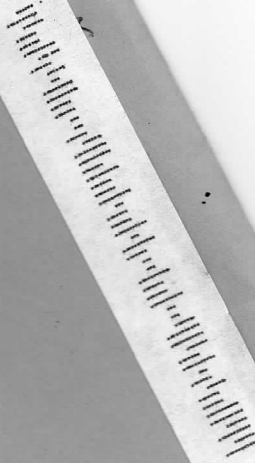


From 7a - 8:00  
16 Pent 1000  
US Post FL  
Marsden



16179-006  
Rudy Davis



Schaeffer Cox

5-1-17

Open Letter

Dear Rudy,

w/ open Attachments

In this packet you will find:

- My 20 pages of notes pointing out all the lies in Ms. Lamoureux's "answering brief." It's two to a page. Read it side-by-side with
- Ms. Lamoureux's answering brief with little circles (⊗) throughout that serve as "BS Alerts." It's four to a page.
- One page from the Polar Pen report that explains how the sort of lies "Mr. Skrock" coached Olson to tell at trial (and that Ms. Lamoureux is re-telling on appeal) are "a hair trigger for reversal." This is a full page.
- Ten pages (two to a page) with my notes and arrows and highlighting that show Lamoureux's lies on appeal next to the actual recording, then show Olson's lies at trial and Skrock's coaching next to an email from FBI Agent Southerland showing that they knew the truth all along, but lied anyway.

This alone is enough to get me out on bail if it is plead properly by a lawyer with no fear. But since Richard and Maria stole my defense fund, I can't do it right now.

②

The way it works on appeal is that Ramoureux sends the 9th Circuit a 1627 page book that is all the excerpts from the trial transcript, the undercover audio transcripts, and any other part of the record. Then she writes her 140 page answering brief where she puts her forked tongued spin on everything as she "summarizes" the case.

Everytime she makes a claim about what a witness said or what a piece of evidence shows, she has to put a citation to the page number in her 1627 page book of evidence that will prove her "summary."

I started looking up her page references and found that she was flat out lying about what the evidence actually said. I guess she was just hoping we'd be too lazy to look up her references. She's like a bad preacher mis-quoting the Bible. So we need to check the chapter and verse on her and call her out when it says something different than what she claims it says.

The excerpts she sent to the court are called Appellee's Excerpts of Record then page No. So it's "AER 0001 - 1627" you need access to. It's on PACER.

Let's embarrass her with her own lies. I need your help to do it, all of you. — Schaeffer

Case # 13-30100

DKI Entry # 125

DKI ENTRY PAGE #

13. Cox's defense sentencing memorandum proves he did not plot to murder or harm anyone.

14. Cox did not have "illegal" weapons. He had an inoperable movie prop sten sub-machine gun. The government showed this to the jury, then showed a video of a different gun - a real one - firing fully automatic in slow motion. The jury was led to believe they were the same gun.

14. Cox did have a homemade silencer on a .22 caliber pistol. This he does not deny. But he went to the ATF office in 2009 to pay the \$200 tax stamp on it and was told that the tax was only paid when or if it was transferred. So Cox did not pay the tax or fill out the paperwork that day.

This was brought up in pre-trial motions. The judge said it was an entrapment by estoppel issue for the jury. But when defense attorneys tried to present the estoppel question to the jury, the government objected and the judge sustained their objection, contradicting his earlier deferral.

14. All the grenade bodies, fuses, OE and CS canisters, hornets nests, and launchers were either "gifts" from Aaron Bennett, or planted at Cox's home by Bennett after a UAF gun show without Cox's knowledge. Cox lived right next to UAF's campus and had a big garage with lots of storage. Bennett lived in the next town over. It was not uncommon for Bennett



or others to store containers of gun show sale items in Cox's garage between the frequent gun shows sponsored by the WAF rifle team:

The items referred to here were put in green steel drums in Cox's garage by Bennett when he dropped off some tents Cox had bought from him.

This is more materiality for Bennett Brady violations.

14. If Cox really "repeatedly threatened federal officials" then he would have been arrested for it when he made the threats. The truth is, he didn't make threats.

14. Def. sent Mem. disproves govt's claim that Cox would harm people "if he was arrested." The truth is that CI Fulton threatened to murder Cox precisely because Cox refused to agree to plot violence. I don't recall any testimony that support the claim that Cox would hurt people if arrested.

14. Cox does not understand what this sovereign citizen stuff is. He supports the constitution. But what's wrong with that?

14. "Developed" a plan, i.e. talked about it, but then rejected it. This is different than "agreed to a plan". The "agreed" plan was to leave.

15. Def sent Mem shows that "241" plan was the government's idea and soundly rejected by the defendants.

15. Military police testified that US Marshalls had bragged of their plan to "try to take Schaeffer Cox's baby son, and shoot Schaeffer Cox in the process" and that this was how they would "fix the Schaeffer Cox problem." It's in the record and in the Def. sent Mem.

15. The Feds were behind the effort to take Cox's son. It was an attempt to agitate Cox prior to the Bill Fulton knife-to-the-throat incident at Blondies, where Fulton tried and failed to get Cox to plot an attack, "to save his kid." See Def sent Mem.

15. The only thing that was "imminent" at the time of Cox's arrest was his departure from the country, expressly to avoid Fulton and his death-threat-ultimatums. Cox testified to this and I don't believe it was contradicted. Barney, Olson, Southerland may also have testified that Cox was fleeing the country. I don't recall any testimony of "imminent" murder.

15. I don't believe there was any testimony offered to support the notion that Cox "enlisted others to join him in a murder." Attorney Lamoreaux is saying this, but I don't think witnesses said it.

16. It's not in the record, but from discovery we can prove that these bragging statements about "cellphone jammers, rocket launchers, grenade launchers, chymores, machine guns, and other items" was a verbal retweet of Bennett's claim to have those things. See FBI report attached to

## Cox's Bennett Brady affidavit.

16. Cox and Anderson never agreed to kill anyone. Anderson never testified about an actual agreement in real life, only hypothetical what-ifs in dystopian future that will probably never happen. Read it.
17. Anderson said Cox did not instruct him to create a list, but that he "did it on his own then changed his mind." Also, saying, "when the government collapses, I'm going to fight anyone who tries to kill me," is not a conspiracy to murder, even if Cox and Anderson did agree to such a thing. But they didn't even do that. Cox asked Anderson to try to find out who might be out to kill Cox, who might be on this rumored Federal hit list made by the rumored Federal hit team who was going to murder me to "fix the Shaeffer Cox problem." I don't believe Cox's testimony was contradicted on this.
18. "Federal Hit List" on Anderson's notebook meant a list of people the Feds were out to kill. I think Anderson said so. And this would be corroborated by Cox, Gibson, Barney, and Clark. I don't recall any testimony that the words "Federal Hit List" on Anderson's paper referred to a list Feds to be killed. But that's what Lamoreux is improperly implying.
19. I don't think the claim that Trooper MJ was put on some sort of 241 list by Olson after Cox told him to is supported by anything but Olson's perjury. And besides, MJ is not a

Federal official, so it should be stricken as evidence for a Federal crime.

20/21 Take a look at AER 1571. It's not acceptable to call this a "hit list". We need to object.

22. Janice Stewart's testimony about Cox saying he'd set homes on fire and shoot people who ran out is a lie. And there are half a dozen people who could attest that Cox never said such a thing during Thanksgiving or ever. They are Bill Rensel, Maria Rensel, Dave Rohner, David Bartel, Marti Cox, Shaeffer Cox, and a guy named Cady whose last name I can't remember. He came with Rohner and Ken Theising.

22/23. The characterization of Janice Stewart's testimony by Lamoreaux is not true to what Janice actually said. Also, what Janice said about what Cox told her is demonstrably false because Cox and Janice had not been on speaking terms for many years. They only saw each other a couple of times ever and literally not one single word had been spoken between them since she had called the cops on Cox in Feb. 2010. Not even "hello". Just total silence to her and around her. Read DKt 635 page 84 of 262. She says, "honestly I don't remember any specific 'if' that would trigger anything". Page 90 she says to Traverso's question, "so you didn't feel that it was - that he was going to tomorrow, the next day, gather up some men and go shoot TSA employees?" Answer, "No." Page 91

Tanice says, "I never felt it was something they were going to go out and do." "immediately."

23. Cox never "gave instructions to retaliate even if he were only arrested." The record does not support Lamoreux's representation. In fact, it supports the opposite.

24. If Trooper Ron Wall really took Cox's statements as a threat, he would have arrested Cox on the spot for it. Or at the very least filed a police report on it. But Wall testified he did neither. And Cox testified he was telling Wall about Bennett and Fulton's violent threats.

25. OCS and Wendy Williams is all state stuff, not Federal.

25. To say Olson was charged with a felony in state court is a gross understatement. Take a look at Rich Kurtner's cross of Olson.

27. Lamoreux says Cox instructed people to "shoot to kill" this is a total mischaracterization of the exhibits she sites, AER 1562, 1518, and 1569 are actually helpful to the defense. They do not say, "shoot to kill". In fact, they say "only shoot if life is in danger" and even then use of non-lethal CS gas and hornets nests. The "white board" 1502, is our best exhibit. Get a good color picture of it to see. Also see SA Saetherland's Summary of this meeting where he says, "Cox said over



and ever that he did not want violence and that he did not want to see any cops hurt" Dkt 535-1 \*sealed\* page 81 of 96.

27. These "use grenades to stop" comments were referring to CS non-lethal riot control grenades, not real grenades. No real grenades were ever found, CS grenades were. And Olson testified that they were CS grenades on page AER 591.

