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Posted 1:00 AM Eastern  
by David Bresnahan  
December 14, 2005

NewsWithViews.com

### **No California Attorney Would Help Him Fight Judicial Corruption**

**Summary:** Gene Forte is not a lawyer, and most observers expected him to fall flat on his face, but he is gaining success and making legal history. This "average guy" is fighting what he says are corrupt officials at all levels, and doing it alone because lawyers are too intimidated to get involved. By David M. Bresnahan

MONTEREY, Calif. -- "You can't fight city hall," or so the saying goes, but Gene Forte is proving that saying to be wrong.

Is it true that judges conspire to fix the outcome of court cases, and that they and other public officials resort to dirty tactics to cover their deeds and maintain their positions of control and power?

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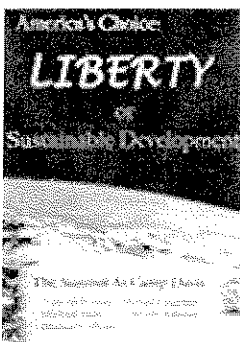
Forte has been doggedly pursuing a legal battle to show that Calif. Gov. Arnold Schwarzenegger, Attorney General Bill Lockyer, judges for the Monterey Superior Court, other public officials, as well as members of the local Monterey media are and have conspired to fix the outcome of court cases, and then conceal their corruption from the public.

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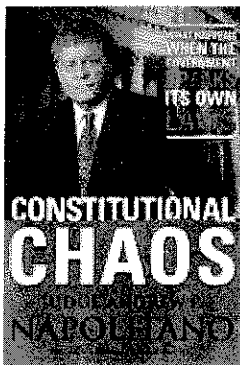
The claims are not new. Many average citizens from all over the country have often complained of similar corruption. It is rare for an attorney to take on such a case, because of fear of the retribution, and the belief that the corruption is too tough to prove.

That is why Forte took on the challenge of doing his own legal work, "pro se." He could not find an attorney willing to risk his own career in pursuit of a case that most believe cannot be won. Attorneys said they had to "throw him to the lions to save themselves," according to tape recordings in court evidence.



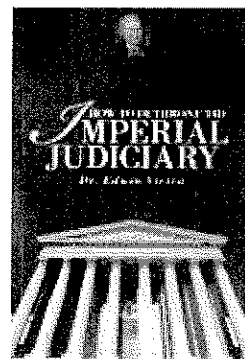
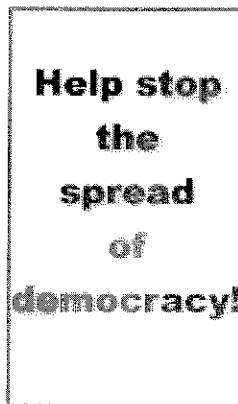
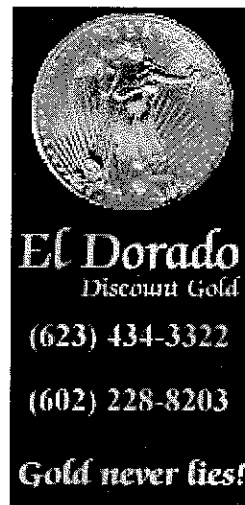
"The 'good o'le boys' are so well entrenched throughout all levels of government that they control everything. They think they can stop anyone who challenges them, but I have the evidence that will bring their tyrannical reign of power to a halt. Perhaps for the first time, they are actually scared," Forte said.

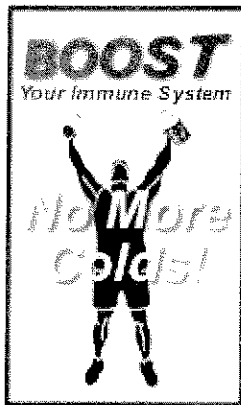
Forte filed a lawsuit against Monterey Superior Court Judge Robert Robert O'Farrell, Dist. Attorney Dean Flippo, and others with charges of corruption in the Monterey Superior Court. Such charges merit an investigation by the Calif. Attorney General, but instead Lockyer is acting as O'Farrell's defense counsel in what may be regarded as a very historic case.



