

September 30, 2013

To:

Paul Parker - Bartow County Chief Parole Officer - Paul_Parker@pap.state.ga.us
Phillip Shepard - Rome Chief Parole Officer - Phillip_Shepherd@pap.state.ga.us
Gitan Roberts - Canton/Cherokee Chief Parole Officer - Gitan_Roberts@pap.state.ga.us
James E. Donald - Chairman, Georgia Board of Pardons and Paroles - James_Donald@pap.state.ga.us
Albert R. Murray - Vice Chairman, Board of Pardons and Paroles - Albert_Murray@pap.state.ga.us
Terry Barnard - Member, Georgia Board of Pardons and Paroles - Terry_Barnard@pap.state.ga.us
Robert E. Keller - Member, Georgia Board of Pardons and Paroles - Robert_Keller@pap.state.ga.us

Carbon Copy to:

Pardon_Administration@pap.ga.gov

Victim.Services@pap.ga.gov

Field.Operations@pap.ga.gov

Clemency.Operations@pap.ga.gov

<https://skydrive.live.com/redir.aspx?resid=D7EC275E76D295CF!965>

On September 30, 2013 the "Fugitive Recovery Team" they called themselves, came looking for me. Witnesses described them as Georgia Parole Officers and US Marshalls. These people went to several addresses showing a picture of myself on a bicycle and asking about my whereabouts. Witnesses informed me about this at 1:50pm while the "Agents/Officers" were in an area that I previously frequented in Smyrna Georgia.

First: I want to know if these people legitimately represent the authorities they presented themselves as representing. **Your failure to respond indicates to me that they are indeed rogue agents/officers that have no business looking for me.**

Second: You need to understand that I am actually a victim in this case. You need to see Part13 of my 2010 journal under the "Book" folder found here: <https://skydrive.live.com/?cid=d7ec275e76d295cf>

Third: You need to realize that some authorities want me dead, and have done their best already. You also need to realize that deputy warden Johnstone at Smith State Prison personally threatened me also so I know that my capture will lead to my being stabbed if certain Georgia Dept of Corrections employees get their way.

Please familiarize yourself with my case, I am not just another number. I am not just another sheet of paper in the pile that you deal with. I am a man, made in the image of God.

Learn the facts about this case and you will discover that dismissing the warrant is the proper resolution. RESPOND to tell me why you decided otherwise or I will assume that this truth is enough for you to start the process of voiding the warrant.

Thank you for your time and cooperation in this grave matter of life and death.

Brian Aberle 404 448 1244 RoaringCheckmate@live.com

Here is some history about my case:

On June 14, 2012 I sent an email from inside prison via contraband phone to several people who showed concern by making phone calls to the authorities about the deadly and inhumane imprisonment conditions where I was serving time for "Escape". My lawyer, Marcia Shein from Decatur GA, called warden Stanley Williams when the legal mail she sent was not being delivered to me. Paper mail is regulated in prison, even legal mail can get lost. E-mail is not regulated - so e-mail enables a power that was intended to be forbidden by the prison administration. By using this forbidden power, I contacted individuals which ultimately manifested my release from prison on October 5, 2012.

The [full text of my USC 1983 lawsuit](#) describes how I was held naked in a cold cell for weeks, put on disciplinary diets for months, held in a 2 man cell with 4 men in it while 2 of them had active staph infections, had my mail tampered with, held in housing locations intending harm me including 60 days in the booking intake area, and denied legal necessities by the same sheriff who stole my laptop computer. The Federal court in the Northern District of Georgia has [failed to respond](#) to these violations of the US Constitution in a timely manner, so the situation is being presented to the United Nations Office of Human Rights that upholds the "Universal Declaration of Human Rights" which has also been violated. The matter should be brought to international courts if federal authorities will not condemn the illegal actions of state authorities. It is appropriate for the UN to take jurisdiction according to the founding charter of the United Nations.