27. AER 590 Olson says he debriefed with S/A Southerland about how Cox told him, "kill people and stamp them through the ice." But Southerland's Summary says Cox's plan was "civil disobedience" and that "he did not want any cops to get hurt" Dkt 535-1 page 81 of 96 Southerland email "Mon Nov 22 18:50:34 2010 subject: Cox update". Then if you go to AER 1185 Cox's actual quote about violence is, "Now, we want to avoid that at all costs. We'd rather send them packing with their tail between their legs than kill them and have to stamp them through the ice or something."

Lamoreux says Cox "described a scenario where they would stamp the killed Federal agents through the ice." This is an attempt to deceive the judge. It makes it sound like Cox wanted that to happen, when if you read AER 1185 Cox "describes the scenario" as something "we want to avoid at all costs".

27. AER 1183-84 These "Soulless assassins with no families"

were non-existent rumored murder-for-hire guys who didn't actually exist. It was just a rumor and that's all. And on 1184 "speaker" is actually "Cox" when he says, "you kill a Fed & they're going to start coming out like cockroaches... but it's not going to be like... It's not going to be a story, there's not going to be any charges, because these guys aren't supposed to exist." So as a matter of fact, they didn't exist at all. And even the rumor wasn't about Feds. On top of that there was no conspiracy, only a vague fear that if we got attacked we might have to defend ourselves.

25. Again she makes it sound like Cox said to kill people. But AER 1185 and 1186 show that Cox actually said to "avoid killing anyone at all costs," then went on to explain how non-lethal riot control tear gas, horns, nests, rubber bullets, and pepper spray could be used "and hopefully we could like, you know, get them to go away if - if they can." So the record shows a specific, stated, clear intent to avoid killing someone "at all costs."

26. "Protect" Cox from Federal agents isn't the whole story of Barney's testimony. On AER 1120 Barney says "there's plenty of other information on that (white) board to show - that shows that we went out of our way to use non-lethal means first and only as a last option in self-defense to use lethal means." "We weren't going to. We weren't planning. We didn't."

28. There was no "vehicular funneling point," just a few guys

standing by the entrance to the t.v. station that was at the end of a dirt driveway.

30. AER 1491 Cox actually says, "Fairbanks is a small town and we're all neighbors, you know. And I see you on the marathon, and I see you in Fred Meyer, and I see Scott around town and there's no reason that we can't all live in peace and harmony together." Then Cox goes on to condemn guys (Fulton/Bennett) who want to kill you in your bed rather than talk to you by day.

30. If you go listen to the audio referenced in AER 931 Cox says, "... could probably have you all dead in one night, but how would that help anyone?"

30. AER 0643 Olson never says Cox told him to get real grenades, only legal "grenade bodies". No C4 was ever bought or sold in real life or in pretend. ~~So~~ the government never charged anyone with C4 possession etc.

31. AER 1193-1194 Cox says the "pineapple grenades and two second fuses are for CS and smoke" not real "blow-up" explosion grenades. Cox then says he just buys whatever is a good deal and sells it to the next guy. AER 1196 Cox indicates he doesn't need it. This hardly would be the case if he was plotting a shoot-out.

31. In the audio files where Olson is calling Cox from Anchorage while at the FBI sponsored convention at the

Millenium hotel, Cox tells Olson and Vernon to stay away from Fulton and Bennett. They did not listen or follow Cox's instructions. See AER-0683, but this is not the full audio. You need the full one from discovery to hear Cox tell them to stay away from Fulton and Bennett. If Cox's instructions weren't followed, Cox shouldn't be held liable for Vernon's words or actions.

32. AER 1204-1253 Vernon, Olson, Fulton, and Bennett are highly intoxicated. The alcohol was free and provided by Fulton. None of them were even coherent.

32.33.34. This quote of drunk Mr. Vernon is spliced together like its one quote. But it's not. Go read AER 1258 - Vernon says, "No, no, No, no. We're not going to do that. We're not going to do that, no. No, no, no, no. No intention."

At AER 1269 there is an "inaudible" that isn't inaudible at all. It's just Fulton saying he's "going to war over Schaeffer." Which is why Schaeffer Cox left the country.

AER 1271-1272 Fulton puts everything on Cox's shoulders. Olson says, "we need to make it clear that he needs to have a plan." Then Fulton asks, "so is the plan to get arrested and then go after judges?" Vernon answers, "we started that race and it went away!" referring to Fulton's last attempt at Blandies.

AER 1274 they say Schaeffer has no plan and if he gets arrested he'll just go to jail for 30 days and stir up a beehive.

AER 688-690 says Olson "talked about it three weeks later." But that was the 2-19-11 recording where

Cox said not to do anything violent and he was leaving the country for safety.

34. I don't have any of the "ER" pages. I only have AER 001-1627. I need to look at ER 576-98 to see what it really says.

36. Again, Cox plainly states "we should do everything we can to avoid it (241)". This is putting off the conspiracy because of the very real fact that we couldn't pull something like 241 off even if we wanted to.

36. This would be a good place to sneak in pages 11-17 of Camiel's sentencing memo that deals with the true outcome of the 241 talk. Interestingly, near the top of page 13 Cox refers to 241 as Olson's plan, then explains how it wouldn't achieve anything good. "And with what you (Olson) were talking about for the 241 and stuff like that meaning just a gesture, that's looking for a fight." Cox explained to Olson that the best thing to do was nothing and let nature take its course with socioeconomic dynamics.

35. AER 0713 Traverso says to the judge about the deceptively edited audio exhibits being presented by SKradic, "These are clips. This is not - these are bites. These are not the whole meaning... But these are just clips or bites that don't tell the whole story." Then judge Bryan says, "That's - that's certainly true. The evidence in the case shows that."



36. Point out here that the government conceded that the so-called conspiracy was a remote future contingency. "The reason we're here this morning is because you've seen over the past six weeks evidence that these three individuals are working on a plan, they're working on another form of government. And in the long term. We're not telling you it was going to happen today, that it was going to happen tomorrow, that it was going to happen next week. Because this whole case is about when we're going to be strong enough." (government closing argument pg. 4.) Sentencing memo pg. 41.

Also at the end of those same six weeks Judge Bryan said, "well, here's the thing, that I guess is a little bit troubling to me. There were no Federal agents that we know of. THERE MIGHT AS WELL HAVE BEEN LITTLE GREEN MEN FROM MARS. And so if it's - is the existence of Federal agents or the likelihood of Federal agents coming to arrest Mr. Cox - is that a condition precedent that has to be met here with some evidence in order to get to a conspiracy?"

Shrocki: "We don't -"

Judge Bryan: "- that's realistic - you know, realistic conspiracy?"

Also case Agent Sauterland testified, "my understanding of that conversation (between Cox, Barney, Theising, and Olsen) was that there was too few people and that it (violence) would be fruitless and that the response would be quickly

squashed." Trial transcript pg. 14-146 and 147.

So at the end of the government's case, the judge, the prosecutor, and the case agent all are saying the same thing: that this is some Mad Max future fantasy about "working on another form of government," that "there were no Federal agents that we know of. There might as well have been little green men from Mars," and that "there was too few people and that it would be fruitless and that the response would be quickly squashed" and the defendants knew it.

We've got the 3 most important people in the prosecution of this case making statements that underscore how harmful the erroneous jury instruction was when it removed the intent requirement as an element.

The bad instruction allowed the jury to convict Cox for simply wishing he was strong enough to put the Federal government in its place, even though he admitted he was powerless to do anything and decided to leave the country rather than get in a conflict of any kind.

There was no "AGREEMENT" to attack the government. That's the heart of a conspiracy: an intent, an agreement, a mens rea for the crime. In this case the agreement was for Cox to leave the country to avoid conflict. There were lots of big time overt acts in furtherance of that agreement, like packing up and moving out of the house with all our stuff and driving

toward Canada with a wife and two kids, all the while saying, "this is what has the brightest future for my family. I don't have any hatred toward them (the government). It's best if I just walk away, even if it costs me everything I have." See AER 1367-74

37. AER 1297 Cox hadn't actually spoken to Anderson about a list. Anderson hadn't said he'd "only give it to Cox". They hadn't spoken at all. Cox was just saying this is to get Olson to stop pestering.
37. AER 1299-1302 Cox says nothing about "booby traps" in this clip. He says, "we just need to be some place where they wouldn't look".
38. AER 1304 Olson asks if he should "get that list from him (Anderson)". Cox replies, "we're not going to do anything like that right now anyway so I guess it's not too pressing".
38. AER 1308 Cox says to do "just t.v. and newspapers and - and Gandhi type passive-aggressive shenanigans out the wazoo. Just be creative and aggressive."
- Vernon: "we're doing the same plan"
- Cox: "just as much as you can without being, without turning bloody."
- Olson: "Yeah, yeah. At what point does it get bloody?"
- Cox: "I don't know, man."

Cox then goes on to say we can't do anything violent because we'd be dead in the first round.

38. AER 1318 Cox is not saying to "kill a whole butt load" of people. He's asking a question, "so what do we do?" He's trying to point out that there is no follow-up move after violence. It's just game over and we lose. This clip cuts out that context.
38. Check the "INAUDIBLES" they weren't inaudible at all. They were exculpatory AER 1323.
38. AER 1322 Cox says, "And if they kick in the door, then I'll just go with them. No sense in you guys dying at this point. (inaudible. i.e. the rest of the sentence is exculpatory).
39. Vernons never heard of a "list" until Olson brings it up. AER 1334
39. AER 1342 Olson tells the Vernons that Cox wanted them to do a 241. This is not true and it's very unfair to me and the Vernons for Olson to be using my name like that. He used Coleman's name too. I wonder if there are recordings of just Olson and the Vernons that we never got in discovery because it was in their separate case? I wonder if the Vernons were mad at Cox and Barney for not being on board with fighting? Could that be on the recordings?

