

**UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT**

UNITED STATES OF AMERICA  
Plaintiff, Appellee

v

Appeal #17-1241 Originating From Case #93-50028-1

OLEE WONZO ROBINSON  
Defendant, Appellant

APPELLANT ROBINSON'S MOTION UNDER RULE 27 (FRAP), REQUESTING THAT THIS COURT STAY APPEAL # 17-1241, UNTIL ROBINSON'S ORIGINAL THREE JUDGE PANEL IS ALLOWED TO ADDRESS THE JULY 23, 2008 FRAUDULENT COURT ORDER USED BY THE CLERKS OFFICE TO SABOTAGE APPEAL # 05-1558, WHICH CONTAINS EVIDENCE THAT VINDICATES HIM OF ALL DRUG, AND DRUG-RELATED CRIMES AND WOULD MOOT THE RE-SENTENCING MATTER PENDING UNDER APPEAL # 17-1241.

Now comes appellant, Olee Wonzon Robinson, and moves this court to STAY appeal # 17-1241 until Robinson's original three judge panel addresses the July 23, 2008 fraudulent court order used by the clerks office to sabotage appeal # 05-1558, which contains evidence that vindicates him of all drug, and drug-related crimes, and would moot the re-sentencing matter pending under appeal #17-1241, for the following reasons:

1. On March 5, 2018 Robinson filed with this court a twenty (20) page Sworn Declaration along with supporting Exhibits # 1, A, B, D, E, F, G, H, I, J, K, L, M, N, T, U, W, & X, including a compact diskette of same which contains evidence that the clerks office at the sixth circuit used the July 23, 2008 fraudulent court order to sabotage Robinson's appeal #05-1558 in order to prevent the judges at this honorable court from reviewing and overturning his false drug, and drug-related convictions. In Robinson's Declaration, he asks that this court invalidate this July 23, 2008 fraudulent court order and vacate his

false drug convictions which would MOOT the re-sentencing matter under appeal #17-1241. See Robison's (20) page sworn Declaration filed with this court, dated March 5, 2018 attached as EXHIBIT X-99.

2. On March 26, 2018 the clerk's office temporally held in abeyance this appeal # 17-1241. On April 16, 2018 the clerks office denied Robinson's relief by "stating that the clerks office is not authorized to take such action." Instead, the clerk's office re-scheduled a new briefing schedule to commence on May 29, 2018. Thereafter, Robinson contacted his Case Manager, Jill Colyer. Robinson asked her what does the court wish him to file concerning re-sentencing on 848CCE drug charges when the new evidence proves he's innocent of all drug, and drug-related offense. Ms. Colyer was lost for words. She advised Robinson to contact Deputy Clerk Susan Rogers' office. Messages have been left for Ms. Rogers. To date she has not been available to accept his calls.

3. Robinson contacted Chief Clerk, Deborah S. Hunts' office. Robinson spoke with her Assistant, Lori and explained the situation. She told Robinson that both her and Ms. Hunt had never heard or reviewed any documents that he had sent to her office, nor was she aware of this July 23,2008 fraudulent court order involving appeal # 05-1558. She advised Robinson to allow Ms. Hunt a couple of days to get up to speed on this ongoing judicial corruption.

4. In light of this new revelation concerning this July 23, 2008 fraudulent court order, Deputy Clerk, Susan Rogers, held a meeting with Chief Clerk Hunt. On May 4, 2018 Robinson sent a letter to the Sixth Circuit Clerks office requesting an explanation as why

he is being ask to file a brief based on false and fraudulent evidence which would undermine appeal # 17-1241 and would prevent the judges from reviewing the July 23,2008 fraudulent court order under appeal # 05-1558.The clerks EXTRA-JUDICIAL MANEUVERING would also permit the prosecution to knowingly use the false testimony of it's only TWO witnesses, Anthony Bowling and Edward Osborne, along with false statements contained in this July 23,2008 fraudulent court order to undermine all pleadings filed in this court concerning Robinson.

No one from the clerks office has gotten back with us, nor have they provided us with an explanation as to why they are engaging in this kind of Judicial fraud and OBSTRUCTION OF JUSTICE in order to prevent the judges from overturning the false drug, and drug offenses manufactured against an innocent black man who has been illegally imprisoned for TWENTY FIVE(25) YEARS.