The email I sent from prison on June 14, 2012 rightly accused the State of Georgia of trying to kill me. That e-mail caused the Georgia Department of Corrections to send an Internal Affairs investigator to meet with me the following day. Prison administration, angry for the stir I caused with forbidden internet access, punished me with various acts including a month in isolation (the hole), 5 property shakedowns and strip searches in a 5 week period, and being locked in a 1 man shower stall multiple times once for 5 hours. During the time I was in the hole the violence in the dorm I came out of escalated with over 10 new stabbings in just a few weeks. On July 19,

2012 one prisoner died in that dorm. At the time I sent the e-mail there had been 18 people stabbed in that 100 man dorm during the 9 months I had been there. About 30% of the prisoners in that dorm were stabbed in a 10 month period. National Geographic recently called Smith State the worst prison in Georgia and one of the worst in the US. The Georgia Dept. of Corrections put me in the most violent dorm in that prison. My assessment of the danger being life threatening is accurate based on the facts. Georgia authorities use indirect capital punishment by creating the form of imprisonment and classification that they do.

This was actually more of an escape from Smith State Prison (Level 5 Disciplinary Camp) than a release due to people calling the prison and other authorities after learning of my situation via my contraband internet access. I was unexpectedly released on parole to no address. I am as free as a homeless man on house arrest. Georgia Parole immediately issued a warrant for my arrest, and this warrant for my arrest is still active as of August 13, 2013. I have already asked the FBI to help with this situation. This was my last correspondence to the FBI:

From: roaringcheckmate@live.com
To: stanley.slater@ic.fbi.gov
Subject: (Please) Help
Date: Thu, 28 Feb 2013 09:12:57 -0700

Someone from the Georgia Parole, His name is something like Darel Bletch or Blotch. (I could not understand it, ~~acts like Bitch~~) His phone is 706 260 7999. He put out a warrant for my arrest. I suffer from Post Traumatic Stress Disorder and Im about to have a fit.

I explained to him that I was released from prison without supplying any address to parole. ALL people released on parole must supply two addresses AND they are always verified by parole. Because of that and the exceptional circumstances that justify escape I reasonably assumed that I was not on parole. In addition, my legal counsel, Marcia Shein also said that because I have been granted a new trial (by another Superior Court Judge)that may cancel out parole as I have yet to be tried and should revert my presumption of innocence. I explained all of this to him and requested that the matter go before a judge. He refused. He wants me in prison and the warrant is now active.

Georgia denied me "Due Process of Law" by not allowing me a revocation hearing. I looked up the law just now.

See attached, that I was on Parole for Escape with a weapon. I had no weapon, that is a lie. It is a lie designed to justify the use of weapons against me. It is the same lie California

used. I never used any firearm with California Police who assaulted me.

I want protection from the State of Georgia that is trying to kill me. I need to know you care about the truth and justice. Please respond to me today or I will assume that you work for the state, support the lies, and condone the illegal prosecution. I dont know who the good guys are anymore.

I have done nothing to deserve death. I foresee my death at Smith State Prison. Please react on my behalf to prevent my reaction.

Brian Aberle

The federal court in the Northern District of Georgia recently ruled that my indigent financial state allows me to proceed in court without paying fees, therefore parole fees will also be an unreasonable demand, just like making me report in Adairsville which is under Bartow County Sheriffs jurisdiction.

In 2008 the 9th circuit in the Northern District of California ruled in my case when I violated federal probation for not reporting or paying fees: The Honorable judge Martin Jenkins ruled that I was Not Guilty because "the United States does not have a debtor's prison". He then ordered the US Marshalls to reimburse my meals, hotel, and travel costs while I attended the probation revocation hearing in San Francisco. The Honorable Judge Martin Jenkins made that constitutional ruling that set me free while the US Attorney petitioned for prison time. Judge Jenkins has since moved from the 9th circuit to the U.S. Court of appeals. I am free from fines fees and obligation. Unjust probation justifies escape. Bartow County owes me lunch. The State of Georgia owes me freedom. They are in debt with me. The Federal justice system is clearly guilty of not punishing state authorities that they know break the law, thereby becoming an accessory to the crimes of the state.