"Lockyer should be investigating O'Farrell and others, but instead he is their lawyer. He is defending them. O'Farrell has messed up so badly that he has turned to the head lawyer of the state for his defense. Maybe he thinks that will intimidate me, but what it really shows is that he is the one who is scared. That shows without question that the 'good o'le boy' network is taking care of its own," said Forte.

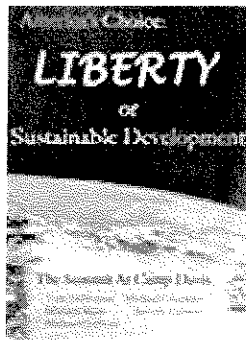
On Aug. 31, 2004 Forte won an appeal overturning a





ruling of O'Farrell and detailed with supporting evidence the corruption of the Monterey Superior Court. He requested that the Calif. 6th Appellate Court abide by the law and report the matter. He was ignored.

"The Canon of Judicial Ethics requires that the substantial and reliable evidence against the judges be reported for investigation by the appellate justices. They ignored that and did nothing. That shows that the 6th Appellate Court justices are now aiding and abetting the corruption I am trying to bring to light," said Forte. "The system of checks and balances put in place to protect the people, is inoperative."



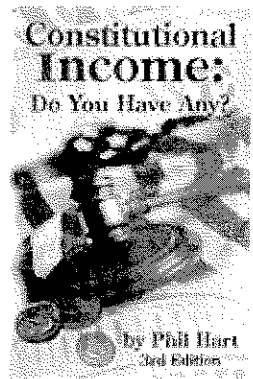
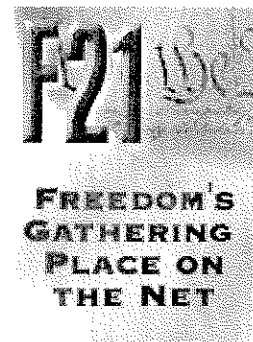
So, with no help from the corrupt court system in sight, Forte filed a lawsuit against O'Farrell, Flippo, and others. His suit outlines significant corruption by court and public officials.

The suit was filed in Dec. 2004, and a few weeks later Lockyer came in to defend O'Farrell.

It was not long before the "good o'le boys" teamed up to try and shut Forte down by claiming that he was a "vexatious litigant." They failed, and got a lot of egg on their face as a result. It was a major legal victory for an average citizen with no attorney. A "David" going up against a "Goliath."

Schwarzenegger and Lockyer, in their individual capacity filed the court document to have Forte declared a vexatious litigant in May, 2005. It was not only a futile effort but an illegal one. The tactic usually works, but in this case the retired judge John Golden ruled that Schwarzenegger and Lockyer had no legal standing to even bring the motion in the first place. It was similar to Schwarzenegger and Lockyer driving the wrong way down a one-way street. Forte says, "it was no stupid mistake."

"I asked Judge Golden to take the next step and report what happened to the Federal Grand Jury for investigation, but he did nothing," said Forte. "He agreed with my defense. There was not one scintilla of evidence that I was a vexatious litigant. It was done because I had requested the grand jury to investigate the public official corruption. Golden did not have the guts to pursue the investigation, and



therefore now is also linked to the corruption. It is like the tar baby syndrome."

Forte made other attempts to get his charges of corruption investigated. He spoke at the nomination proceedings of Monterey Superior Court Judge Wendy Duffy to the 6th Appellate Court. He asked that Chief Justice Ronald George, according to his Judicial Canon of Ethics responsibilities, request an investigation of the corruption within the Monterey Superior Court. Forte's request was made directly to Lockyer, Chief Justice Ronald George, and Presiding Justice Conrad Rushing who took no action.

"It shows that they closed their eyes to the very corruption they should be investigating," said Forte.