In other words, the clerks office concedes that this July 23, 2008 court order is a fraudulent document filed under appeal # 05-1558,which contains evidence that EXONERATES Robinson of all drug, and drug-related crimes. But the clerks office refuses to inform judges Karen Moore, Alice Batcheleder and then, Chief Judge Guy Cole Jr., that they were DEFRAUDED, and that the evidence contained in appeal # 05-1558 VINDICATES Robinson of all drug, and drug-related crimes.

The Clerks Office is engaging in a well-orchestrated SCHEME of JUDICIAL FRAUD and OBSTRUCTING JUSTICE in order to prevent the judges at this court from reviewing this fraudulent court order and from overturning Robinson's false drug convictions, which is a federal criminal offense.

In sum, the broader question is; Why are the clerks engaging in this kind of ongoing Judicial Corruption and cover ups? Why is the clerks office trying to force a briefing schedule involving this sentencing matter under appeal # 17-1241, while in possession of the evidence under appeal # 05-1558 that exonerates Robinson of all drug, and drug-related crimes? We have filed a COMPLAINT with the appropriate authorities requesting a criminal investigation into these matters. We have also submitted disclosure release forms which will allow the authorities to obtain from this court copies of my files involving the crimes committed in appeal # 99-1171, #05-1558.

A Statement of Oral Argument is Critical In this case due to the Massive Corruption and Judicial Fraud. Oral argument is crucial because this is a criminal proceeding under Rule 33, Federal Rule of Criminal Procedure. The background of this case is extensive, there are relevant facts not known to Robinson until months and years after his trial. Robinson ask that oral arguments be granted to him via, live video, telephonically, or by skype which can be arranged in a secured location here at this institution. Oral argument would also allow Robinson to answer questions regarding his briefs that were sabotaged in appeal # 05-1558, and his Sworn Declaration. Given the level of ongoing Prosecutorial Misconduct, Judicial Fraud, and corruption in this case, Robinson will be able to explain how this July 23, 2008 fraudulent court order was used to prevent this panel from VACATING his false drug conviction. Oral argument would assist this court in making an informed decision based on the merits of Robinson's FIVE valid claims enumerated in his briefs under appeal # 05-1558.

## CONCLUSION

As stated in Robinson's Sworn Declaration, Robinson was never a drug dealer and did not know anything about drugs. Robinson had never used, possessed or distributed any illegal drugs in his entire life. Robinson was a small business man who lived and worked in the Greater Metro Detroit Area all of his adult life. Robinson moved from the state of Arkansas to Detroit at age of 18. Robinson is also a former Detroit Police Reserve Officer. Robinson was FRAMED on false drug, and drug-related crimes by former prosecutor, Mark C. Jones who possessed a deep HATRED for black men and women. So Robinson's drug

prosecution was motivated by pure BIGOTRY, HATE and RACISM.

Robinson is a product of the 1960's Civil Right Movement. In 1964-65, the Voters Right Act, and the Civil Rights Bill was enacted. But by 1970, another war was declared against Blacks, namely, the federal drug control policy, cloaked under the "Slogan, War on Drugs". Today, a massive number of black men and women are being imprisoned for life, electrocuted, and lethal injected based on false drug conspiracy offenses MANUFACTURED by the use of suborned perjured testimony of government witness who lie at the behest of the prosecutor, in exchange for another sentence reduction. So if you're a black businessman, you must be somehow involved in the drug trade?

As reflected in Robinson's Sworn Declaration, new evidence has since revealed that the prosecutor withheld exonerating evidence and used the false testimony of its only two witnesses, Bowling and Osborne to Manufacture Robinson's conviction on false drug, and drug-related crimes. But this prosecutor appears to have either used threats, intimidations, bribed or paid off the clerks at the sixth circuit to SABOTAGE all of Robinson's filings with that court. Robinson has evidence that the clerks falsified the Judges names on fraudulent court orders in order to prevent the judges at that court from reviewing and overturning Robinson's false drug conviction.

Robinson also reviewed other complaints filed in Federal Court against former Deputy Clerk, Janice E. Yates. This complaint alleges that Ms. Yates falsified the Judges names on fraudulent court orders. This judicial corruption did not occur under current clerk, Deborah S. Hunt's administration. Robinson has since advised her of this situation and he fully

expect that she will bring this matter to Judges Moore, Batcheleder and Cole to correct this miscarriage of justice and order that Robinson be released. So any action by the Sixth Circuit that does not address this July 23, 2008 fraudulent court order is illegal and EXTRA JUDICIAL because the clerks office committed federal criminal offenses when they OBSTRUCTED JUSTICE BY falsifying judges names on fraudulent court orders under appeal # 05-1558.