I was on unjust misdemeanor probation in Bartow County. The details of that "Reckless Conduct" charge in 2009 that turned into probation for climbing to the top of a water tower is documented in part 13 of my 2009 journal that contains photos of the climb and the documents of the double booking and double bonding episode that kept me initially imprisoned for 21 days for climbing the ladder. I had already been illegally over punished. I never reported to probation, and was arrested one year later for no reason other than that. The "Bartow Blotter" recorded that arrest on October 15, 2010 stating [* Brian Troy Aberle, 38, of 1101 N. Tennessee St., Cartersville, was arrested by Cartersville police and charged with probation violation.] The sheriff's son, David Millsap, was a frequent guest at that address where I was conducting my personal investigation into the truth. I was sentenced by the probation officer to my choice of 9

weeks in jail or to pay a \$2500 fine in addition to all that they had cost me already. I also knew about corruption in the Sheriffs Department. I chose to escape.

http://www.daily-tribune.com/view/full_story/10141300/article-Inmate-escapes-from-BCSO-work-detail?instance=crime_log

This was my first escape.

The arrest required coordination between US Marshalls, Cobb County Sheriffs, Bartow County Sheriffs and City of Smyrna police all of which were present for the arrest. The warrant did not grant authority to take my property. However, Bartow County deputy Gavon Wilkins took my laptop during the arrest. Why did they want the laptop so bad that they broke the law to take it? He was outside his jurisdiction and without a warrant to seize property. The sheriffs should be held to law and prosecuted for Theft by Taking, of my personal property. Bartow County demands money from me while they are in debt with me and therefore deserve even greater condemnation. They charged me with Theft by Taking for the clothes I took during my escape therefore they will be judged for what they did actually steal. http://www.daily-tribune.com/view/full_story/10194038/article-Work-detail-escapee-caught

The theft was the least of the crimes that I experienced in Bartow County. I filed a lawsuit about the cruel, unusual and unconstitutional conditions that I endured under the Bartow County Sheriffs. <http://dockets.justia.com/docket/georgia/gandce/4:2011cv00301/179936>

The Federal court in the Northern District of Georgia has taken over a year and still not made a ruling in this civil rights lawsuit titled "Brian Aberle vs. Clark Millsap". The federal court has neither administered justice nor responded in a timely manner considering the serious and extreme violations documented in this lawsuit. The content of this lawsuit quickly came under FBI investigation. FBI agent Stanley Slater came to interview me at Smith State Prison on February 01, 2012 regarding this lawsuit. The full text of the lawsuit is published here:

<https://skydrive.live.com/redirect?resid=D7EC275E76D295CF1850>

Back in 2007, the federal court in the Northern District of California had put me on probation because the over-zealous US Attorney was able to write a confession regarding my 1999 tax return inaccurately and threaten my wife and co-defendant with state custody of my children to leverage my wife of 13 years and mother of my 7 children to sign the confession as they worded it. She was told she would serve prison time if she did not sign it. My confession was written by the same US Attorney and came with the promise of release from incarceration if I agreed to his version of the confession. At my first hearing to enter the plea, after the judge had finished reading the confession he asked if the confession was correct, and I answered "That's not exactly how I would explain it". The honorable judge terminated the hearing because of my answer but rescheduled the hearing for the following day when I was instructed that I must say "yes" to be released.

http://www.justice.gov/tax/usaopress/2007/txdv072007_04_13_aberle_sentencing_press.pdf

I am actually innocent of "Tax Evasion". I pay tax that I owe and never misstated anything on my personal and corporate returns that were filed by a CPA. I explained the details in a chapter I wrote in a 2006 book titled "If I die this is why they did it." That book about illegal tyrannical IRS policies also included a chapter about the failure of the war on drugs, a topic that led me to Bartow County. I am also actually Not Guilty of Escape, because the incarceration was not constitutionally lawful therefore the escape was. To be certain the sheriff knows I am unapologetic, I escaped a second time. The second escape took place out of the "Maximum Security" dorm where I climbed the recreation yard wall to the roof above visitor parking, beyond all the fences.

<http://cartersville.patch.com/articles/jail-inmate-attempts-escape>

http://www.calhountimes.com/view/full_story/11500592/article-Bartow-Co--inmate-captured-on-jailhouse-roof-after-attempted-escape

Sheriff Clark Millsap knows me as a journalist or investigator researching about the whole story behind the convictions of a senior GBI agent who maintained a desk at the Bartow County Sheriffs department, and a former captain and head of the Drug Task Force for Bartow Sheriffs Department. They were convicted for pocketing cash and reselling guns illegally confiscated from drug dealers. I had emailed Sheriff Clark Millsap long before the escapes regarding my work.