He is keeping a positive outlook on such challenges to his efforts.

"Each time they do something like this, it just adds more evidence to the extent of the protectionism and corruption going on at all levels of our judicial system," he explained.

Forte filed a small claims case against Flippo in November 2004, for not returning witness fees Flippo had been paid. In Aug. 2005 Forte notified the Monterey Superior Court that Flippo had a conflict of interest in another case. Flippo was investigating Commissioner Richard Rutledge for obstruction of justice in fixing traffic tickets.

"It seemed rather obvious to me that Flippo could not be a defendant in a case that was being tried by Rutledge, and then at the same time investigate Rutledge for obstruction of justice. However, they did nothing about it, which only shows the extent to the abuses that are going on," said Forte. "Until now the public has had no knowledge about any of this."

In an effort to leave no stone unturned, Forte even notified the FBI of his charges of obstruction of justice by Flippo and Rutledge. So far his complaint has been ignored.

On Nov. 16, 2005 Forte made Calif. legal history when a declaration from a witness was submitted to the court in Forte v. O'Farrell. The declaration caused

so much concern that the Calif. Attorney General had it stricken from the record and sealed.

It also resulted in the sudden and immediate stay of a separate legal proceeding against Santa Barbara County Superior Court Judge Diana Hall.

The action was historic, simply because nothing like this has ever happened before.

"The declaration by Crystal Powser, previously a 16 year employee of the Monterey Superior Court, alleged that she was told by Monterey Superior Court Judge Michael Fields, who was the Special Master with the other judges involved in the investigation of Hall, had determined in advance to find her guilty. It was clear evidence that case fixing and corruption was going on as I had charged," said Forte. "It was a judicial hit squad sent out by Chief Justice George and the CJP to give pay back to Judge Hall for standing up to DA Tom Sneddon and the other good o'le boys who prosecuted Michael Jackson," Forte says.

The Powser declaration was filed in a separate case from what was going on with the Hall inquiry, but the positive impact on the Hall proceeding, and the devastating impact on the other judges in Monterey panicked Lockyer into stepping in to immediately remove the declaration from the legal record, according to Forte.

Prior to the document being sealed, Forte had already forwarded copies to most of the Calif. media and sent it out on the press wires. The Calif. media focused on the claims in the declaration of unwanted sexual advances towards Powser, and the more significant claims of corruption were virtually ignored. Forte says he understands that it is difficult for the media to imagine that an in pro per is taking down the big boys, but believes the attitude will change as it has for many attorneys that have now been looking at what they say is Forte's substantial and impressive legal work.

Forte requested that Judge Golden contact federal authorities for the purpose of taking over the Monterey Superior Court, the office of the Governor of Calif., the office of the Calif. Attorney General,

Chief Justice George, and the office of the CJP. When Golden refused to do so, Forte requested the judge to submit himself for citizen arrest, which he also refused to do.

"Their biggest problem is that I won't go away," said Forte. "Their tactics may work to intimidate others, but not me. I know that when I defeat them I also send a message to all the other corrupt judges and elected officials all over the country. They are in a position of public trust. They have broken that trust and abused their authority."

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So Gene Forte, without a lawyer, continues his fight. A "David vs. Goliath" battle that has Goliath on the run.

Is it true that judges conspire to fix the outcome of court cases, and that they and other public officials resort to dirty tactics to cover their deeds and maintain their positions of control and power? Is it true that at times small town newspapers are in bed with the public corruption? Forte says it takes place in every major city across the United States.

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Forte not only plans to win in court, but he has a film crew recording events in the case for a future documentary. He hopes that publicity about his case will help others to have courage and fight the same battle wherever they encounter the "good o'le boys" and their corrupt practices.

Forte maintains a web site with detailed information and document pertaining to his legal battle at [www.AttorneyBusters.com](http://www.AttorneyBusters.com).

**Next week, part 2 - "Citizen Lawyer in California  
Gains Upper Hand: Says Corruption is Running  
Scared"**

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