

# NOTICE OF REFUSAL FOR CAUSES

TO: Richard M. Winter  
c/o Federal Bureau of Prisons  
400 State Avenue  
Tower II, Suite 800  
Kansas City 66101  
Kansas, USA

DATE: March 15, 2017 A.D.

FROM: Paul Andrew Mitchell, B.A., M.S., Damaged Party;  
Private Attorney General, Civil RICO: 18 U.S.C. 1964; and,  
Agent of the United States as *Qui Tam* Relator (4X),  
Federal Civil False Claims Act: 31 U.S.C. 3729 *et seq.*

Mr. Winter:

Your letter dated March 07, 2017 is hereby refused for causes including but not limited to the following:

- (1) My proper Federal Tort Claim, U.S. DOJ Standard Form 95, was not received by BOP on February 2, 2017; as such, your letter of 3/7/2017 contains statements that are deliberately false and misleading;
- (2) My proper Federal Tort Claim, U.S. DOJ Standard Form 95, was received by BOP in Washington, D.C., on July 11, 2016 at 7:52 AM, proof of which has now been provided to your office;
- (3) My proper Federal Tort Claim, U.S. DOJ Standard Form 95, was signed in original wet ink on July 1, 2016, but was not mailed until Tuesday, July 5, 2016 because of the Federal holiday on Monday, July 4, 2016 (see Declaration of Independence);
- (4) The date cited for the government's response is flatly erroneous because of the actual delivery date as repeated above;
- (5) A separate Tort Claim No. TRT-WXR-2017-02199 was apparently assigned by an UNlicensed California attorney working at BOP in Stockton, California; he repeated the same errors about the correct delivery date; and, he has also failed to disclose valid APPOINTMENT AFFIDAVITS as required by applicable Federal laws;
- (6) Your attempt to assign Tort Claim No. TRT-NCR-2017-02714 is confusing, duplicative, and indicative of gross ignorance concerning the administrative records which have already been lodged with BOP's main offices in Washington, D.C. (see (2));
- (7) We have no evidence that you have ever executed valid APPOINTMENT AFFIDAVITS because a FOIA Request dated 11/14/2014 is now PAST DUE and IN DEFAULT (see enclosed FOIA Request dated 3/7/2017);

- (8) I am not "requesting a re-investigation" by you or by Mr. Wong, chiefly because neither you nor Mr. Wong has disclosed any evidence of credentials that are absolutely required by Article VI, Clause 3 in the U.S. Constitution and by Acts of Congress which have implemented that Clause;
- (9) By failing and/or refusing to disclose required credentials, you and all of your co-workers employed by the Federal Bureau of Prisons lack any and all authority to make any determination(s) *whatsoever* concerning my original Tort Claim as received by BOP's main offices in Washington, D.C. on 7/11/2016;
- (10) By failing and/or refusing to disclose required credentials, you and all of your co-workers employed by the Federal Bureau of Prisons are transmitting deliberately false and misleading statements via U.S. Mail, in apparent violation of the Federal criminal statute at 18 U.S.C. 1341 (mail fraud); as such, your written correspondence is not "Official Business" as stated on the mailing envelope(s) you continue to utilize;
- (11) My proper and timely Federal Tort Claim, U.S. DOJ Standard Form 95, was never "denied" by anyone employed as an authorized officer or employee of the Federal Bureau of Prisons, any written correspondence or verbal claims to the contrary notwithstanding; and,
- (12) Insofar as the missing credentials for all BOP personnel call for the conclusions that impersonation, mail fraud and racketeering have all occurred in the matter of my pending Federal Tort Claim, I am obligated by 18 U.S.C. 4 to report same to an officer in the civil or military authority of the United States: to that end, a proper COMPLAINT ALLEGING FAILURE OF DEPARTMENT OF JUSTICE EMPLOYEE TO PROVIDE RIGHTS TO A CRIME VICTIM UNDER THE CRIME VICTIMS' RIGHTS ACT OF 2004 was duly lodged with the Victim's Rights Ombudsman, Executive Office for U.S. Attorneys in Washington, D.C., signed in original and dated 02/24/2017.

Lastly, kindly show respect for my common law rights and do cease and desist from using my "given name" on any written correspondence. Changing my name when and how I did was my right, as upheld by the decision of the Washington State Supreme Court in Doe v. Dunning, 549 P.2d 1 (1976) (*cf. well established principles of common law*).

#### **ACTUAL NOTICE OF PROBABLE RACKETEERING**

As a direct consequence of our good faith efforts to obtain proof of valid APPOINTMENT AFFIDAVITS for all officers and employees of the Federal Bureau of Prisons, and as a direct consequence of BOP's failure to produce any APPOINTMENT AFFIDAVITS -- not even one -- kindly take this NOTICE OF REFUSAL as ACTUAL NOTICE that all such missing credentials now call for the conclusion that the BOP has degenerated into a racketeering enterprise in violation of the Federal RICO statute at 18 U.S.C. 1962 and also in violation of the Federal False Claims Act at 31 U.S.C. 3729 *et seq.* In this same context, see also the Act of Congress at 5 U.S.C. 5507 (bars officers from being paid if they have failed timely to complete U.S. OPM Standard Form 61 APPOINTMENT AFFIDAVITS ("SF-61")).

Sincerely yours,

/s/ Paul Andrew Mitchell

Paul Andrew Mitchell, B.A., M.S., Damaged Party;  
Private Attorney General, Civil RICO: 18 U.S.C. 1964; and,  
Agent of the United States as *Qui Tam* Relator (4X),  
Federal Civil False Claims Act: 31 U.S.C. 3729 *et seq.*

U.S. Mail:

*Supreme Law Firm*  
c/o Trustee  
P.O. Box 3097  
Winston 97496  
Oregon, USA

Copies: Office of the Director, BOP, Washington, D.C.;  
Office of the Attorney General, Washington, D.C.;  
Office of the President, The White House

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**PROOF OF SERVICE**

I, Paul Andrew Mitchell, *Sui Juris*, hereby certify, under penalty of perjury, under the laws of the **United States of America**, without the "**United States**" (Federal government), that I am at least 18 years of age, a Citizen of ONE OF the **United States of America**, and that I personally served the following document(s):

**NOTICE OF REFUSAL FOR CAUSES**

by placing one true and correct copy of said document(s) in first class United States Mail, with postage prepaid and properly addressed to the following:

**Richard M. Winter**  
c/o Federal Bureau of Prisons  
400 State Avenue  
Tower II, Suite 800  
Kansas City 66101  
Kansas, USA

[Please see USPS Publication #221 for "addressing" instructions.]

Dated: March 15, 2017 A.D.

Signed: /s/ Paul Andrew Mitchell

Printed: 

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Paul Andrew Mitchell, B.A., M.S., Damaged Party;  
Private Attorney General, 18 U.S.C. 1964(c); and,  
Agent of the United States as *Qui Tam* Relator: 31 U.S.C. 3730  
(see U.S. ex rel. Madden v. General Dynamics Corp.)