<http://www.justice.gov/usao/gan/press/2006/07-27-06.pdf>

http://rn-t.com/view/full_story/3478462/article-Former-Bartow-officer-gets-13-month-sentenc---Breaking-New

Nobody was ever prosecuted for all the drugs stolen from the Sheriffs evidence locker and from drug dealers. Those drugs were sold back onto the street in Chattanooga. When the drugs were stolen from the evidence locker it caused the district attorney to become aware that evidence required for trial was not available. The District Attorney chose to focus his energy on getting a plea confession signed at any cost. The cases that demanded a jury trial were eventually dismissed for statute of limitations expiration. The DA, Sheriff, and Judge help to conceal the true extent of the crimes that actually took place in their county. All the convictions by plea are void due to the unscrupulous motivation to deny a trial that is a constitutional right.

The failure of justice is in plain sight for all who are willing to look at it. I escaped two times from a sheriff that had drugs stolen from his evidence locker. The sheriff and judge together chose to cover up the theft and punish the escape. The FBI also chose to under-punish the sheriff's captain who was only charged for pocketing cash and reselling guns that were illegally confiscated from drug dealers. The actual amounts were no less than \$800,000 but only a small fraction of that was on the indictment. The juries agreed that my case was over charged and found me Not Guilty of the additional indictment charges that were also "Terroristic Threats" that I allegedly made to Sheriff Clark Millsap, "Dissemination of Terroristic Threats", "Interference with Government Property" and "Theft by Taking". All I did was "Escape", I never threatened

him with anything but truth. Those who by mercy had been undercharged were overcharging me so they deserve the greater condemnation.

The justice system is perverted. When the sheriffs son, David Millsap, was first caught with drugs and a gun he was not booked at the jail until 19 hours later after deciding that it could not be ignored due to the witnesses. This gave him time to go home, call dad, and get his bond money ready so that he could bond out before ever being held in custody at the jail. It would be nice if average people got such good treatment from the sheriff when they get arrested with dope and guns. David Millsap's indictment didn't come until 4 years later. My over charged indictment came immediately; his was almost lost for good. The District Attorney says that there is no foul play in the justice system but those with eyes to see must willfully believe that lie or reject that lie. http://www.daily-tribune.com/view/full_story/19839526/article-Grand-jury-indicts-sheriff-s-son-in-2008-case?instance=homefirstleft

My lawyer, [Marcia Shein](#), has been ineffective against such collectively powerful people that work together to manipulate justice. She recently told me that she would need more money if I want to have private investigators document imprisonment conditions that justify escape and cause my trials to have been unfair without access to mail, phones, visitation, or even pen and paper while in the custody of Sheriff Clark Millsap. She has exhausted my finance resources and Bartow County has already paid for two jury trials. I deserve another jury trial since I had no lawyer and represented myself Pro Se at both trials when the violations of my rights denied me a fair trial. I need a Change of Venue which judge Carey Nelson already denied. The judge was aware of the barbaric conditions of my imprisonment and my research and he allowed the trial to take place. He is Party to a Crime of convicting me to further his Party to Crime in the cover up of the drugs stolen from the evidence locker. I am scheduled to have un-honorable judge Carey Nelson rule on a motion for new trial on November 27, 2012 in the Superior Court of Bartow County.

Bartow County Sheriffs Drug Task Force recently killed a 66 year old woman after kicking her front door in with a no knock warrant.

<http://www.myfoxatlanta.com/story/20113497/deputies-involved-in-deadly-shooting-in-bartow-county>

It reminded me of when the Bartow County Sheriffs killed a 135 pound woman who grabbed a hammer when Bartow County Sheriffs kicked her front door in with a no knock warrant just 2 years ago.

<http://www.ajc.com/news/news/local/deputies-shoot-kill-hammer-wielding-woman/nQnz8/>

I have additional documentation that explains more. Everything can be found from here: <https://skydrive.live.com/?cid=d7ec275e76d295cf>

At the above link you will see a list of folders. In the "Book" folder you will find the manuscript of "If I die this is why they did it", and the journal files that must be unzipped to your machine to be properly viewed with the images and audio that are important portions of this documentation. In the folder labeled "Business" is a technology prospectus of my software development company, United Business Technologies. In the "Other" folder is music and video I publish.