39. AER 1363 Cox says he's going to Coleman Barney's house, then getting out of the country in the next 72 hours.

39. AER 1367-1381 Cox says that we can't do a 241 because "we're the family militia. And it would only hurt our families and make our enemies stronger."

40. This says, "Cox then said, 'I don't want to gloat. Just make people suffer'". But the real quote is:

"I don't want to gloat - just make people suffer to suffer. There's no profit in that. If it serves the purpose of protecting your family and liberty and law, than, you know, okay. But if it's just to satisfy your vengeance and your - and your - your blood lust and your - your anger, that's going to make a - just a wicked stronghold in your heart that's going to dominate you for the rest of your life. You will not recover from - from that sort of combat. That will - that will fry your soul."

41. AER 1398 This is an incredibly stupid conversation, but it's not about any sort of plot to do anything specific to anyone in particular in the foreseeable future. It's just abstract pontification on the rules of engagement during warfare. It's already been settled that we are not doing a 241 or anything like it at this point.

44. She's trying to make it sound like I was leaving my stuff to Joe because I was about to die.



"if I don't make it back". I was moving out of the country and couldn't come back as long as there were people in Alaska out to kill me. It's the opposite of how she tries to paint it out here.

44. AER 1278-97 doesn't refer to a "list with information about government officials" at all. It just says Mike knows how to look people up on the internet.
45. AER 1293-94 is Cox referring to the "total Gandhi protests, sit-ins, and flyers" that we had agreed to as opposed to a violent option at the earlier meeting at Ken's buses. Cox told Olson "this (the non-violent activism) is a much better plan than holding up in a bunker (241). Want to be friends?"
45. AER 355. Anderson testifies that he and Cox talked "about the importance of being non-violent and we (Cox & Anderson) talked a little bit about how he (Cox) just wanted to work for a while, save up, get a bunch of money, and if the economy collapses then he'll (Cox) have gold and silver to buy up a bunch of real estate or leave the country". This is EXACTLY what Cox was doing, Not violent 241 stuff.
46. Lamoreux says that when Cox met with Anderson, Cox asked for a database. This is not true. Cox and Anderson talked about Cox leaving the country and about the importance of non-violence and making money. see AER 355. And according to Anderson's testimony Cox

never even asked about a database or list the whole time. Anderson said, "at the very end of our meeting, I just said, 'Oh, by the way, I destroyed that thing.' He (Cox) didn't say anything." AER-364

46. Anderson was spooked by Olson and the Vernons, not by Cox who told Anderson of his (Cox's) plan to leave the country and make a bunch of money to buy real estate during recessions.
47. AER 1462 Is Cox telling Olson that Anderson doesn't have anything. Remember, Fulton had told Olson to tell Cox that if Cox did anything to shut down an uprising, Fulton would kill Cox like he almost killed Zerke last time Cox shut down Fulton's uprising. So it's reasonable to expect that Cox would be non-committal with Olson.

48. AER 1467 Actually shows that Olson <sup>was</sup> buying the pistols/silencers/grenades for himself. So you have one informant selling illegal stuff to another informant. The transcript shows that Cox did not and would not agree to buy the stuff. This audio also shows that Olson was taking Cox to meet a "trucker" to have him and his family taken to safety. Olson: "wait til you see this. Um, but if we don't like them, you know, I told him (Fulton), I said well I'll take them (silencers). I said I don't - I don't know if they're going to go over." Cox: "Hmmm".  
Olson: "He does have grenades and they're \$50".  
Cox: "I don't know."

Olson: "The real military light ones from the army."

Cox: "Yeah, well."

Olson: "I know it, it's -"

Cox: "Humm, that's tough. That's a -"

Everyone then started joking about how people are all talk.

Cox says, "Yeah. We need the heart attack rays guns."

Olson: "Well, as soon as we're done here (dropping Cox off with the "truck driver") I got to run back over and pay him (Fulton) or, uh, bring him back his gear (silencers/grenades) then."

Barney: "... we're not counting on him (Fulton)."

Olson: "For me personally, anything silent like this I'm, you know, I'm prepared to take it."

Upon arriving at the industrial truck depot, Cox points to an idling 18 wheeler and asks, "Is the uh - is this where the trailer is?" (The 18 wheeler had no trailer attached).

Olson: "No he-he - the trailer is still over in his yard, but we'll wake him up and then we'll go over there with him."

Cox: "Is that him (the trucker) right there?"

Olson: "That's him there, yeah."

Cox: "Oh, okay."

Olson then jumps out of his truck to go get the items HE is saying HE "personally" will buy from Fulton. Cox tells Barney, "I've got to get rid of those. (inaudible) = use these gloves if you touch them. Because if we give them back to Bill (Fulton), they're going to be -- yeah."

AER 1481 Cox didn't want his finger prints on Fulton's stuff.

The property owner then approaches and asks what we are doing there. Olson tells him we are there to meet a trucker named Dan Henry who is going to haul

a load for us.

Then, the cops swarm in like a bunch of crazy  
men. AER 1487

SEE AER 1493 Cox says violence is "insanity that has no  
need to take place," and that the "trigger-happy  
cowboys in the militia," "have to be kicked out" "because  
they are just looking for a fight," "and that has no place  
in a society of adults who live by mutual respect".

No. 13-30000

TABLE OF ABBREVIATIONS

IN THE UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff/Appellee,

v.

FRANCIS SCHAEFFER COX,

Defendant/Appellant.

ER ..... Excerpt of Record

AOB ..... Appellant's Opening Brief

PSR ..... Pre-Sentence Report

SER ..... Supplemental Excerpts of Record

AER ..... Appellee's Excerpts of Record

1627 pages

ON APPEAL FROM THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA  
THE HONORABLE ROBERT J. BRYAN

ANSWERING BRIEF FOR THE UNITED STATES

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iv

STATEMENT OF ISSUES PRESENTED

- I. Whether the trial court committed plain error in instructing the jury on the conspiracy to murder federal officials.
- II. Whether this Court should decline to consider Cox's ineffective assistance of counsel claim on direct appeal when there is no evidence that Cox was denied effective assistance of counsel.
- III. Whether, viewing the evidence in the light most favorable to the United States, any rational juror could have found Cox guilty of conspiring to murder federal officials and soliciting others to murder a federal official.
- IV. Whether the trial court properly admitted evidence of Cox's statements and information about groups with which he was involved.

STATEMENT OF JURISDICTION & BAIL STATUS

The district court had jurisdiction under 18 U.S.C. § 3231 and entered judgment on January 8, 2013. ER 2-8. On January 9, 2013, Cox filed a timely Notice of Appeal. ER 1.

This Court has jurisdiction to review the defendant's convictions under 28 U.S.C. § 1291.

Cox is serving his sentence, and his projected release date is October 3, 2033.



**STATEMENT OF THE CASE****I. INTRODUCTION**

Cox was indicted with two co-defendants, Coleman Barney and Lonnie Vernon, in a 16-count indictment charging a conspiracy to murder federal officers and employees, solicitation to murder a federal official, conspiracy to possess unregistered silencers and destructive devices, and other weapons violations. ER 9-32. After a lengthy jury trial, Cox was convicted of all counts, except those charging Cox with carrying a firearm during a crime of violence. SER 1-4. The case was presided over by Senior United States District Judge Robert J. Bryan (W.D. Washington).

Cox was the commander and leader of the Alaska Peacemakers Militia, a "sovereign citizen" group, based in Fairbanks, Alaska. Co-defendant Barney had the rank of "major" in Cox's militia and co-defendant Vernon was a "sergeant." Between 2009 and 2011 when they were arrested, Cox and the others conspired and planned to murder federal officials, including federal law enforcement officers, U.S. Marshals, Transportation and Security Administration (TSA) employees, and a Department of Homeland Security (DHS) employee,

3

These circles  
are "BS Alerts"  
Look up her  
chapter and  
verse" and  
you'll see the  
lies.  
-S. Cox

as well as state officials including Alaska State Troopers, state court judges, and a State of Alaska Office of Children's Services (OCS) employee.

During the conspiracies and until they were arrested, Cox, Barney, and Vernon possessed a number of illegal and unregistered firearms and destructive devices and were trying to get more. Cox and Barney had a trailer that contained a fully automatic machinegun, a silencer attached to a .22 pistol, numerous semi-automatic assault rifles, thousands of rounds of ammunition, tannerite, 17 grenade bodies, grenade fuses, 28 OC gas canisters, CS gas canisters, 37mm launchers, and "Hornet's Nest" anti-personnel rounds. In addition, the defendants had weapons, legal and illegal, in their homes and vehicles.

Cox repeatedly threatened federal and state officials during the conspiracies and took steps to act upon those threats. For instance, Cox gathered information about federal and state employees that he wanted killed in the event he was arrested or in case of a "government collapse." The defendants shared beliefs that the current government was no longer operating under the rule of law, but under the rule of force. They considered themselves sovereign citizens. Cox and others developed a

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plan they called "2-4-1" which entailed, in the event that Cox or any militia members were killed, Cox and the others killing two other people (such as federal law enforcement officers and judges) in return. Cox also believed that there was a federal plot to kill him and his family and that the federal government was behind OCS's efforts to take his son away from him.

Because Cox challenges the sufficiency of the evidence, the details of the conspiracy need to be laid out in some detail. As will be seen below, Cox began with rhetoric and angry encounters with federal and state personnel, but by the time of his arrest he had developed a plan for the imminent murder of federal officials, stockpiled his arsenal of weapons, and enlisted others to join him.

