

**Mr. Tom O'Neill  
Chief Division Council  
Federal Bureau of Investigation  
151 Westpark Boulevard  
Columbia, SC 29210**

**Via fax: 803-551-4237**

**March 10, 2004**

**Mr. O'Neill;**

**In regards to the letter (attached) from Nancy C. Wicker dated February 9, 2004 in which, by copy to you, she advised of my 'continued interest in having this matter investigated' and advised that, 'if his office has not received the copy of the complaint you sent to Director Mueller I will be happy to furnish him with a copy', I am submitting the document to you directly in this fax transmission.**

**I respectfully request an investigation into these allegations by the Federal Bureau of Investigation.**

**I further respectfully request that I be kept abreast of the investigation's progression and be afforded the opportunity to supply additional documentation and evidence as requested by the FBI.**

**For your immediate access kindly log in to the secure server located at <http://secure.enticy.org> and enter username: columbiafbi and password: charleston to acquire the detailed evidence of each allegation.**

**Additional information and up to date progress of this case is located at <http://www.rolllovermartin.com> .**

**I look forward to your professionalism and that of the Federal Bureau of Investigation bringing justice to a horrible set of crimes against The United States of America and myself.**

**Sincerely,**

**Lee Kent Hempfling  
PO Box 6932  
Apache Junction AZ 85278  
480-332-1535  
[lkh@rolllovermartin.com](mailto:lkh@rolllovermartin.com)**



U.S. Department of Justice

United States Attorney

District of South Carolina

Wachovia Building  
Suite 500  
1441 Main Street  
Columbia, SC 29201  
(803) 929-3000  
FAX (803) 254-2943

151 Meeting Street  
Suite 200  
Post Office Box 978  
Charleston, SC 29402  
(843) 727-4381  
FAX (843) 727-4443

John L. McMillan Federal  
Building, Room 222  
401 W. Evans Street  
Post Office Box 1567  
Florence, SC 29503  
(843) 665-6688  
FAX (843) 678-8809

105 N. Spring Street  
Suite 200  
Post Office Box 10067  
Greenville, SC 29603  
(864) 282-2100  
FAX (864) 233-3158

Reply to: Columbia

February 9, 2004

Mr. Lee Kent Hempfling  
Post Office Box 6932  
Apache Junction, Arizona 85278

Dear Mr. Hempfling:

I am in receipt of your letter and complaint forwarded to United States Attorney J. Strom Thurmond, Jr. on January 13, 2004. United States Attorney Thurmond asked me to follow up on your recent phone call regarding the status of your complaint and whether or not your allegations were being investigated. This office does not investigate allegations of criminal conduct. The crimes which you have alleged are investigated by the Federal Bureau of Investigation (FBI). This office is responsible for the prosecution of federal cases after they have been investigated by federal agencies and found to have prosecutive merit. I have not forwarded your complaint to the Federal Bureau of Investigation because your complaint states that you have already submitted it to that agency (through Director Mueller). However, by copy of this letter I am informing Tom O'Neill, Chief Division Counsel for the FBI in South Carolina of your continued interest in having this matter investigated. If his office has not received the copy of the complaint you sent to Director Mueller I will be happy to furnish him with a copy.

Sincerely,

J. STROM THURMOND, JR.  
UNITED STATES ATTORNEY

By: Nancy C. Wicker  
Nancy C. Wicker  
Assistant United States Attorney  
1441 Main Street, Suite 500  
Columbia, South Carolina 29201

cc: Tom O'Neill

**INFORMATION  
FOR DEMAND  
FOR GRAND JURY INVESTIGATION  
AND  
INDICTMENTS  
AND  
PROSECUTION FOR CRIMES  
STATE AND FEDERAL**

**SUBMITTED: JANUARY 13, 2004**  
**Amended & Updated March 10, 2004**

**The confidential access credentials for Cari Dominguez was used improperly by an unauthorized person within North Carolina attempting to access the secure evidence server. Logs are retained.**

**SUBMITTED FOR PROSECUTION TO:**

- **JOHN ASHCROFT, ATTORNEY GENERAL UNITED STATES OF AMERICA**
  - **U.S. Department of Justice**
  - **Office of the Attorney General**
  - **950 Pennsylvania Avenue, NW**
  - **Washington, DC 20530-0001**
  
  - **Civil Rights Division**
  - **U.S. Department of Justice**
  - **Office of Assistant Attorney General**
  - **R. Alexander Acosta**
  - **950 Pennsylvania Ave., NW**
  - **Washington, D.C. 20530**
  
  - **Criminal Section**
  - **Civil Rights Division**
  - **U.S. Department of Justice**
  - **P.O. Box 66018**
  - **Washington, D.C. 20035-6018**
  
- **J. STROM THURMOND JR. UNITED STATES ATTORNEY**
  - **J. Strom Thurmond, Jr.\***
  - **First Union Building**
  - **1441 Main Street**
  - **Suite 500**
  - **Columbia sc29201**
  
- **HENRY MCMASTER, ATTORNEY GENERAL STATE OF SOUTH CAROLINA**
  - **The Honorable Henry McMaster**
  - **Office of the Attorney General**
  - **Rembert Dennis Building**
  - **1000 Assembly Street, Room 519**
  - **Columbia, S.C. 29201**
  
- **ROBERT S. MUELLER, III, DIRECTOR FEDERAL BUREAU OF INVESTIGATION**
  - **Federal Bureau of Investigation**
  - **Office of the Director**

- **J. Edgar Hoover Building**
  - **935 Pennsylvania Avenue, NW**
  - **Washington, D.C. 20535-0001**
- **MARK SANFORD, GOVERNOR STATE OF SOUTH CAROLINA**
  - **The Honorable Governor Mark Sanford**
  - **Office of the Governor**
  - **P.O. Box 12267**
  - **Columbia, SC 29211**
- **CARI M. DOMINGUEZ, CHAIR EQUAL EMPLOYMENT OPPORTUNITIES COMMISSION**
  - **U.S. Equal Employment Opportunity Commission**
  - **Office of the Chair**
  - **1801 L Street, N.W.**
  - **Washington, D.C. 20507**
- **MICHAEL POWELL, CHAIR FEDERAL COMMUNICATIONS COMMISSION**
  - **Federal Communications Commission**
  - **Office of the Chairman**
  - **445 12th Street SW**
  - **Washington, DC 20554**
- **GLENN A. FINE, INSPECTOR GENERAL, UNITED STATES DEPARTMENT OF JUSTICE**
  - **U. S. Department of Justice**
  - **Office of the Inspector General**
  - **950 Pennsylvania Avenue, NW, Suite 4322**
  - **Washington, DC 20530-0001**
- **ROY COOPER, ATTORNEY GENERAL OF THE STATE OF NORTH CAROLINA**
  - **NC Office of the Attorney General**
  - **North Carolina Department of Justice**
  - **P.O. Box 629**
  - **Raleigh, NC 27602-0629**
-