In late 1990, Robinson's company, NIGHTENGALE, HART & GOLDBERG sold two small trucks to Anthony Bowling. Who was later prosecuted on drug charges by prosecutor Mark C. Jones. Prosecutor Jones began making harassing telephone calls to Robinson's office concerning the trucks Robinson had sold to Bowling. Bowling later became a cooperating witness for the government. Bowling even advised Robinson that Mr. Jones was using threats and intimidations against him with threats of more prison time unless he provided false testimony against Robinson by falsely implicating Robinson into drug crimes. Senior U.S. District Judge Stewart A. Newblatt was holding UNDER SEAL an order where he had ruled that Robinson and his company, NIGHTENGALE, HART & GOLDBERG, had absolutely NO connection to Bowling's drug conspiracy. See Robinson's Sworn Declaration at EXHIBIT X-99. See also Bowling's sworn testimony, dated April 30, 1992 at EXHIBIT E.

It is MATERIALLY IMPOSSIBLE for a totally innocent defendant to defend him or herself against a drug conspiracy prosecution. The U.S. Supreme Court quoting Justice Hand in the case of *Krulewitch v. United States*, \_\_. \_\_. \_\_, holding that "a conspiracy prosecution is so vague, it defies definition, it sprawls, it's elasticity, it allows the prosecution to sweep any one it pleases into it's preverbal net, which poses a great danger

to the society as a whole, if not put in check.

In respect to Robinson, he has been condemned to a delayed death sentence 25 years ago based on a false, NO DOPE drug conviction, manufactured by a racist prosecutor. Prosecutor, Mark C. Jones TARGETED and prosecuted only black men and women.

Robinson has spent all of his and his wife's resources proving his innocence. But yet the clerks at the sixth circuit have sabotaged all of his pleadings, committed Judicial Fraud, obstructed justice and committed federal crimes in order prevent the judges at that court from reviewing and overturning Robinson's false drug convictions, motivated by GREED, BIGOTRY AND RACIAL HATRED.

#### RELIEF SOUGHT

Wherefore, in light of this ongoing judicial fraud and obstruction of justice by the clerks office, we asks that this court SUSPEND this re-sentencing matter under appeal # 17-1241 and STAY until further notice, any and all other matters involving Robinson, until his original panel of Judges, Moore, Batcheleder and Guy Cole Jr., are allowed to re-hear Robinson's (re-filled), final opening and reply briefs that were sabotaged by the clerks office under appeal # 05-1558, and allow public oral arguments.

Respectfully Submitted

*Olee Wozzo Robinson*

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May 27, 2018

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100 E. Fifth Street-Room # 540  
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RE: Case #17-1241, U.S. v Robinson Originating From Case # 93-50028-1

Dear Clerks Office:

Enclosed for filing please find one original and one Xeroxed HARD copy of appellant, Olee Wonzo Robinson, Motion requesting this honorable court to STAY appeal # 17-1241 along with the supporting Sworn Declaration Exhibit X-99 until Robinson's original three judge panel addresses the July 23, 2008 fraudulent court order used by the clerks office to sabotage appeal # 05-1558; which contains evidence that vindicates him of all drug, and drug-related crimes.

The attached twenty (20) page Sworn Declaration herein referred to as Exhibit X-99 dated March 5, 2018 of Olee Wonzo Robinson has already been entered by this honorable court.

We thank you in advance for your kind assistance in this important matter.

Respectfully Submitted,

Olee Wonzo Robinson  
Olee Wonzo Robinson

CERTIFICATE OF SERVICE

I Olee Wonzo Robinson, Do hereby Swear under the Penalty of Perjury, 28 U.S.C. §1746, that on this 27th Day of May, 2018, I caused copies of the foregoing to be sent via pre-paid postal mail to the individuals and agencies as listed below:

cc: Craig F. Winingar, Esq., Assistant U.S. Attorney  
Members of the U.S. Congressional Black Caucus  
Members of the U.S. Senate Judiciary Oversight Committee  
Attorneys at the Center for Equal Rights  
Civil rights Attorney, R. Martin

Olee Wonzo Robinson

Olee Wonzo Robinson Dated this 27th day of May 2018

Exhibit

X-99