**II. FACTS OF THE CASE****A. Fall 2009 – March 2011**

In the fall of 2009, Cox traveled outside Alaska and made a number of speeches related to the right to bear arms at meetings and

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conventions. See Exs. 917-921;<sup>1</sup> ER 652, 704, 707; AER 236-45, 1065-69, 1091, 1094-96, 1144-67, 1613-20; Cox Ex. FSC-6. Cox spoke about his previous interactions with law enforcement, including the TSA. AER 1613-20. He also described his development of the "Liberty Bell network," a functioning "common law court," and a militia. *Id.* He discussed the command structure of his militia and claimed that he had a 3500-man force that was equipped with GPS jammers, cell phone jammers, bombs, rocket launchers, grenade launchers, claymores, machine guns, and other items. *Id.*

**1. Cox tasks others to compile information on federal and state officers and employees to kill**

Back in Alaska, Cox and Michael Anderson met in Fairbanks and plotted their strategy if the government declared martial law. AER 266-67. Cox and Anderson agreed government leaders would have to be killed. AER 268-69. Anderson testified: "It was just generally if it

<sup>1</sup> Unless otherwise noted, the citations are to the government's trial exhibits. The recordings were the evidence at trial. For ease of reference, the government includes the transcripts in the record, however the recordings are available should the Court wish to review them.

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comes to that, you know, we'd have to identify who was doing it and take them out before they could come for us, and – I mean, kill them before they could come for us." AER 268. Cox and Anderson decided to create a list or database that would contain the names of government officials, together with their home address information, they would kill when martial law took effect. AER 268, 271-75.

In spring 2010, Cox asked Anderson about the progress of the database, and told Anderson that he thought there was a federal "hit team after [Cox] and [Cox] wanted to know who they might be and where they might be." AER 315-16. Anderson and Cox discussed how to gather information about federal officials. AER 317-18, 321-22. During that conversation, Anderson sketched the federal building in Fairbanks, and the men discussed conducting surveillance. AER 321-23; AER 1571. Also at that meeting, Cox provided Anderson with the names of Alaska State Troopers G.T., B.B., and R.W. to include in the database. AER 317-20, 1571. Cox also provided Anderson with the names of three federal officials, N.C. with "DHS border control," T.S. with "DHS," and T.B. with "TSA." AER 323-25, 1571. Anderson wrote down this information from Cox. AER 323. Regarding TSA employee

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Cox also directed Anderson to compile information about several Alaska State Troopers. AER 318-20, 326-27, 331-35. For example, Cox called Anderson and gave him the names R.W. and L.P. AER 326-27, 1572. Also, in the fall of 2010, Cox called Anderson and asked him to find out where Alaska State Trooper M.J. was based. AER 331. Anderson told Cox that M.J. worked in Fairbanks. AER 333.

Later, in February 2011, Cox provided Trooper M.J.'s information to one of the government cooperating witnesses, Gerald "J.R." Olson, on a post-it note. AER 721-31, 1278-1294, 1498-99. Cox described Trooper M.J. as the "the guy we've been having problems with." AER 1288-89. The post-it note showed Trooper M.J.'s name, with property lot and block number information.<sup>3</sup> AER 332-35. In addition, the post-it note included personal information about Trooper M.J., that he was "former Army." AER 1288-89, 1498-99. Cox provided Olson with Alaska State Troopers' personal addresses "to add them to the list and to – to have available for [them] if [Cox] initiated 241." AER 729.

<sup>3</sup> At trial, Trooper M.J. testified that the information on the post-it note accurately reflected the location of where he was living in 2007. AER 434-36.

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T.B., Cox told Anderson: "She's someone I know who goes to my church, a nice lady, but, you know, one day she may just follow orders and she may have to go." AER 325.

Anderson's notebooks reflecting some of the information for the database were admitted at trial. AER 1570-72; ER 620. On the same page of Anderson's notepad where the names of federal employees N.C., T.S., and T.B. appear, there was also a notation at the top of the page with phone numbers and the name "Vernons" with two lines indicating "I need names of Federal Marshals" and "Paperwork from Vernons?" AER 1571. After that meeting with Cox, Anderson looked on the internet for "federal marshal' something or other." AER 328-31. On a page in his notebook, Anderson wrote "Federal Hit List" at the top, then wrote "[J.J.]; Federal Marshal; Anc."<sup>2</sup> ER 620. Anderson testified that for the database he collected home addresses, standard addresses, street addresses, plot numbers from the State of Alaska Department of Natural Resources, and public information using Google website searches. AER 271-72, 312.

<sup>2</sup> J.J. is a Deputy United States Marshal based in Anchorage, Alaska. AER 411-12.

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## 2. Cox instigates confrontations with his targets<sup>4</sup>

Cox instigated confrontations with federal officials, including TSA employees T.B., D.B., and J.H., and DHS employee N.C., and with state officials, including Alaska State Trooper R.W. AER 418-25, 439-40, 446-47, 450-71, 903-09, 911-20.

TSA employee T.B. had hosted lunches at her house for college students from her church, which Cox attended (including wear body armor once). AER 911-14. At one point Cox called T.B. and asked whether he was on the "no-fly" list. AER 914-15. T.B. refused to provide Cox with that information and told T.S., the federal security director at the airport in Fairbanks, that Cox attempted to obtain that information from her. AER 915-16. T.B. was added to Cox's "hit list" AER 1571.

Cox approached DHS employee N.C. when she was off-duty but in uniform at Walmart with her daughter. AER 419-23. N.C. described

<sup>4</sup> TSA employees T.B. and D.B., DHS employee N.C., Alaska State Troopers R.W. and M.J., and State of Alaska OCS employee W.W. each testified regarding their interactions with Cox. AER 371-77, 418-36, 439-40, 446-47, 450-71, 903-09, 911-920.

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Cox as "confrontational, a little bit aggressive." AER 421. After learning that she worked for U.S. Customs, Cox said "something to the effect of [she] was okay if [she] worked for Customs, but he doesn't like to see a lot of feds, basically, in Fairbanks." AER 420. Cox told her that "he didn't believe [Department of Homeland Security] was a legally formed department within the government" and that he had a few thousand armed men in his militia. AER 422. Nevertheless, DHS employee N.C. was also added to Cox's "hit list." AER 1571.

In January 2010 Cox approached TSA employees D.B. and J.H. while they were working at the Fairbanks airport. AER 903-09. Cox asked if the dogs they had were TSA dogs, and then claimed that they "were violating his rights by having the canines." AER 903. Cox called D.B. and J.H. "Nazis" and started to get loud. AER 906-07. D.B. described the tenor and tone of Cox's voice as "a little aggressive and confrontational." AER 905. D.B. and J.H. then walked away from Cox. AER 905, 907. D.B. went outside on the curb, Cox followed her, and came up close behind her. AER 907-08. When she turned around, Cox took a picture of her with his cell phone. AER 907. When D.B. asked him what he was doing, Cox responded "I need to know who the Nazis

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retaliate even if he were only arrested, making it clear that his violent plans no longer were limited to an unlikely hypothetical, but to a concrete, imminent event.

Cox also obtained personal information about Alaska State Trooper R.W. AER 450-53. Prior to May 2010, Cox had met with Trooper R.W. at the Alaska State Trooper office in Fairbanks. AER 437-38. Twice in one day over Mother's Day weekend 2010 Trooper R.W. observed Cox drive by his house, located in an isolated area. AER 450-71. On the night of June 9, 2010, Cox approached R.W.'s home unannounced. AER 453-54. R.W. "assumed there was going to be a problem" and felt exposed and vulnerable. AER 455-56. R.W. sent his wife and children upstairs, drew his weapon, and took a position behind a vehicle when he saw Cox driving up the driveway. AER 454-56. Cox's wife, Marti Cox, was with him. AER 457. R.W. could see that Cox was wearing body armor. AER 468. A conversation ensued wherein Cox talked to R.W. about his problems with OCS, the fact that he had relinquished his United States citizenship, and his militia, which Cox said had 3,500 members. AER 462. Cox claimed that he was concerned that members of his militia would harm troopers, judges or their

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arc." AER 907-8. Shortly after that encounter, D.B. saw the TSA Federal Security Director T.S. speaking with Cox, and "by their body language, it looked a little confrontational." AER 909. TSA employee T.S. was added to Cox's "hit list." AER 1571.

Cox's mother-in-law described statements about TSA agents Cox made during Thanksgiving 2010:

The most specific remark that I heard him say was when they were talking in reference to two TSA agents, and the conversation was talking about what they would like to do if – if the federal government, and talking specifically about TSA agents, did something to his family, that they would go in and burn the homes of those agents and if the families were there and were running out during the fire, they would shoot them down.

AER 910. Cox's mother-in-law further testified that she knew that Cox had "a list of – of things that if the government crossed the line pertaining to those certain things, they were prepared to act." *Id.* Her testimony also highlighted an important shift in the threats Cox was making; no longer was his planning solely for a hypothetical "declaration of martial law." Cox had begun to assert that he would trigger his plans to kill federal agents if they "did something to his family," and later if Cox were killed. Finally, he issued instructions to

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families, and troopers' families if something happened to him or his child. AER 462-64. Cox told R.W. that "he wouldn't do it, but he couldn't control members of his militia and he didn't know how they would react if something happened to him or his family, or they were – he was taken into custody." AER 463. R.W. understood Cox's words to be a veiled threat against him. AER 463, 468. Cox phrased his statements along the lines of "he would hate to see troopers or their families killed or injured." AER 464.

### 3. Cox enlists Anderson to move his weapons and participate in security detail

In 2010, Cox was charged with domestic violence. AER 273-75. Soon after, Cox asked Anderson to remove weapons from Cox's home and Anderson agreed. AER 296. Anderson observed a silencer, a Sten machine gun (which Cox previously told Anderson was fully automatic), and several grenade hulls at Cox's home. AER 296-301.

