I certainly have not had a chance to go through his case law so I would ask you to strike, certainly oral argument can be made on the State's behalf. First, in the off change the court does not grant my Motion to Strike, I will go through these arguments in sort of a linear fashion.....

Judge: Well let me ask you this, would you like time to read it, we could do this tomorrow or whenever would fit with you.

Mr. Bons: I think I need at least a day to read this, your honor. But I certainly ...

Mr. Hasselman: That is fine with me, I acknowledge I served it on counsel this morning. The timing of the defendants filing of the demurrer and court's setting of it unfortunately coincided with a period of time when I have been out of the office so I am just getting back to the office and this weekend picked up a new homicide case which has been occupying my time so this is my first opportunity really to respond.

Judge: Right, Right, and I was aware of the situation that led you out of the office and so I wasn't going to strike the response but if Mr. Bons wants more time to respond I can do that. And so, do I have time for that tomorrow? (speaking to clerk). Would tomorrow be ok do you need more time than that.

Mr. Hasselman: It depends on how long oral arguments would take I know I have a grand jury obligation off site on another matter but if we think we could argue it....

Judge: You say you need a half hour in your motion....

Mr. Bons: Tomorrow would be adequate, your honor. Again I haven't had the chance to respond or even see what is here so I don't know what additional time that will take.

Mr. Hasselman: With that estimate, 8:30 should work tomorrow.

Mr. Bons: And we can... the review hearing will take two seconds or we can take it after this (?)

Judge: Ok, great perfect. thank you.

Mr. Bons: Thank you your honor

Mr. Hasselman: Your honor, now actually there is one other matter I want to bring to the court's attention I am not sure the court is aware. I was notified yesterday afternoon that the defendant's release agreement the pretrial services had filed a motion to revoke that and it was expected it would be signed. This morning I learned there is a confirmed warrant out for Mr. Clark's arrest and as such, I just wanted to notify the court that I think transport (to JAIL!) and he should be taken into custody on that warrant.

Me: Can I get my car from the parking lot? (there is some muted discussion in the background, very hard to hear some of it, the audio has to be turned way up to hear a little bit of this but most is pretty audible. Mostly, it is me crying and shaking with the news that I was...again...being arrested and taken to MAXIMUM SECURITY jail based on... the RAT scores. If not for the 10 identical charges, they would have handed me a citation to appear instead of the arrest/jailing on 7.25.13). For what sir?

Mr. Bons: Shh.... Just one second Mr. Clark...(cannot hear this part)... relax Mr. Clark

Me: saying something while crying I won't...

Mr. Hasselman: I understand it had to do with urine analysis (?)

Judge: Alright, so Mr. Bons, why don't you talk to your client to see what he needs. I am going to take him into custody today to clear that warrant, see if there is anything we can do to figure this out...not this situation but the logistics of him not knowing about it until this morning

Me: Right, let me just take my car home and I will be right down there

Judge: I am not going to let you Mr. Clark

(muted somewhat frantic discussions)

Judge: So.. Mr. Bons, would you just stand with him

Judge: Mr. Clark, the worst thing you can do is split (*how? The court is full of armed guards and I am in an ankle bracelet, which I doubt Judge McAlpin was aware of at all*).

Me: I wouldn't ever, Sir, I own my home free and clear, I didn't do anything wrong to anybody. I have already been in jail for six days over a pile of faxes, this is so wrong.....sir I

And I assert the judge knew nothing of the case and had only read the Demurrer material and never even looked at or had the actual evidence, despite me once again saying... 'this is all about some faxes.'

Then I was taken to the most crowded area of the court: right in front of the public window. I was allowed to make a phone call then I was handcuffed by Tony Veach who presented me with a search warrant of my home and seizure of computer equipment as detailed in the Complaint and other material submitted to various Actors in this RICO Activity of Wells Fargo/Ogletree Deakins as proven beyond doubt with police records and audio: www.RisePatriot.com .

Way to go.... State of Oregon. Now let's get this mess corrected and make changes to prevent it from happening. It is not that hard to follow the law and the fact you are ignorant of how the systems do NOT follow the law.... is no excuse. :)

Thank you from Andy Clark 3270 Stoney Ridge Rd. Eugene, OR 97405 541.510.3915