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Reference: SECOND NOTICE original notice 12/17/2012 US District Court case # 5:13-CV-00051

*“Fraud upon the court in obtaining a complaint, information, or indictment invalidates all orders of the court and causes the case to be null and void* ab initio*. “ - Kenner v. C.I.R., 387 F.3d 689 (1968); 7 Moore’s Federal Practice, 2d ed., p. 512, ¶ 60.23. The 7th Circuit further stated “a decision produced by fraud upon the court is not in essence a decision at all, and never becomes final.”..see also The Third Circuit in* Herring v. U.S., [*424 F.3d 384*](http://web2.westlaw.com/result/result.aspx?serialnum=2007344331&tf=0&fn=_top&tc=0&findtype=Y&n=1&db=CTA&vr=2.0&docsample=False&service=Find&rlt=CLID_FQRLT52241910&rp=%2fFind%2fdefault.wl&cxt=DC&rs=WCLP1.0&fcl=False&ss=CNT&cnt=DOC) *(3d Cir. Sep. 22, 2005) “egregious misconduct”, “fraud upon the court”*

Each of you have evidence including motions, certified mail, documentation, transcripts, affidavits and recordings detailing the criminal acts committed by the law firm of Fitzpatrick & Kosanovich, their clients San Antonio TX city attorney Michael Bernard, SAPD Chief William McManus , the City of San Antonio ( Mayor Julian Castro) and others in an effort to defraud the US Federal Court( Judge Xavier Rodriguez – 5:13-cv-00051 ) , defraud the 57th District Court ( Judge Antonia Arteaga - 2006-CI-06702 ) and conceal massive long-term public/police corruption including bond /grant fraud, mail/wire fraud, “fraud upon the court”, “color of the law” abuses, civil-rights abuses, falsification of documents, TOMA abuses and the theft / misappropriation of tens of millions of City, County, State and Federal funds.

The Court and others have a sworn affidavit dated Aug. 21, 2013 concerning documents submitted to US District Judge Xavier Rodriguez on July 26, 2013 stating that on July 2, 2013 when attorney Shawn Fitzpatrick / Defendants told the Court that there was no perjury / no conspiracy they were defrauding our Judicial System just as his partner Mark Kosanovich had done in Feb. 2009 when Kosanovich / the City presented known false statements to the Court.

I again ask for a full criminal investigation by law enforcement and an evidentiary hearing by the Court to expose the ongoing criminal conspiracy and the fraud upon our Judicial System. Thank you.