In spring/early summer 2010, Cox asked Anderson to be part of a "security detail" for Cox during his meeting with OCS as a result of Cox's domestic violence. AER 302-04. Anderson agreed, and the next day put his AK-47 firearm and tactical vest in his vehicle and drove to the meeting location. AER 305-09. Cox tasked Anderson to find out

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where W.W., the OCS officer in charge of his case, lived. AER 303, 310-12, 1573-75. Cox explained "he needed to know where she was because if she hurts his family she might get a bullet through her windshield." AER 313. Following Cox's directive, Anderson obtained W.W.'s home address. AER 310-11, 377-79, 1573-75.

#### 4. Cox holds militia commissioning ceremony

By summer 2010, Cox's public statements and aggressive encounters with federal and state officials had created concern, and the FBI asked Olson, a cooperating witness with active ties to the militia movement, to contact Cox to see if he could learn more about his plans. AER 934-41, 959-61. Olson had been charged with a felony in the State of Alaska and in hopes of some leniency in his sentencing had been providing assistance to law enforcement. AER 954-58. In part because Olson had previous ties to a militia in Montana, Olson's background suggested that he would be able to develop a relationship with Cox. AER 959. Olson made his initial contact with Cox in the summer of 2010. AER 961.

In August 2010, Cox held a militia "commissioning ceremony" at Barney's residence for new members to be commissioned in and sworn

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was interviewed at King Jesus North Pole (KJNP), a television station near Fairbanks. ER 515; AER 593-94, 1514-19. Cox instructed the security details to shoot to kill if a "plainclothes" "agent" "draws down" on Cox or one of the other protectees. ER 515; AER 1502, 1518, 1569.

Cox held several meetings to organize the "security" teams for his court hearing and KJNP appearance, anticipating the arrival of federal agents. AER 586, 1178-90, 1606. A whiteboard titled "Security Team" seized from Cox's house described the plans, together with options for responding to plainclothes agents, including "lead poisoning." AER 1502. In addition, handwritten notes seized from the residences of Cox, Barney, and Vernon reflected Cox's directions for the security detail such as "use grenades to stop." ER 515; AER 1518, 1569.

During one of the briefings, Cox instructed his men that they had to be prepared to kill federal agents and described a scenario where they would stomp the killed federal agents through the ice. AER 590-91. Cox called the federal agents "soulless assassins" and said: "If we kill one of them, they're not going to be missed, they're not going to come looking for you." AER 1183-84.

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into his militia. AER 558-59. Olson attended the militia commissioning ceremony. AER 566. Lonnie Vernon and his wife Karen also attended. *Id.* At that meeting, Cox told the attendees that there was a federal assassination team out for him and his family. AER 1169-71. Cox also described his version of his dispute with OCS. AER 1171-76. He accused the federal government of being behind the OCS investigation and boasted that he told a state court judge, "We don't mean any harm to anyone, but if you want a war, we've got one hell of a war with your name on it." AER 1177.

#### 5. Cox instructs security details for court hearing and KJNP interview to kill federal agents if need be

In November 2010, Cox enlisted a "security detail" to protect him, his wife, and common law "judge" David Bartels from the supposed federal assassination team. AER 587-88, 1116-20, 1178-90, 1502, 1518. This armed and body-armor attired security detail was arranged by Cox specifically to "protect" Cox while he attended a court hearing in downtown Fairbanks related to a state misdemeanor weapons charge against him. ER 514; AER 589-90, 596, 1117-24, 1129-32, 1515-17. Another security detail was planned for later that evening while Cox

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Cox told the security team members that they needed to be "guys who are - who've come to terms with the fact that if somebody shows up at the TV station, because it's an hour long and it's live - to try to kill Judge Bartel [sic] or Marti [Cox], you might have to kill him." AER 1184-85. Cox also said that he had bought a "whole bunch of hornet nest grenades" to be loaded into grenade launchers attached to their rifles, which he could provide to the security detail members. AER 1185.

Barney was in charge of Cox's security detail at KJNP to "protect" Cox from federal agents. ER 515; AER 1113-15, 1117-18, 1123-24, 1518-19. Barney was armed that night with a 37mm launcher loaded with "Hornet's Nest" anti-personnel rounds attached to his AR-15. AER 1121-22, 1138-43. Vernon and Gary Brockman, other members of the security detail at KJNP, were also armed that night as part of Cox's security detail. AER 402, 1122, 1611.

When they arrived, the security detail set up lights, established a vehicular funnel point, and stopped at least one incoming vehicle while visibly armed with weapons. AER 391-92, 413-17. Barney set up on

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the perimeter, wearing body armor. AER 1142. Another member patrolled the property surrounding KJNP on a 4-wheeler. AER 1141.

#### 6. Cox makes threats at state courthouse

During a December 10, 2010, hearing on Cox's misdemeanor weapons charge, Cox told the judge that:

Soulless federal assassins have made threats on the lives of my wife and children. This, coupled with your long established and well documented – ah, practice of refusing to ascertain the truth, leaves me but one inescapable conclusion: You are rebellious impostors evincing a design to reduce us under absolute despotism. We want peace and friendship, not war. But should you thrust war upon us by your continued aggression, my men and I, along with all those who love liberty and law, will cry out to the just and moral God of the universe, and with a strong reliance on his providence, fulfill our moral duty to protect our families and repel the lawless aggressors who seek to do us harm. We know who you are and we know who you aren't. We wish no harm on anyone, and, reciprocally, we will not tolerate harm from anyone, especially not from you. Winston Churchill, when surrounded by danger said, quote, "We sleep soundly in our beds because rough men stand ready in the night to visit violence on those who would harm us." I sleep soundly. If you continue to harm or threaten us in any way, we have the right to defend ourselves. The sword of a righteous God is swift to destroy those who oppress the innocent.

AER 1489-90. Cox continued by indicating that he sees the judge on the marathon course and at Fred Meyer and sees the prosecutor around

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pineapple grenades as you – as you can get, because we'll just, um, thread the bottoms and stick an ALS fuse in them." AER 643-45, 648-50, 1193. Cox also explained that if they could get pineapple grenades with the hole in the bottom, they could tap it, put a bolt in it, put gunpowder in, and put in a new fuse. AER 649-51, 1191-98. Cox added that he already had the new fuses. AER 650, 1191-98. Cox then brought up C-4 explosives, which "would be good to have," and said he knew someone who would make C-4 for them and that he had discussed the price with him, but it would depend on the shelf life of the C-4.<sup>5</sup> AER 1197-98.

Vernon and Olson traveled to Anchorage and followed Cox's directions. AER 655. Vernon and Olson drove directly to a military surplus store in Anchorage owned by Bill Fulton, whom Cox knew.<sup>6</sup> Vernon asked to buy grenades from Fulton. ER 657-60, 671-72, 1237-38. During subsequent conversations that weekend, Vernon said that

<sup>5</sup> C-4 is a pliable explosive. AER 651.

<sup>6</sup> Fulton hosted the convention in Anchorage. Fulton owned a military surplus store and was a firearms dealer. AER 645-46, 659-60. Unbeknownst to the defendants and Olson, Fulton was also cooperating with the FBI. AER 673-74.

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town, and: "There's a lot of people out there that would just as soon come and kill you in your home at night, than come and argue with you in your court by day. And that is just as bad and wrong as, ah, pretended governments or governments that are acting outside of the law." AER 1491-92.

A few days later, after a subsequent court hearing, Cox wanted to serve some papers on another state court judge. AER 922. Alaska State Trooper Schoenberg told Cox that, to get the paperwork served, Cox needed to file the paperwork with the clerk's office on the lower level of the courthouse. AER 922-25. Trooper Schoenberg was surrounded in close proximity by Cox and about four other men with Cox (including Barney) and Cox told him "We've got you guys out-manned and outgunned, and we could probably have you guys all dead in one night." AER 921-31, 1623.

#### 7. Cox sends Vernon and Olson to Anchorage to attend militia convention and buy grenades

The month before he was arrested, Cox directed Vernon and Olson to go to Anchorage to attend a convention on behalf of his militia. AER 639-41. Before their trip, Cox told Vernon and Olson to "get as many

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he wanted to purchase grenades, 50 grenade fuses, and a suppressor. AER 671-74, 675-78, 685-86, 1204-06, 1220-22, 1228-29, 1243-44, 1252-53. While in a hotel room with Olson and Fulton, Vernon described the plan:

Mr. Fulton: Yeah, but check this out. We were on this whole thing with Schaeffer [Cox], and I want to talk to you about this, but you are not going to cause the fucking militias in the state of Alaska to rise up.

Mr. Vernon: No, no, no, no, no.

Mr. Fulton: Schaeffer [Cox], on the other hand, will.

Mr. Vernon: Yeah, he will. That's what he wants. He wants the big show. But what I'm getting at – what he said to them –

Mr. Fulton: Yeah.

Mr. Vernon: - and I saw that – is they're running fucking scared. There's a whole bunch of them lil' dickweed judges out there. But you know what? We know all of them. We know where they live. We know the – the district – the assistant district attorney. He's a fucking Nazi, little fuckwad.

Mr. Vernon: We're going – we're peeking over the fence. They're looking at, you know, what – what will come – what will happen when – if we take him down? What if they do come to our house? Well, you know what? That was already pre-planned.

Mr. Fulton: What was?

Mr. Vernon: The family thing. We made it a long – pact a long time ago.

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Mr. Fulton: What family thing? What the fuck are you talking about?

Mr. Vernon: Now, listen to me. Listen to me. If they fuck with one of us –

Mr. Fulton: Uh-huh.