**THIS INFORMATION, FILED AS A COMPLAINT TO INSTIGATE INVESTIGATION AND PROSECUTION INVOLVES THE FOLLOWING DEFENDANTS: V.**

- **BILLY C. SANDERS**
- **JOSEPH DARBY**
- **PATRICIA THOMPSON**
- **DWIGHT JAMES**
- **LYNN MARTIN**
- **BILL ALLEN**
- **SC-NAACP**
- **EEOC**
- **FCC**
- **LM COMMUNICATIONS INC.**
- **LM COMMUNICATIONS SOUTH CAROLINA INC.**
- **LM COMMUNICATIONS SOUTH CAROLINA II INC.**
- **GESS MATTINGLY AND ATCHISON**
- **Richard Perry, Office of Senator Lindsey Graham**
- **Jean Price, Office of Senator Lindsey Graham**
- **John or Jane Doe E.E.O.C.**
- **John or Jane Doe F.C.C.**

## VIOLATIONS:

- U.S. TITLE 18 PART I CHAPTER 63 Sec. 1343
  - (Fraud by wire, radio, or television)
- U.S. TITLE 18 PART I CHAPTER 1 Sec. 1. Sec. 2.
  - (Aiding and Abetting)
- U.S. TITLE 18 PART I CHAPTER 19 Sec. 371
  - (Conspiracy to commit offense or to defraud United States)
- U.S. TITLE 18 PART I CHAPTER 13 Sec. 241
  - (Conspiracy against rights)
- U.S. TITLE 18 PART I CHAPTER 13 Sec. 242
  - (Deprivation of rights under color of law}
- U.S. TITLE 18 PART I CHAPTER 13 Sec. 245
  - (Federally protected activities}
- U.S. TITLE 18 PART I CHAPTER 47 Sec. 1017
  - (Government seals wrongfully used and instruments wrongfully sealed)
- U.S. TITLE 18 PART I CHAPTER 47 Sec. 1001.
  - (False Statements - Statements or entries generally)
- U.S. TITLE 18 PART I CHAPTER 73 Sec. 1512.
  - (Tampering with a witness, victim, or an informant)
- U.S. TITLE 18 PART I CHAPTER 73 Sec. 1505.
  - (Obstruction of proceedings before departments, agencies, and committees)
- U.S. TITLE 18 PART I CHAPTER 95 Sec. 1957.
  - (Engaging in monetary transactions in property derived from specified unlawful activity)
- U.S. TITLE 18 PART I CHAPTER 101 Sec. 2071.
  - (Concealment, removal, or mutilation generally of RECORDS AND REPORTS)
- U.S. Title VII of the Civil Rights Act of 1964 (Title VII),
  - ENFORCEMENT PROVISIONS SEC. 2000e-5. [Section 706]
  - (b),(e) (1))
- S.C.: Title 16 CHAPTER 5. Sec. 16-5-10
  - (Conspiracy against civil rights.)
- S.C.: Title 16 CHAPTER 5. Sec, 16-5-20
  - (Punishment for commission of additional crimes.)
- U.S. TITLE 18 PART I CHAPTER 41 Sec. 872
  - (Extortion by officers or employees of the United States)
- U.S. TITLE 18 PART I CHAPTER 41 Sec. 875
  - (Interstate communications)
- U.S. TITLE 18 PART I CHAPTER 1 Section 3
  - (Accessory after the fact)
- N.C. ARTICLE 60 - Computer-Related Crime. [RTF] § 14-457.
  - (Extortion)

- N.C. ARTICLE 30 - Obstructing Justice. [RTF] § 14-221.2.
  - (Altering court documents or entering unauthorized judgments)
- N.C. ARTICLE 20 - Frauds. [RTF] § 14-118.4.
  - (Extortion)

**DEMAND FOR JUSTICE IN INDICTMENTS:**

**The Plaintiff-Victim charges that:**

**Introductory Allegation**

1. At all times material to this Demand For Indictment, defendant BILLY C. SANDERS was a resident of or near Charlotte North Carolina; defendant JOSEPH DARBY was a resident of or near Charleston South Carolina; defendant PATRICIA THOMPSON was a resident of or near North Charleston South Carolina; defendant DWIGHT JAMES was a resident of or near Columbia South Carolina; defendant LYNN MARTIN was a resident of or near Lexington Kentucky; defendant BILL ALLEN was a resident of or near Lexington Kentucky.

2. At all times material to this Demand For Indictment, defendant BILLY C. SANDERS held the position of Program Manager of the Equal Employment Opportunities Commission in the Charlotte, North Carolina District Office; defendant JOSEPH DARBY held an executive position (Vice President) of the South Carolina Chapter of the National Association for the Advancement of Colored People (SCNAACP); defendant DWIGHT JAMES held an executive position (Vice President) of the South Carolina Chapter of the National Association for the Advancement of Colored People (SCNAACP); defendant PATRICIA THOMPSON's employment and affiliation was unknown; defendant LYNN MARTIN owned L.M. Communications Inc of Lexington Kentucky, L.M. Communications Inc., of South Carolina and L.M. Communications II Inc., of South Carolina; defendant BILL ALLEN was an attorney with the firm of Gess Mattingly & Atchison in Lexington Kentucky.



3. At all times material to this Demand For Indictment TITLE 18 PART I CHAPTER 63 Sec. 1343, specifically prohibited "having devised or intending to devise any scheme or artifice to defraud" by "means of wire, radio, or television communication in interstate or foreign commerce", the transmission of email correspondence having sufficed for electronic transmission of communication over wire.

4. At all times material to this Demand For Indictment TITLE 18 PART I CHAPTER 1 Sec. 1. & Sec. 2. part (a) defined "Whoever commits an offense against the United States or aids, abets, counsels, commands, induces or procures its commission, is punishable as a principal." and (b) "Whoever willfully causes an act to be done which if directly performed by him or another would be an offense against the United States, is punishable as a principal" were in force.

5. At all times material to this Demand For Indictment TITLE 18 PART I CHAPTER 19 Sec. 371 prohibited "two or more persons [to] conspire either to commit any offense against the United States, or to defraud the United States, or any agency thereof in any manner or for any purpose, and one or more of such persons do any act to effect the object of the conspiracy".

6. At all times material to this Demand For Indictment TITLE 18 PART I CHAPTER 13 Sec. 241 prohibited "two or more persons [to] conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same".

7. At all times material to this Demand For Indictment TITLE 18 PART I CHAPTER 13 Sec. 242 prohibited anyone who "under color of any law, statute, ordinance, regulation, or custom, [to] willfully subject(s) any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments,

pains, or penalties, on account of such person being an alien, or by reason of his color, or race."