Mr. Vernon: - when we go to their house, all of them with the titles –

Mr. Fulton: Yeah.

Mr. Vernon: We'll drag them out and they will never find them.

Mr. Fulton: Okay, but not for families. You're not talking about going after innocents.

Mr. Vernon: We're talking about everyone involved in this.

Mr. Fulton: You're not talking about going after innocents.

Mr. Vernon: First – no, the first round –

Mr. Fulton: No children.

Mr. Vernon: The first round will be all the ones involved in it.

Mr. Olson: Like the judges or –

Mr. Vernon: Yup. They're going to get gone. They can put up all the people around their house, all the snipers they want, whatever they want to do. But one way or the other, they won't know when it'll happen.

Mr. Vernon: Okay, okay. If they pull a gun when we go in there, too, I'm sorry, it's part – you – you – you made it happen, asshole.

Mr. Fulton: Yeah, but what you're talking about is premeditated, and you know that.

Mr. Vernon: Well –

Mr. Fulton: No, I'm not going to sit here and fucking play pansies and then (inaudible).

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Mr. Vernon: They make it pre-meditated the day they do wrong to us.

AER 1260-65. See also AER 688-90.

#### 8. The "2-4-1" Plan; "I'm not against mailing heads to people"

On February 12, 2011, Cox held a meeting at Ken Thesing's residence in Fairbanks with Barney, Thesing, and Olson. AER 699. Thesing had the rank of "major" in Cox's militia. See AER 1587 (text from Cox to Barney on 12/7/10: "Just talked to Maj. Thesing about a battle plan"); AER 635-36. Cox said that he was not going to appear at his next scheduled court hearing, and instead raised the idea of "2-4-1," a plan whereby if Cox or any militia members were killed then Cox and the others would kill two other people (such as law enforcement and judges) in retribution. ER 377-98; AER 700, 702-03, 706. During this meeting, Cox said that two state court employees, M.G. and R.W., "need to dangle together like a windchime." ER 376; AER 701-02. When Barney asked whether "2-4-1" would be triggered by Cox being arrested, Cox responded:

I believe that it is absolutely morally allowable [to activate 2-4-1] if they were to come and arrest Ken [Thesing] for the three of us to go kick in the judges' door and – the troopers and arrest two of them. And

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because it's war, it doesn't even really have to be the ones that did it. . . . And it's not just a war in fact, it's a war declared by them, explicitly, without mincing any words, and so I think it's absolutely morally allowable that if they arrested Ken [Thesing] or arrested me, to go in and arrest two of them. . . . If they kill one of us, we go kill two of them.

ER 390-91.

Cox continued that he "would be well within my rights to go drill McConahy in the forehead and any of these people that are propagating this because they're posing a huge threat to my life and my family." ER 392; AER 707-08. "McConahy" was the state court judge presiding over his pending criminal case. AER 708. After Olson sought clarification about "2-4-1," Cox instructed, "go for the ones that are either authorized or failed to prevent," ER 394, reasoning that "[b]ecause then they'll give people pause to authorize or fail to prevent." *Id.*; AER 708. Cox continued, "I'd say the trooper that did it and the trooper that authorized it and the judge that authorized it. You know, it would be – kind of the top people." ER 394-95. Cox expressed that it's a tough issue because "it's easier to get ready to die than it is to kill." ER 396. Nevertheless, Cox said that he was willing to kill. ER 397.

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After hearing from Barney, Thesing, and Olson, Cox summarized:

All right, well, let me give you guys my thoughts. I really appreciate your thoughts on that. My thoughts on 241 is that we're not in a strong enough position to execute more than once, we're not in a strong enough position to follow through, and so at this point what we should do is do everything we can to avoid it, but that what we should do is we should bluff it for all it's worth and pray for God's protection and shielding hand and, uh, work and train and get ready to where we can turn that 241 into a real ability instead of just (inaudible).

ER 409. Cox and Barney then discussed next steps:

Barney: In the meantime training up guys and (inaudible) guys through and getting them ready.

Cox: So, that we can – so that we can turn it from a bluff to a – to a –

Barney: An action.

Cox: Yeah, and we'll take the – we're ready – and the road I'll take is, we're ready and we could have you dead in minutes, but we are long suffering and we want to be your friends. You've got to stop pushing, we want to be at peace. We're going to continue long suffering, but not forever.

ER 413-14. Barney then volunteered that they should "get those little target, bull's-eye things, you put them on the . . . back windows of all the cop cars." ER 414; AER 714-15. Because Cox had decided not to appear for his next court hearing on the weapons charge and they anticipated that an arrest warrant would be issued, Barney offered that

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Cox and his family could hide out at rental cabins owned by Barney.  
ER 415-16; AER 714-15.

At the meeting, Cox also discussed the grenades he possessed and expressed his desire to get grenades with longer delayed fuses. ER 417-19; AER 716-17. Cox told Barney, Thesing, and Olson: "I would like to have eight-second fuses and powder that burns fast enough to really send that shrapnel flying because we're using the two second fuses right now." ER 418.

**9. Cox becomes a fugitive, continues to prepare for "2-4-1," and moves his weapons stash**

As planned, Cox failed to appear for his February 14, 2011, court hearing. AER 732-33. Barney and Olson attended the hearing to find out if an arrest warrant was issued for Cox. *Id.* Judge McConahy indeed issued an arrest warrant. AER 738.

Cox, now a fugitive, moved into the Vernons' residence. AER 743-44. Cox, Lonnie and Karen Vernon, and Olson met at the Vernons' residence on February 14 and 15, 2011. AER 743-49, 1295-97. Cox and Vernon talked about ways to set up booby traps to block access to the

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A few days later, Cox and his family moved into Barney's home. AER 774-79. Cox took along his firearms, his body armor, and CS grenades.<sup>7</sup> AER 777-78, 784-85.

At a meeting later that day attended by Cox, Barney, and Olson, Cox spoke again about the "2-4-1" plan. AER 784-89. Cox said, "if we all shook hands and went out of here to go roll judges' heads, I mean, we're definitely morally justified." AER 1368. Barney agreed. *Id.* Regarding "2-4-1," Cox said: "But I can say that I think for right now, a 241 . . . would be running out ahead of the scale and sacrificing our self to no avail." AER 1375. Barney responded:

[T]hat our troops – and that's the scale starting to tip, when they see more people that start to wake up and come to our aid, and even if they still have greater numbers, they'll be a point to where even with guerilla warfare and stuff like that, two for one [2-4-1] becomes a real possibility at that point. . . . Because you actually have enough people on your side that you can – you can pay 241 for a while.

AER 1376.

<sup>7</sup> Cox and his family continued to live at Barney's residence until the day of his arrest, March 10, 2011.

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Vernons' house by law enforcement. AER 1299-1302. Cox described his vision of the plan:

Cox: It gets bloody when they've got – when we've got our crap together enough to – to make a good effort at round two.  
Olson: Yeah.  
Cox: Round one is going to be easy. Round two is where the work starts.  
Olson: Yeah.  
Cox: And we can do round one right now. I think the blood starts is when we've got – when we feel like we've got the – it starts either – at either just the point of total desperation when there's nothing else and it's just a Hail Mary before you get swallowed up alive, or when you've got the – the power to possibly prevail.  
Olson: Yeah. When – when they recognize the power –  
Cox: It's not like we're waiting for them to get bad enough.

AER 1309-1310. Cox later summarized, "So, what do we do? We kill a whole butt load of them and then offer peace." AER 1318. The next day, Cox and Olson discussed a variety of firearms and scopes, and Cox explained that they were probably going to be doing their battling at houses instead of in the woods. AER 764-65, 1331.

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Cox said that his "subconscious goal was to be able – was to get prepared to execute a 241 that needed to be – I think that it needs three – three more things here." AER 1377. Cox said one thing it needs is "more public pain." AER 1378. Second, Cox said, "we just need more numbers." AER 1379.

Later in the conversation, Cox and Barney agreed that if the government took one of their kids, "that's a 241." AER 1387-90. Cox also said: "Well, I'm not going to target women and children, but I'm not opposed to killing them either, you know. I mean, God had them kill men, women, and children." AER 1391.

Cox told Barney and Olson that "[t]he purpose of killing somebody is to prevent them from killing the innocent" and "I'm not against some like drastic, shocking things either, like, you know, mailing heads to people." AER 1394. Cox then said "I don't want to gloat. Just make people suffer." AER 1395. Cox also told Barney and Olson, "I think if you got the time and resources, you ought to give them proper burial, you know?" AER 1397.

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Cox also told Barney and Olson that while the victims had value as human beings, "that doesn't mean that I won't kill you" or "that I wouldn't hang your body from a lamppost to deter others." AER 1398.

Two days later, Cox took Barney and Olson to a property he owned where he stored weapons in a shed. AER 787-801. At Cox's direction, Barney and Olson moved assault rifles, ammunition, and approximately eight grenades from Cox's shed into Barney's truck. *Id.*

#### 10. Cox and others continue to build their arsenal of weapons

The next day, Cox, Barney, and Olson met again at Barney's residence. AER 803-04, 1399-1411. Barney relayed a conversation he had with an "arms dealer and explosive dealer" about a rumor that eight grenades had been stolen from Fort Wainwright and Cox had them. AER 1401. Barney continued, "Me and Schaeffer [Cox] were talking about it and thinking eight grenades doesn't sound like a lot unless you're one of the Judges or DAs we're looking at." AER 1401-02.

Later in February 2011, Cox, Barney, and Olson met at Barney's residence and discussed getting silencers. AER 806-07, 1412-19. Cox ordered a pistol and silencer matched set from Olson. AER 1420-21. Cox then discussed with Barney and Olson how a silencer would work

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the price of grenades, Cox said: "But, yeah, if [Bill Fulton] could come down even to I'd say anything below \$70, I would be feeling like I can buy as much as I want. And if he gets it at \$50, I think I'd stock up." AER 1458.

In March, 2011, Olson informed Cox that only eight grenades would be available for purchase from Fulton. AER 1624-27, Ex. 30-06. Olson told Cox that he had told Fulton they wanted them, to which Cox responded: "Yeah and as many more as you can get." *Id.*, AER 1626.

The Vernons similarly had placed an order for weapons from Olson. AER 802-03, 840, 849. Lonnie Vernon said that "with the grenades he'd be able to take out two or three 5-0s, he called them, which is the term for law enforcement, at a time." AER 850.

#### 11. Cox's other preparations for "2-4-1"

Cox, Barney and Olson implemented a communication plan, a way to avoid detection by law enforcement, of using "red" phones and "yellow" phones to speak with each other. AER 822-31, 1565. The "red" phones were to be used for the most secure means of communication in a situation such as when Cox got arrested or "2-4-1" was initiated. AER

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with a Glock firearm. AER 1421-23. Cox told Barney and Olson that he "would love to get a center fire silencer." AER 1425; *See also* AER 808-09. Cox also told Olson that "we just did a little tutorial yesterday on . . . homemade silencer for .22s." AER 1425. Cox, Barney, and Olson also talked about subsonic ammunition. AER 1434.

Cox described how to modify a firearm to make it fully automatic. AER 1435-45. Cox had previously told Olson that he had a fully automatic weapon and that it was a weapon that he made himself. AER 1409-10.

Cox, Barney, and Olson also discussed a missing grenade launcher. AER 832-33, 1448-49. Cox asked Olson if he had gotten a grenade launcher, but Olson said he did not see one when they moved the weapons from Cox's property. AER 1448. Barney added "And I know we haven't used it on any of the little missions that we've done. The only one we used is the one with the spider on it and I had it mounted to my AR with HOV . . . hornet's nest." AER 1449.

Cox, Barney, and Olson met again at Barney's rental cabins. AER 837-39. During the conversation, Cox told Olson that he'd like to have some pineapple grenades. AER 1456-59. When they were discussing

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828-29. Those with the "red" phones were to carry them at all times and "have them charged up and ready to go." AER 829.

In making final preparations, Cox handed some notes to Olson to deliver for him. AER 815-18, 820-24, 831. One of those notes was to one of his tenants, listing things for the tenant to take over, and also describing what Cox was leaving for him: "I want you to have my yellow coat and Ice Axe if I don't make it back" and "The AR with the grenade launcher is yours to if I don't make it back." AER 820-24, 1495.

#### 12. Cox's efforts to obtain database containing victim information

Cox called Anderson to ask him for people's addresses. AER 314. Between August 2010 and March 2011, Cox referred to the existence of a list with information about government officials, and Anderson's connection with it several times. ER 376-421; AER 721-31, 745-47, 1278-97. For example, during a conversation at Cox's house, Cox told Olson:

Mr. Cox: Those are the number two troopers.  
Mr. Olson: Oh, okay.  
Mr. Cox: And then, uh, do you know who Mike Anderson is?  
Mr. Olson: No, huh-uh.  
Mr. Cox: Okay. He has everybody's - I mean -  
Mr. Olson: Address?

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Mr. Cox: And he's got them all -

....

Mr. Olson: Yeah. So - so - he's - he's got the - you know all the actual specific addresses and everything.

Mr. Cox: Yeah.

AER 1280-82. During this same conversation, Cox showed Olson on a map where Troopers R.W. and B.B. lived. AER 721-24. Cox described Anderson's skills, saying "you call him in . . . in 20 seconds, he's got it." AER 1291. At the end of the meeting, Cox told Olson "I can give you a much better I think this is a much better plan than holing up in a bunker . . . we know where all your guys live, too, and you want - want to be friends? . . . We can be friends and we can be enemies. What - what do you want to be?" AER 1293-94.

At Cox's direction, Olson contacted Anderson about getting the database, AER 351-52, 731, 739-46, but Anderson refused to give the information to Olson. AER 740-41. While at the Vernons' house, Cox explained to Olson and the Vernons that "Mike [Anderson] got kitchy of giving you information," and that Anderson would rather just give it directly to Cox. AER 1296-97. The Vernons also tried to get the database from Anderson. AER 352-53; *see also* AER 769-73, 1347-48.

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Later, Cox described Anderson as "pretty chickened out." AER 858-59, 1461. Cox, undeterred by Anderson's actions, said "it's not like he [Anderson] got a monopoly or anything that can't be achieved the same way." AER 1462.

#### B. Final Weapons Transactions and Arrests

Cox, Barney, and Vernon were all arrested on March 10, 2011. AER 985, 988-89.

##### 1. Vernons purchased pistol, silencer, and hand grenades and were arrested

Vernon was arrested first. AER 872, 988. The morning of March 10, 2011, Lonnie Vernon and his wife, Karen, met Olson and, after examining the weapons, the Vernons purchased a .22 pistol and silencer matched set and two hand grenades from Olson.<sup>8</sup> Exs. 40, 102, 103; AER 872-880. Immediately after the transaction was completed, the Vernons were arrested. AER 988. At the time of arrest, Lonnie Vernon and Karen Vernon were carrying loaded firearms. Exs. 106, 108.

<sup>8</sup> Unbeknownst to the Vernons, and later Cox and Barney, the grenades provided by Olson were inert.

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Vernon told Olson "[w]e're gonna stir some shit. We're gonna get that list, and we're gonna stir some shit." AER 1338. Vernon also explained that his wife "can make a list and we - we could - we could make our own list, we don't need [Anderson] to do it." AER 776; *see also* Ex. 23-07.

Cox tried to contact Anderson in early March 2011 to get the database. AER 852-56. In one day, Cox and Olson spent hours driving to different locations so Cox could find Anderson and get the database from him. AER 852-54. While in the vehicle together, Cox directed Olson where to go so they could find Anderson. *Id.* When he was looking for Anderson, Cox told Olson that a friend of his owned the building that the FBI rented and "if Cox really wanted to, he could get a key and - get inside the building." AER 858.

When Cox met with Anderson a few days later and asked Anderson for the database, Anderson told him that he had already destroyed the database. EAR 355-57, 361-62, 364. Unbeknownst to Cox, Anderson had destroyed it within a day or so of Olson contacting him about it, because he was concerned about what Cox was going to do with the information. AER 363.

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##### 2. Cox and Barney examined pistols, silencers, and hand grenades and were arrested

Later that day, Cox and Barney also met Olson. Exs. 38-39; AER 881-83. Seconds after Cox and Barney got into Olson's vehicle, Olson told them that what Fulton got them was matched sets of .22s instead of the XD's they ordered. AER 1467. Cox responded, "Well, that's gay. I have a silenced .22." AER 1468. Olson told Cox and Barney that Fulton did have grenades and they cost \$50 each. AER 1469. Cox, Barney, and Olson then had the following conversation about silenced .22s:

Olson: Because of the, uh - because of the silencers. They, uh - I guess they go (inaudible) they'll go - these ones here will go 200 rounds, these .22s, before you have to touch anything to the oil.  
Barney: Well, we can go light.  
Olson: (Laughter) Yeah.  
Barney: Go light and quiet.  
Olson: Well, the thing with a silencer is you're - you're close range, anyway.  
Barney: Yeah.  
Olson: You know?  
Cox: But see, .22s, even at close range, they take a long time to die.

AER 1472-73.

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Rudy, This is a page  
from the special prosecutors report  
on my Federal  
prosecutors.

false testimony, to obtain a tainted conviction, implicit in any concept of ordered liberty, does not cease to apply merely because the false testimony goes only to the credibility of the witness. The jury's estimate of the truthfulness and reliability of a given witness may well be determinative of guilt or innocence, and it is upon such subtle factors as the possible interest of the witness in testifying falsely that a defendant's life or liberty may depend.

(citations omitted).

See also *United States v. Freeman*, 650 F.3d 673, 680 (7<sup>th</sup> Cir. 2011) (“*Napue* does not require that the witness could be successfully prosecuted for perjury. *United States v. Boyd*, 55 F.3d 239, 243 (7<sup>th</sup> Cir. 1995). In this area of the law, the governing principle is simply that the prosecutor may not knowingly use false testimony. This includes ‘half-truths’ and vague statements that could be true in a limited, literal sense but give a false impression to the jury. *Id.* (‘It is enough that the jury was likely to understand the witness to have said something that was, as the prosecution knew, false.’)”).

Though “[t]he rule of *Brady* arguably applies” to *Napue* violations (*United States v. Agurs*, 427 U.S. 97, at 103 (1976)), the standard of review under *Napue* is stricter than the *Brady* standard: a *Napue* violation is a “hair trigger” for reversal. *United States v. Gale*, 314 F.3d 1, 4 (D.C. Cir.), reh’g denied, 326 F.3d 228 (D.C. Cir. 2003) (“Whereas the prosecution’s knowing use of false testimony entails a veritable hair trigger for setting aside the conviction (‘any reasonable likelihood that the false testimony could have affected the judgment of the jury,’ see *Agurs*, 427 U.S. at 103), non-disclosure of exculpatory evidence (including impeachment evidence) is governed by a more general standard: ‘Favorable evidence is material, and constitutional error results from its suppression by the government, ‘if there is a reasonable probability that, had the evidence been disclosed to the defense, the result of the proceeding would have been different.’”).