8. At all times material to this Demand For Indictment TITLE 18 PART I CHAPTER 13 Sec. 245 prohibited any person "(b) whether or not acting under color of law, by force or threat of force willfully injures, intimidates or interferes with, or attempts to injure, intimidate or interfere with", "(1) any person because he is or has been, or in order to intimidate such person or any other person or any class of persons from", "(B) participating in or enjoying any benefit, service, privilege, program, facility, or activity provided or administered by the United States;".

9. At all times material to this Demand For Indictment TITLE 18 PART I CHAPTER 47 Sec. 1017 prohibited "fraudulently or wrongfully affix(es)(ing) or impress(es)(ing) the seal of any department or agency of the United States, to or upon any certificate, instrument, commission, document, or paper or with knowledge of its fraudulent character."

10. At all times material to this Demand For Indictment TITLE 18 PART I CHAPTER 47 Sec. 1001 prohibited "whoever, in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States, knowingly and willfully," "(1) falsifies, conceals, or covers up by any trick, scheme, or device a material fact;," "(2) makes any materially false, fictitious, or fraudulent statement or representation;," "(3) makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry;".

11. At all times material to this Demand For Indictment TITLE 18 PART I CHAPTER 73 Sec. 1512 prohibited the "(A) prevent(ion) [of] the attendance or testimony of any person in an official proceeding;," or the "(B) prevent(ion) [of] the production of a record, document, or other object, in an official proceeding;," likewise: "(b) Whoever knowingly uses intimidation or physical force, threatens, or corruptly persuades another person, or attempts to do so, or engages in misleading conduct toward another person,

with intent to;"; "(1) influence, delay, or prevent the testimony of any person in an official proceeding;"; "(2) cause or induce any person to -;"; "(A) withhold testimony, or withhold a record, document, or other object, from an official proceeding;"; "(B) alter, destroy, mutilate, or conceal an object with intent to impair the object's integrity or availability for use in an official proceeding;"; "(C) evade legal process summoning that person to appear as a witness, or to produce a record, document, or other object, in an official proceeding; or," "(D) be absent from an official proceeding to which such person has been summoned by legal process;".

12. At all times material to this Demand For Indictment TITLE 18 PART I CHAPTER 73 Sec. 1505 prohibited "Whoever corruptly, or by threats or force, or by any threatening letter or communication influences, obstructs, or impedes or endeavors to influence, obstruct, or impede the due and proper administration of the law under which any pending proceeding is being had before any department or agency of the United States,".

13. At all times material to this Demand For Indictment TITLE 18 PART I CHAPTER 95 Sec. 1957 prohibited anyone "knowingly engag(es)(ing) or attempt(s)(ing) to engage in a monetary transaction in criminally derived property of a value greater than \$10,000 and is derived from specified unlawful activity,".

14. At all times material to this Demand For Indictment TITLE 18 PART I CHAPTER 101 Sec. 2071 prohibited "willfully and unlawfully conceal(s)(ing), remove(s)(ing), mutilate(s)(ing), obliterate(s)(ing), or destroy(s)(ing), or attempt(s)(ing) to do so, or, with intent to do so take(s)(ing) and carry(s)(ing) away any record, proceeding, map, book, paper, document, or other thing, filed or deposited with any clerk or officer of any court of the United States, or in any public office, or with any judicial or public officer of the United States."

15. At all times material to this Demand For Indictment Title VII of the Civil Rights Act of 1964 (Title VII), SEC. 2000e-5. [Section 706] required "The Commission shall make its determination on reasonable cause as promptly as possible and, so far

as practicable, not later than one hundred and twenty days from the filing of the charge."

16. At all times material to this Demand For Indictment South Carolina: Title 16 CHAPTER 5. Sec. 16-5-10 prohibited "two or more persons to band or conspire together", "to hinder, prevent, or obstruct a citizen in the free exercise and enjoyment of any right or privilege secured to him by the Constitution and laws of the United States or by the Constitution and laws of this State". Sec. 16-5-20 inclusive.

17. At all times material to this Demand For Indictment TITLE 18 PART I CHAPTER 41 Sec. 872 prohibited "an officer, or employee of the United States or any department or agency thereof, or representing himself to be or assuming to act as such, under color or pretense of office or employment commits or attempts an act of extortion."

18. At all times material to this Demand For Indictment TITLE 18 PART I CHAPTER 41 Sec. 875 prohibited "intent to extort from any person, firm, association, or corporation, any money or other thing of value, transmits in interstate or foreign commerce any communication containing any threat to injure the property or reputation of the addressee or of another."

19. At all times material to this Demand For Indictment TITLE 18 PART I CHAPTER 1 Sec. 3 required "Whoever, knowing that an offense against the United States has been committed, receives, relieves, comforts or assists the offender in order to hinder or prevent his apprehension, trial or punishment, is an accessory after the fact."

20. At all times material to this Demand For Indictment North Carolina Article 60 - Computer-Related Crime. [RTF] § 14-457. (Extortion) prohibited anyone "who verbally or by a written or printed communication, maliciously threatens to commit an act described in G.S. 14-455 with the intent to extort money or any pecuniary advantage, or with the intent to compel any person to do or refrain from doing any act against his will."

21. At all times material to this Demand For Indictment North Carolina Article 30 - Obstructing Justice. [RTF] § 14-221.2. Altering court documents or entering unauthorized judgments prohibited “Any person who without lawful authority intentionally enters a judgment upon or materially alters or changes any criminal or civil process, criminal or civil pleading, or other official case record.”

22. At all times material to this Demand For Indictment North Carolina Article 20 - Frauds. [RTF] § 14-118.4. (Extortion) prohibited “Any person who threatens or communicates a threat or threats to another with the intention thereby wrongfully to obtain anything of value or any acquittance, advantage, or immunity.”

### **The Conspiracy**

1. On or about July 26, 2002 Patricia Thompson met in person with The Reverend Joseph Darby of the SC NAACP. Joseph Darby wrote a confirming email to Thompson on July 28, 2002 regarding that meeting in Charleston.
2. On 28, July 2002 Joseph Darby, in that email message advised Thompson he was handing her case to Dwight James of the SC NAACP in Columbia. Email from Darby “All direct action has to be approved by our State Executive Board, so I'm forwarding this to Executive Director Dwight James in Columbia. You can expect to hear from him, and can reach him at 803-754-4584.”
3. On 30, July 2002 Thompson in email “Reverend Darby and I have exchanged a few emails ... he is considering a different approach ... I'll tell you about it later ... more on the lines of ensuring that unsuspecting African-Americans don't go there for employment ... that kind of an angle ... But, I did mean to email you earlier this morning ... I want to go ahead and get my inquiry to the EEO ready to take with me when I go to Columbia this weekend and drop it off at their location on Sunday before I leave and I need some information.”
4. On 1, August 2002 Thomson in email “I also heard from Joe Darby, and he's invited me to attend the next NAACP meeting, fourth Thursday in August, perhaps you should consider coming along with me. And, since Reverend Darby is from the Columbia area, originally, I believe, I know he is not from Charleston,