Mr. Allen’s eve-of-trial recollection of his CYA conversation with Mr. Persons in 2002 contradicted his statement on April 15, 2008 to Mr. Bottini, Mr. Goeke, Mr. Marsh, Mr. E. Sullivan and Agent Kepner that he did not remember speaking to Mr. Persons about the Torricelli note. Those inconsistent statements were *Brady/Giglio* information which were required to be disclosed to Williams & Connolly, but were not. The prosecutors and Agent Kepner testified in this



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MR. COX: If somebody shows up at the TV station, because it's a live hour and it's live --

from previous page

was interviewed at King Jesus North Pole (KJNP), a television station near Fairbanks. ER 515; AER 593-94, 1514-19. Cox instructed the security details to shoot to kill if a "plainclothes" "agent" "draws down" on Cox or one of the other protectees. ER 515; AER 1502, 1518, 1569.\*

Cox held several meetings to organize the "security" teams for his court hearing and KJNP appearance, anticipating the arrival of federal agents. AER 586, 1178-90, 1606. A whiteboard titled "Security Team" seized from Cox's house described the plans, together with options for responding to plainclothes agents, including "lead poisoning." AER 1502. In addition, handwritten notes seized from the residences of Cox, Barney, and Vernon reflected Cox's directions for the security detail such as "use grenades to stop." ER 515; AER 1518, 1569.

During one of the briefings, Cox instructed his men that they had to be prepared to kill federal agents and described a scenario where they would stomp the killed federal agents through the ice. AER 590. Cox called the federal agents "soulless assassins" and said: "If we kill one of them, they're not going to be missed, they're not going to come looking for you." AER 1183-84.

590 Next Please

Non-lethal riot-control

MR. OLSON: Uh-huh.

MR. COX: -- to try to kill Judge Bartel or Marti, you might have to kill him.

MR. OLSON: Yeah, be ready to --

MR. COX: Now, we want to avoid that at all costs. We'd rather send them packing with their tail between their legs than kill them and have to stomp them through the ice or something.

MR. OLSON: Yeah.

MR. COX: So I bought a whole bunch of hornet nest grenades that, you know, that you put in your grenade launchers, and if you've got a rifle with a Picaninny rail (phonetic) I'll give you a grenade launcher, and it shoots out like a bazillion marbles that like mop kick.

MR. OLSON: Is that right?

MR. COX: And that'll just turn -- fold people up into a pretzel for like 20 minutes.

MR. OLSON: Yeah.

MR. COX: And then we also got all kinds of like super potent CS tear gas and OC gas and stuff.

MR. OLSON: Yeah.

This is the gov's answer to my appeal brief.

This is an under cover recording of me and Olson the informant on the 19th of November 2010.

AER 1185

MR. COX: And hopefully we could like, you know, get them to go away if -- if they can. But they're going to be pretty brazen if they do that, but it's a reality that people who are going to be on that security detail --

MR. OLSON: Need to be prepared for.

MR. COX: -- need to be aware of.

MR. OLSON: Yeah.

MR. COX: Okay. Then the second thing that we look for volunteers for is the exit crew that might need to go to a concrete camp, because here's the plan, call it what it is, present the evidence, and then say you have no legitimacy, if you touch us, you are acting in defiance of the law at your own peril, you have no authority, you can't establish any authority, and we will have every right to defend ourselves from you. Now, not saying we are going to, but just say we'd have the right.

MR. OLSON: Just saying that we have the right.

MR. COX: And then lock arms, form up and just -- and just walk out of the -- out of the courtroom, not like run out and flee, but just like walk out --

MR. OLSON: Just walk out with your head high.

MR. COX: -- with -- with your head high and like

we know who you are and we know who you aren't, and force their hand, because at that point, we win either way.

MR. OLSON: Uh-huh.

MR. COX: If we -- if we say you guys are a joke and we're walking out and they just sort of look at the -- look at their shoes, then it shows them for what they are.

MR. OLSON: Uh-huh.

MR. COX: If they -- if they say you guys are a joke and we're walking out, can -- do you -- can you refute this, because if you can refute this, I'll just cooperate willingly, and they say we can't refute that, we're just going to use savage violence on you, and we've just been as polite as can be, and we let them use savage violence, then -- then that shows them for what they are.

MR. OLSON: Uh-huh.

MR. COX: And then we've got to go -- we've got to go down to jail, we don't let them take our picture, we don't have any ID, "what's your name," John Lock, oh, I'm Thomas Jefferson, and this is my buddy, Sam Adams, you know, what matter --

MR. BARTEL: Sovereign so and so.

MR. COX: Yeah -- yeah. And so I'm king.

Gerald Olson - Direct

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1 and something involving a courthouse?

2 A Yes, an exit crew for the -- for the courthouse.

3 Q Can you -- you tell the jury about your understanding of  
4 what was going to happen with respect to these two events?

5 A There was going to be a court hearing and he wanted an  
6 exit crew to -- to go in with him to the courtroom hearing and  
7 show up in court and guard him as he came out of court, gather  
8 around and -- and guard him.

9 Q And from -- from court, was there anything going to happen  
10 after that?

11 A As far as what?

Skrocki 12 Q Well, was he going someplace after court?

Olson 13 A I don't recall that.

Skrocki 14 Q Okay.

Olson 15 A I -- I can probably, if I looked at a 1023, I could  
16 probably be reminded, but --

Skrocki 17 Q Okay. If we need to. But let's --

Olson 18 A Okay.

Skrocki 19 Q I want to go back for a second then. With respect to the  
20 security detail, there was discussion about killing federal law  
21 enforcement?

Olson 22 A Yes.

Skrocki 23 Q And being prepared to do that?

Olson 24 A Yes. He -- he said, 'You need to be prepared to kill them  
25 and stomp them through the ice if you have to.'

This is Skrocki's coaching Olson  
to commit perjury at trial.  
And Lamoreux referenced it in  
her answering brief.

↑  
590

12. With regard to the KJNP security detail, defense counsel wrote, *The FBI case agent summarized the meeting where Mr. Cox planned for his KJNP appearance on November 23rd, 2010 in the following e-mail:*

From: Sutherland, Richard A. Jr.  
To: Gunty, Matthew P.  
Sent: Mon Nov 22 18:50:34 2010  
Subject: Cox Update

Here is a super-brief update so you can try to answer some questions if you are asked:

- 1) Cox had a court date for tomorrow for a state weapons charge
  - 2) The Troopers continued his case to Dec 10
  - 3) Cox had a "7 step plan" planned to coincide with this court date
  - 4) He calls the plan "Operation Nehemiah 5"
  - 5) His plan involves civil disobedience, media coverage, and a declaration that the Alaska Court system as void and possessing no authority over him
  - 6) He plans to call on the Troopers and demand a truce
  - 7) He will provide identification to his followers to identify them to Troopers so that the Troopers leave them alone and refer them to Cox
  - 8) He has a TV appearance on live TV scheduled for tonight to kick off his big plan
- FED\_00011344

In a recorded meeting with a CH5, he stated over and over that he did not want

violence and that he did not want to see any cops hurt. He has armed a militia security team with CS gas and Hornet grenades as a diversion squad if needed.

There is more to the overall plan, but this is a overview. (emphasis added)

**Response:** The objection is noted for the record, but does not appear to warrant a response from the probation officer.


13. With regard to the defendant's belief that the defendant believed a federal hit team was out to kill him, defense counsel wrote, *While the government has denied that there was ever a federal hit team sent to kill Mr. Cox and his family, Mr. Cox repeated this fear to a large number of people to include his wife and his father. He truly, if mistakenly believed this to be the case. In addition Mr. Cox fear was reinforced by comments made to him by an M.P. at Fort Wainwright. Steve Gibson testified at trial as follows: (15-195-196)*

This is a page from our objections to the Pre Sentence Report. It shows FBI Agent Sutherland's summary of the meeting Olson just lied about. Sutherland was at the prosecution desk for all of trial, so they all knew Olson was lying. They coached it.



2. Cox instigates confrontations with his targets<sup>4</sup>

Cox instigated confrontations with federal officials, including TSA employees T.B., D.B., and J.H., and DHS employee N.C., and with state officials, including Alaska State Trooper R.W. AER 418-25, 439-40, 446-47, 450-71, 903-09, 911-20.

TSA employee T.B. had hosted lunches at her house for college students from her church, which Cox attended (including wear body armor once). AER 911-14. At one point Cox called T.B. and asked whether he was on the "no-fly" list. AER 914-15. T.B. refused to provide Cox with that information and told T.S., the federal security director at the airport in Fairbanks, that Cox attempted to obtain that information from her. AER 915-16. T.B. was added to Cox's "hit list" 

~~AER 1571.~~

~~Cox approached DHS employee N.C. when she was off-duty but in uniform at Walmart with her daughter. AER 419-23. N.C. described~~

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<sup>4</sup> TSA employees T.B. and D.B., DHS employee N.C., Alaska State Troopers R.W. and M.J., and State of Alaska OCS employee W.W. each testified regarding their interactions with Cox. AER 371-77, 418-36, 439-40, 446-47, 450-71, 903-09, 911-920.

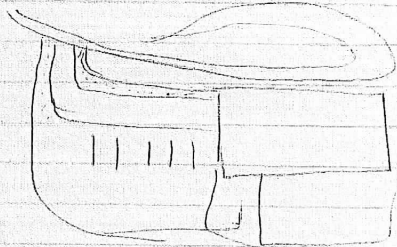
↑  
This is the gov's answer to  
my appeal brief.

460-1639 Vernons  
4881868

I need names of Federal Marshals

Paperwork from Vernons?

SWAT?



erry-top  
~~Be~~  
Ron Wall

3rd <sup>floor</sup> Curtis female DHS, border control  
Tom Stalter DHS

Trina Bowcamp TSA trainer

AER 1571



This is what they are calling  
"COX's hit list." I don't know  
what it is, but it sure is a hit list.