- as he moved here from Columbia about 4 years ago ... I'll reach out to him regarding "attorneys" I'm sure he has to know of a few ... at least one.”
5. Thompson’s complaint document written to the EEOC, dated 1, August 2002 was delivered by her on 4, August 2002 to Dwight James in Columbia; (she referred to that meeting as being at the EEOC Columbia office: there is no EEOC Columbia office).
  6. That document was to be ‘approved’ by Joseph Darby (per Thompson email) before sending it to the EEOC.
  7. On 2, August 2002 Thompson in email “I have been out and plan to deal with your stuff before the end of month. So, if I can make all that happen this evening, I'll be able to stay at home and work through the night and Saturday to have this package ready to go to Washington, DC and after Rev Darby takes a look at it ... Trying to make all this happen by Monday, so I need to get busy with my "paid" work and get it done and out of the way so I can concentrate fully on the "gonna get paid" work...”
  8. Mailed by Plaintiff on or about 10, August 2002 was a full complaint to the Federal Communications Commission, and a full complaint to the Federal Bureau of Investigation. FCC did not confirm previous email transmissions of the document prior to 10, August 2002 with repeated requests in follow-up met with different addresses to send it to.
  9. A copy of the FCC complaint was requested by Thompson and provided to her where on or about 20, August 2002 Thompson requested “And, just in case ... send me some kind of access to FCC stuff ... so, just in case something happens, not trying to be negative ... but just in case ... I can still help see our cause through”.
  10. As of 12, August 2002 Thompson was known to be having telephone conversations with Billy C. Sanders.
  11. On or about 13, August 2002 Thompson was asked who Billy C. Sanders was to which Thompson responded in email, “He is the contact Reverand Darby told me to call at the Charlotte EEOC Regional office ... remember ...???”. The South

Carolina local office of EEOC was not where EEOC and NAACP wanted her case to be handled.

12. Billy C. Sanders (EEOC Program Manager at the Charlotte Regional Office of EEOC) received Thompson's complaint document from James. Sanders prepared the EEOC Form 5 for Thompson and sent it to her for signature. When received by Thompson the document was undated. She signed and dated it 21, August 2002.
13. That document contains the sentence: "In fact a white manager tried to hire me to a full time job and they refused and forced him out."
14. On or about 27, August 2002 plaintiff had provided Thompson with a copy of the Complaint letter for EEOC for Plaintiff to which she responded with changes and correction advice. Plaintiff had read Thompson's complaint letter and commented with changes and correction advice earlier. Regarding Plaintiff's complaint letter she had replied in email "...after reading your letter ... they'll be filing your complaint as well."
15. Plaintiff's EEOC Charge number: 140A201867 was mailed Thursday 29, August 2002 directly to the Charlotte regional office of EEOC personally addressed to Billy C. Sanders as Thompson had instructed plaintiff that Billy C. Sanders of EEOC wanted the case himself.
16. At all times material to this Demand For Indictments contact from Sanders to Plaintiff was sent through Thompson except when Plaintiff addressed Sanders in email and immediately following the request for information placed with the EEOC by Senator Lindsey Graham.
17. Plaintiff's FORM 5 was stamped as received by EEOC Charlotte on 2, September 2002. It was addressed personally to Billy C. Sanders at his request, per Thompson.
18. EEOC Charge number: 140A201867 was taken by Program Manager Billy C. Sanders (who's position does not include investigations) and not assigned to an investigator.

19. On 15, August 2002 Billy C. Sanders met with Thompson in a private meeting in Charleston. Per email: "I need to leave in a few ... by 5:30 to meet Mr. Sanders. He just called and let me know he had arrived".
20. Plaintiff never received a meeting with Sanders until Senator Graham requested EEOC's response to his inquiry.
21. On 16, August 2002 Thompson in email "I'll talk with you about everything later ... It went very well ... and I have some info for you that I need to bring by the garage ... ;o)". The 'info' was the business card of Billy C. Sanders. By mistake Thompson left the wrong card. It contains Sanders personal home phone number and his personal AT&T email address on the back.
22. On 20, August 2002 Thompson advised Plaintiff that Sanders had informed her that 'stuff' was in the mail. This is a reference to her FORM 5 prepared by Sanders for her based on personal meetings and her complaint document.
23. During the week of 20, August 2002, following receipt of the business card Plaintiff called Sanders at EEOC Charlotte to enquire about filing Plaintiff's complaint. Sanders refused to talk during that call and ended the call quickly.
24. On 28, August 2002 Plaintiff wrote Sanders and provided a copy of the FORM 5 details to be filed with EEOC. "I have the initial intake form as you provided it to Patricia Thompson for my use and I will be submitting it to you in the mail transmittal". The document was mailed 29, August 2002.
25. On 3, September 2002 Sanders wrote email to Plaintiff confirming receipt of the 28, August 2002 email transmission of the content of the FORM 5 and said "I hope you are sending me copies of this information because my intake staff can not deal with it in this form." In response Plaintiff said, "Yes sir. All documents and the complaints transmitted via priority mail in a box. You should have them delivered to you today."
26. EEOC stamped document imprint placed receipt of the FORM 5 as 4, September 2002. Shows: EEOC stamped the document as received on the 4th of September, when email from Thompson dated the 4th of September 2002 shows it was received on the 3rd. This indicates a fraud in placing the official stamp on the document as it was not sent to the Plaintiff for months and only after numerous



- demands for its receipt. Plaintiff's case was also recorded as being submitted to the South Carolina Human Affairs Commission but has not been received by that agency. Thompson's FORM5 was not shown as being submitted to any other agency.
27. On 4, September 2002 Thompson wrote Sanders in email after receiving a phone call at home in the evening from Lynn Martin. She refers to him as 'Billy' and expresses her concern for her own safety "Please give me some guidance ... As soon as possible ... I need to be able to think and right now ... I can't think about anything else ... I know what these people did to Lee ... my God Billy, what's going to happen to me next?"..." So, if I all of a sudden end up injured or dead ... this is becoming scary ... do please don't think I'm being playfully jokey right now, because I'm not ... Please do not let this go ... Please do not let this go, if something does happen to me."
28. Thompson on 4, September 2002 received a call from Sanders at her job at Millie Lewis Modeling Agency, "I'm fine ... just a bit nervous earlier until Billy called me and I have settle down a lot now ... He is has a great calming you down effect ... he can say that sentence that makes it all go away ..."
29. On or about 9, September 2002 LM Communications received the letter from EEOC about Plaintiff's charges. In a phone conversation related in email with Denise Mosely (receptionist at LM Communications) Thompson said "Spoke with Denise this morning ... She said "they" received another letter yesterday. I told her it was yours. She said, "Are you kidding me?" I told her it's real. She said, "Thank you so much, thank the both of you so much!" Contact her so she can tell you herself ... she overheard Conehead talking to someone via phone ... and something to the nature ... he's not worried about it and just not wanting to deal with it ... and something about mine -vs- yours, one being more complicated than the other ... I apologize, I can't remember, there was alot of background noise and then Conehead walked in to the office there and she had to go ... so it was real quick quick ... but, let her tell you!"
30. On 17 September 2002, in email Plaintiff requested the confirmation of the filed FORM 5. "Will I be receiving a confirmation letter and case number from your

- office regarding the complaint I recently filed? I understand it has been sent to the radio station (WCOO) but as of yet I have not received confirmation that it has been processed nor of what the progress is.”
31. Plaintiff’s FORM 5 and complaint letter was transmitted ‘officially’ through US Mail to the Charlotte Regional Office personally addressed to Billy C. Sanders. On 18, September 2002 Thompson responded to a request from Plaintiff, “To answer your question ... I believe it took about 10 days or so to receive mine in the mail ... maybe a bit longer ... can't remember ... but I'll look at the paperwork when I get a chance ... I think it was about 10 days though ... Give them a call and let them know you hadn't received anything regarding your complaint ... that they'd received it or anything ... Now, ;o) ;o) ;o) you know it's gonna take someone about a month to ready it all ... right??? ;o) Just teasing ... but yours was a lot longer than mine ... and we both know it was received "unofficially" ...”
32. On 30 September after another inquiry where the confirmation was Thompson replied, “I haven't heard anything from anyone. Perhaps, you should make an inquiry to the EEOC and check the status of your complaint. That's all I can suggest. I'm kind of letting it take its course. He assured me that he has everything, will be investigating, has requested both our cases to be assigned to him, that he would come here to take care of what needs to be taken care of and I believe that he will.” ... “He has to remain, also, in a neutral position, regardless of what he may really think or feel and I'm sure maintain a high level of diplomacy in order to work effectively for all of us concerned. I've decided to let him drive the ship. I feel that what he's told me and that I've shared with you is valid and when the time comes to put all the elements together, it will happen. I'm sure he cannot, suddenly, appear to devote all of his attention to these particular complaints, or treat it any differently than any other cases he has to investigate, all variables being equal in the process. Even though we had an inside link, and I'm grateful we did, who knows how long this process would take otherwise?”
33. The only ‘inside link’ was for Thompson . As of one month following transmittal of Priority Mail Plaintiff’s case was already being ignored.

34. On 4 October 2002 FCC responded in email "I can not find information on this complaint on our database." Additional mailing addresses were provided to which copies were sent.
35. On 8 October 2002 FCC responded again in email "I am sorry but I thought your complaint was pertaining to wireline/wireless service." No such reference was ever made.
36. On 16 October 2002 email was sent by Plaintiff to Sanders "This email is an update query rather than pick on you at your phone number. Can you tell me what the status of my case is? Has LM Communications responded to my complaint? Is there anything I should be doing to help you in your tasks?"
37. The FORM 5 was received dated sent 17 October 2002 without additional information. Its official seal stamp was predated to a date before it was received in hard copy.
38. On 9 December 2002 email was sent to Sanders "I am writing in request for an update and status report on my case #140A201867 filed with your office on August 29, 2002. I have not had a progress report or received an update as to the condition of the complaint, its position in investigation or any other response since having received the assigned reference number dated October 17, 2002. I have tried to call your office but the phone number is a recording."
39. On 5 January 2003 Thompson wrote email to Plaintiff "Still no word from Mr. Sanders. I'll try to reach him at his office tomorrow!"
40. The first contact from Sanders occurred 6 February 2003 after Plaintiff requested "Just to let you know that I have not received my W-2 form from L.M. Communications yet. It is my understanding the law states they have to be postmarked by January 31st. I am going to need to contact L.M. or have contact made for me to get my W-2 sent to me unless it is received soon with that postmark. Should I contact the IRS in this?"
41. Sanders' response 6, February 2003 was "I can't help with you with the W-2 situation and it is beginning to appear that we don't have jurisdiction over L M Communication. My legal dept is looking at their info now and will advise me and I will let you all know."

42. This first contact from Sanders regarding the FORM 5 case occurred (from the date possible for Sanders to have received the FORM 5 to 6 February 2003) 155 days after filing.
43. Plaintiff immediately researched the law and EEOC rules and submitted the results to Sanders 6 February 2003. "Thank you for your reply. I have performed the work necessary for your legal department to make the correct non-intimidated judgment. It comes from EEOC Notice 915.002 dated 5/2/1997 and clearly defines the employees within the defendant's employ and or management as qualifying under legal precedence."
44. Sanders responded with this email on 6, February 2003 "I appreciate what you are saying but don't tell us how to investigate and every thing you see ain't always how it is. We will make the decision on our part and if you want to take this to court all you have to do is send me a letter requesting your Right to Sue because even if we have jurisdiction it is not a case we will be taking to court so if you want to go to court just request your right to sue."
45. Plaintiff's immediate response was "Please excuse me for asking a direct question sir but if all this work has been put forth on a case you have no intention of prosecuting then what is the point of the investigation? I expected that might be the case since I am sure your case load is quite heavy and I expected to persue the case legally with an attorney when it either reached the point where it was unable to be negotiated (if that ever happened) but under no circumstances was I under the impression that legal information from the defendant was a bad thing... If you are not going to persue this case at all why did you take it on? Why did you tell Ms. Thompson you would be handling this case personally? Was it because you had to? I was under the impression that you were acting in the best interest of the defendant but your attitude tells me you are acting in your own best interest. HOW DARE YOU , a civil servant tell a defendant not to provide LEGAL information you either can't come up with on your own or do not have the ability to come up with on your own. I have no intention to act like a jerk here. My intention is to fulfill what the case was filed for. My argument is not with you. Here it is, the FIRST correspondence I receive from you in MONTHS about this

case and you dare to yell at me for telling you the job is not as hard as your legal team thought it was? I don't understand your attack sir. I have seen nothing sir. So what I see is only what you have just told me. The only contact we have had on this case has been through your friend Trish Thompson also a defendant in another case. Are you dropping her's too? I will not ask for my right to sue, not yet. I will not stoop to attacking you. The case will proceed under EEOC requirements and then be back involved when it goes to real court. Mr. Darby understandably did not expect lip service. My case is thorough and already made for you. I just made the case for you regarding jurisdiction. And I get yelled at for helping my own case? Who is your supervisor?"

46. Sanders responded "I am not dropping your case nor do I plan on debating legal issues with you. When I have all the information in we will make a decision on whether we have jurisdiction and if we do have jurisdiction we will make a decision on whether or not you have been discriminated against as you allege."
47. The next contact was 14, March 2003 (191 days since filing) "I just got off the phone with the Radio station attorney and let him know that we have jurisdiction so I am scheduling a Fact Finding Conference for April 24/25. He has to check with him people and see if they are available for those dates."
48. On 18, March 2003 Sanders "I will be conducting a fact finding conference in Charleston, SC on April 25 and will get back with you for the site location and address. Who do you want to attend the conference from the company i. e. can share facts about your case?" ... "The people I am talking about are employed with the company. For example who did you complaining to, their names and positions, you will need for me to request their appearance at the conference or Co Pres; Co Vice Presd, Managers and persons harassing you." ...
49. On 21 April Sanders wrote "Lee the Fact Finding Conference scheduled for 4/24 and 4/25 has been postponed because I have to be in Washington on Wednesday. I will reschedule it when I return next week and will give you the date, time and location. I am sorry about this because I want to move on these cases right away before I get tied up with something else so bare with me. Thanks, and if you have question let me know."

50. When asked in reply "I am presuming that I am not supposed to be at your meeting." Sanders responded "Yes you will need to be in attendance at the Fact Finding Conference and I will get with you before the conference. Remember I am neutral so you will be presenting your case before me at this conference. When I get back in town next week I will explain the process so get your evidence in order because you will be presenting it before me and them."
51. Following or about 21, April 2003 Patricia Thompson did not respond to any email or telephone contacts. Her contact prior to that date had been cut back dramatically from February 2003.
52. On 12, May 2003 Plaintiff wrote Sanders "I was wondering if I missed a notice of a fact finding meeting or if it hasn't happened yet."
53. On 13, May 2003 Sanders responded "You have not missed it yet. I will be notifying you shortly about the date, time and place so hang in there."
54. On 29, May 2003 Plaintiff wrote Sanders "I have all of the materials in order but I don't know the format in which I'll present it. So when the time comes please let me know with enough time to get it together... so to speak."
55. On 29, May 2003 Sanders responded "I sure will. I have read thru all your materials and am waiting on the company attorney to get back with me for a date. Have you thought about how you want this settled or do you plan on taking it on to court??" ... "I will be back in touch with you."
56. On 1, June 2003 Plaintiff wrote Sanders "Are we still faced with a pattern of a stalling and evasive attorney?" 270 days since filing.
57. On 8, June 2003 Sanders responded "I have been out and plan to deal with your stuff before the end of month."
58. On 1, August 2003 Plaintiff wrote Sanders "Where do we stand?"
59. On 4, August 2003 Plaintiff called Senator Graham's office in Mount Pleasant, spoke with Jean Price, wrote and mailed Senator Lindsey Graham requesting intervention to receive due process and to exercise Plaintiff's rights before the EEOC. 334 days since filing.
60. On 5, August 2003 Senator Graham's Mount Pleasant office received the request.

61. On 6, August 2003 Jean Price informed Plaintiff Greenville Directorate was contacted.
62. On 7, August 2003 Senator Graham writes letter of instigated inquiry with the Director of the Greenville SC EEOC local office.
63. On 7, August 2003 Sanders called Plaintiff at home and left a message on the cell phone about a fact-finding meeting late Thursday.
64. On 8, August 2003 Plaintiff returned the phone call and left a message about receiving Sanders phone call and once again gave Sanders the home phone number.
65. On 11, August 2003 at 9PM Sanders called the home phone number from his private home number stating he would be in Charleston the next day for a 'conference' meeting and wanted to meet and start Plaintiff's case.
66. On 12, August 2003 Plaintiff called Senator Graham's office to inform the Senator a meeting was set up by Sanders.
67. On 13, August 2003 Plaintiff meets with Sanders at Embassy Suites Hotel Charleston in the lobby. Sanders greets Plaintiff in lobby with unexpected and unwarranted 'jump' into a 'bear-hug' after shaking hands. That assault was abhorrent and intimidating. Meeting was placed in reference by repeated cell phone calls to Sanders' cell phone prior to taking place closer to the Embassy Suites with each call and closer apart in duration, as well as asking for Sanders from a person in the lobby who said he 'knew' Sanders and calling the front desk for directions to the hotel. During the calling Sanders also called the home number again. Sanders advises Thompson has settled her case with payouts over time and she is happy with it. Sanders also mentions the NAACP and gives a story of how the 'NAACP went down'.
68. On 14, August 2003 Sanders called Plaintiff hurriedly to get a letter from Patricia Thompson about her knowledge of the wrong doings to Plaintiff in the EEOC case Plaintiff had filed 344 days prior, even though many statements as to Thompson's knowledge of the case were on file with the EEOC.
69. On 15, August 2003 through 20, August 2003 no response from Thompson or Sanders.

70. On 20, August 2003 Plaintiff sent email to Sanders “FYI no response contact from Ms. Thompson. But that's ok. Pretty much all of her complaint was filed in my complaint as supporting documentation. They may have settled her complaint but that does not lock up the documents in my complaint. After all, if that was the case, she referred to many of my documents in hers. There is no judge in this land who would prohibit my case just because it was referenced in her case. And anyway, the federal judges here declared in 2001 that cases settled in private that involved current cases will be opened upon request. It was an interesting article where all 10 federal judges in South Carolina stated their intention to open any closed file needed to be made public for another case. Hope all is well with you.”
71. On 20, August 2003 Sanders responds “Does not work that way. In fact, the documents in her file don't mention you in a positive way because she feels you were part of her problem and did not go to bat for her for a full time job so you will need a statement from her to support some of your case. RE: Harassment you need to know that if they took some type of discipline against the harasser and it ended we might not find a violation of the law despite having the graphic info. But we will cross them bridges when we get to them. I am waiting to hear from their attorney re the Fact Finding Conference. I will be leaving the office shortly and will not be back until next Wednesday so if you need me you can call me on my cell @ (704) 564-9464. C U Later”
72. On 21, August 2003 Plaintiff called Senator Graham’s Mount Pleasant office and advised Jean Price that a 131 page document has been prepared detailing the response the EEOC had provided to the Senator’s inquiry. Letter is sent return receipt to both Mount Pleasant and to the Chief of Staff at the Senator’s Washington address.
73. On 22, August 2003 Senator Graham’s Mount Pleasant office received the letter detailing the illegal acts of the EEOC and Billy C. Sanders and the connection to the NAACP of South Carolina.
74. On 27, August 2003 Senator Graham’s Washington D.C. office in care of Richard Perry receives the same document.



75. On 22, September 2003 after no response from Senator Graham Plaintiff called the Mount Pleasant office of the Senator. According to Jean Price they were not sure what they could do.
76. On 23, September 2003 Plaintiff called Jean Price and gave her the URL and username and password for the rest of the documentary evidence in the case. No person has ever accessed that information from the Senator's office.
77. On 29, August 2003 Plaintiff called the Senator's Mount Pleasant office and was informed a second request had been placed with EEOC for a response as to the status of the case. A response had been forth coming from Sanders, a member of management of EEOC yet the Senator's office was not reflecting that fact by requesting yet another inquiry.
78. On October 29 2003 Senator Graham wrote plaintiff informing, "Today the officials of the Equal Employment Opportunities Commission have notified me that additional contacts and information have been received from my office about your claim, and the case is pending investigation."
79. Plaintiff was required to call Jean Price on a weekly or bi-weekly basis to receive any updates on the case requested for intervention.
80. The second letter sent to Senator Graham was in response to the official response received from the EEOC and stated the following:
81. "I demand an FBI criminal investigation into the actions of Mr. Billy C. Sanders of the EEOC, Charlotte office, listed as "Program Manager" on the business card he presented to me at the hotel lobby meeting and the connections between the EEOC and the NAACP." ...
82. "I demand that the EEOC be compelled to investigate and prosecute my filing with them in a timely manner, as it has already been ONE YEAR since my case was filed, causing a severe hardship on us, with undue hardship placed on our entire family by fraudulent actions and direct discrimination by the federal government represented by a member of management of the EEOC." ...
83. "I demand an FBI criminal investigation into the 'backdoor' from the NAACP into the EEOC with appropriate prosecution and an investigation into the connection between the NAACP, its executive officers and Mr. Sanders." ...

84. "I demand an FBI criminal investigation into the actions of Mr.'s Charles Cohn, Lynn Martin, William Allen, Bruce Musso and the others involved in the EEOC case I am now forced to partially make public by these actions, which places that case in a serious potential of being rejected by the EEOC for not having remaining confidential. The guidelines of the EEOC provide the ability for me to contact and inform an attorney of the case. You, Honorable sir, are an attorney."
85. "I further demand an FBI investigation into the potential of a settlement in the Patricia Thompson case before the EEOC." ...
86. "I also demand the involvement of the United States Attorney General's Office in both investigating an illegal corruption and scandal within the Equal Employment Opportunity Commission, and the establishment of a grand jury to seek indictment against those who have blatantly violated federal law and my rights as a citizen of The United States of America." ...
87. "This entire case is a fraud of Federal Law and my speaking out against such fraud may place me under the protection of the Qui Tam False Claims Act."
88. "I also request federal assurance of our protection from physical harm during this process."
89. After nearly four months of seeking justice through Senator Graham's office Jean Price forwarded the entire 131 page complaint document sent to Senator Graham (containing the above quotes) to the EEOC. That document contains information about illegal activity with copies of emails, documents and references to personal contact information of witnesses. That document was sent to EEOC long after Senator Graham advised Plaintiff in writing that an investigation was pending by EEOC.
90. Receipt of that document prompted EEOC to write a letter to Senator Graham (as of this date Plaintiff has only heard the contents of that letter read to him by Jean Price over the phone and has not received a copy of that letter even though it was promised over a week ago and as of 7, January 2004 had not been sent.) wherein they once again state a pending investigation and did not detail the contacts allegedly made by the Senator's office on behalf of the Plaintiff.

91. It has (as of the date of this writing) been a total of 492 days since filing the EEOC Form 5.
92. Patricia Thompson has settled her case with LM Communications and according to Sanders placed altered and fictitious documents in her file.
93. LM Communications has settled the smaller of two cases filed against it with full knowledge that Plaintiff's case was being sacrificed to make Thompson's case settlement possible.
95. EEOC's response letter most recently received by Senator Graham continues the cover-up of known offenses as they had received the 131-page document detailing such offenses and did not refer to the illegal acts in their letter read to Plaintiff by Jean Price.

#### **Manner and Means of the Conspiracy**

1. By altering documents received by the EEOC in a valid filed case from Patricia Thompson, Billy C. Sanders and the EEOC and LM Communications and LM Communication's attorney and his firm were able to get rid of Plaintiff's case in order to receive a favorable settlement for Patricia Thompson from LM Communications at the instigation and direction of the SC NAACP.
2. It was the purpose and intent of SC NAACP, through Billy C. Sanders to deprive Plaintiff of Constitutional Rights to due process, Rights afforded under Title VII of the Equal Employment Opportunities Act of 1964 as amended and in violation of the following laws to destroy, coerce and intimidate Plaintiff into either accepting a right to sue letter or finding any excuse possible to rule Plaintiff's case was not worthy of further investigation.
3. There has been no investigation into the filed FORM 5 case of Plaintiff and every effort has been made to destroy said case by EEOC.
4. LM Communications is a Kentucky corporation making payment of money from LM Communications to Patricia Thompson for settlement a violation of interstate commerce fraud. No monetary decisions for SC corporations owned by Kentucky

LM Communications are possible without the home office approval and payment regardless of what bank the payments are drawn from.

5. Charges filed with the FCC and with the FBI (which refused to investigate claiming there was no reason to investigate as the crime was no longer threatening after Plaintiff was fired) are suspect. If seven violations of Federal Law and FCC rules was pending against LM Communications a settlement for Patricia Thompson, by getting rid of Plaintiff's case would not have been worthy of LM Communications. It is believed the FCC is infiltrated and the documents (in their many submissions) were stopped from being entered in support of the conspiracy at the direction of the SC NAACP.
6. During the week of 29, December 2003 after hearing the letter from EEOC from Jean Price Plaintiff insisted the case be handed over to the Justice Department. On 7 January 2004 Jean Price never referred to the Justice Department but did refer to the Chief of Staff being very busy.
7. No further contact will be made to Jean Price of Senator Graham's office, as anyone who would send criminal evidence to the criminal is not trustworthy.

### **OVERT ACTS**

In furtherance of the conspiracy and to effect the objects thereof, the following overt acts, among others, were committed in the State of South Carolina, State of North Carolina, State of Kentucky and elsewhere:

### **COUNT ONE**

Billy C. Sanders at the direction of SC NAACP (Joseph Darby, Dwight James) devised a scheme to defraud by means of false or fraudulent pretenses, representations, or promises and caused to be transmitted by means of wire (email) communication in interstate commerce, writings for the purpose of executing such scheme.

in violation of (Fraud by wire, radio, or television) U.S. TITLE 18 PART I CHAPTER 63 Sec. 1343

### **COUNT TWO**

Billy C. Sanders, Dwight James, Joseph Darby, Lynn Martin, William Allen, Patricia Thompson and others willfully caused an act to be done which if directly performed by them or another would be an offense against the United States, to wit: defrauding the justice system through illegal manipulation of documents and cases before the Equal Employment Opportunities Commission resulting in a settlement agreement made under false pretense.

in violation of (Aiding and Abetting) U.S. TITLE 18 PART I CHAPTER 1 Sec. 1. Sec. 2.

### **COUNT THREE**

Billy C. Sanders, Dwight James, Joseph Darby, Lynn Martin, William Allen, Patricia Thompson, being two or more persons, conspired either to commit any offense against the United States, or to defraud the United States, or any agency thereof, to wit: The Equal Employment Opportunities Commission, where one or more of such persons did consummate an act to effect the object of the conspiracy, to wit: back dating of the confirmation charge number of the FORM 5 with EEOC, and, tampering with evidence used in the settlement of a charge before EEOC.

in violation of (Conspiracy to commit offense or to defraud United States) U.S. TITLE 18 PART I CHAPTER 19 Sec. 371

### **COUNT FOUR**

Billy C. Sanders, Dwight James, Joseph Darby, Lynn Martin, William Allen, Patricia Thompson, being two or more persons, conspired to injure, oppress, threaten, or intimidate Plaintiff and Plaintiff's rights before the EEOC, as the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same.

in violation of (Conspiracy against rights) U.S. TITLE 18 PART I CHAPTER 13 Sec. 241

### **COUNT FIVE**

Billy C. Sanders under color of any law, statute, ordinance, regulation, or custom, to wit: authority as Program Manager of the EEOC, willfully subjected Plaintiff to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States.

in violation of (Deprivation of rights under color of law} U.S. TITLE 18 PART I CHAPTER 13 Sec. 242

**COUNT SIX**

Billy C. Sanders, acting under color of law, by force willfully intimidated and interfered with Plaintiff in order to intimidate participating in or enjoying any benefit, service, privilege, program, facility, or activity provided or administered by the United States, to wit: a supposed fact-finding meeting in a public hotel lobby and did because of his race, color, religion or national origin willfully intimidate and interfere with Plaintiff's enjoying the facilities of a hotel, to wit: the public meeting area of the lobby, by, to wit: forcefully attacking Plaintiff in an unwarranted and intimidating lurch into a "bear hug".

in violation of (Federally protected activities} U.S. TITLE 18 PART I CHAPTER 13 Sec. 245

**COUNT SEVEN**

Billy C. Sanders did fraudulently and wrongfully affix or impresse the seal of the department or agency of the United States to wit: The Equal Employment Opportunities Commission, to or upon any certificate, instrument, commission, document, or paper, to wit: back dating and back numbering FORM 5 submission of Plaintiff, and with knowledge of its fraudulent character.

in violation of (Government seals wrongfully used and instruments wrongfully sealed) U.S. TITLE 18 PART I CHAPTER 47 Sec. 1017

**COUNT EIGHT**

Billy C. Sanders, willfully while within the jurisdiction of the executive branch of the United States Government did and continues to falsify, conceal, and cover up by any trick, scheme, or device a material fact, to wit: his involvement with the SC NAACP in causing the deprivation of rights from Plaintiff in the case before the EEOC, and has made materially false, fictitious, and fraudulent statements and representations repeatedly in email and in person, to wit: the extensive and complete collection of all email correspondence from Billy C. Sanders using government email servers, did make and use false writing knowing the same to contain materially false, fictitious, and fraudulent statements entry.

in violation of (False Statements - Statements or entries generally) U.S. TITLE 18 PART I CHAPTER 47 Sec. 1001.

### **COUNT NINE**

Billy C. Sanders engaged in misleading conduct toward another person, to wit: Patricia Thompson, wherein the complete email archive of Thompson's correspondence regarding Sanders will show a 'familiar' relationship, with intent to influence, delay, or prevent the testimony of Thompson in an official proceeding before the EEOC and has altered, destroyed, mutilated, or concealed an object with intent to impair the object's integrity or availability for use in an official proceeding, to wit: the original FORM 5 (of which a copy is in the archive), the original complaint letter from Thompson and additional email correspondence material to the case from Thompson.

Jean Price and Richard Perry did hinder, delay, or prevent the communication to a law enforcement officer or judge of the United States of information relating to the commission or possible commission of a Federal offense, having been advised in writing with ample evidence to support such claims and after having been advised twice to so forward and report such Federal offenses, did for a period of five months withhold such act.

in violation of (Tampering with a witness, victim, or an informant) U.S. TITLE 18 PART I CHAPTER 73 Sec. 1512.

### **COUNT TEN**

Billy C. Sanders did by threatening letter or communication to wit: reference the entire archive of Sanders email and the description of the meeting with Plaintiff at the Embassy Suites Hotel, influence, obstruct, impede or endeavor to influence, obstruct, or impede the due and proper administration of the law under which any pending proceeding is being had before any department or agency of the United States, to wit: The Equal Employment Opportunities Commission.

in violation of (Obstruction of proceedings before departments, agencies, and committees) U.S. TITLE 18 PART I CHAPTER 73 Sec. 1505.

### **COUNT ELEVEN**

Patricia Thompson, LM Communications, Lynn Martin, Billy C. Sanders and William Allen did knowingly engage or attempt to engage in a monetary transaction in criminally derived property of a value greater than \$10,000, to wit: a settlement for EEOC charges

derived from specified unlawful activity, to wit: fraud and extortion and deprivation of civil rights, which took place in the United States in interstate commerce.

in violation of (Engaging in monetary transactions in property derived from specified unlawful activity) U.S. TITLE 18 PART I CHAPTER 95 Sec. 1957.

### **COUNT TWELVE**

Billy C. Sanders, having the custody of records submitted by both Patricia Thompson and Plaintiff did willfully and unlawfully conceal, remove, mutilate, obliterate, falsify, or destroy the same.

Person or Persons unknown with the Federal Communication Commission having the custody of records submitted by Plaintiff did willfully and unlawfully conceal, remove, mutilate, obliterate, falsify, or destroy the same.

in violation of (Concealment, removal, or mutilation generally of RECORDS AND REPORTS) U.S. TITLE 18 PART I CHAPTER 101 Sec. 2071.

### **COUNT THIRTEEN**

Whenever a charge is filed by or on behalf of a person claiming to be aggrieved, to wit: the Plaintiff, alleging that an employer has engaged in an unlawful employment practice, the Commission shall serve a notice of the charge (including the date, place and circumstances of the alleged unlawful employment practice) on such employer within ten days, and shall make an investigation thereof. To wit: such notification to the employer was made on 9 September 2002, four working days following reasonable receipt of the FORM 5 by EEOC Charlotte and four days following the date of stamped entry, which is one day after Billy C. Sanders would have received it, as it was sent to his personal name at his own request in Priority Mail. The Commission shall make its determination on reasonable cause as promptly as possible and, so far as practicable, not later than one hundred and twenty days from the filing of the charge. It has now been 492 days since filing.

in violation of U.S. Title VII of the Civil Rights Act of 1964 (Title VII), ENFORCEMENT PROVISIONS SEC. 2000e-5. [Section 706] (b),(e) (1))

### **COUNT FOURTEEN**

Billy C. Sanders, Dwight James, Joseph Darby, Lynn Martin, William Allen, Patricia Thompson, being two or more persons, conspired together to injure and oppress, a citizen because of his political opinion or his expression or exercise of the same or attempt by any means, measures, or acts to hinder, prevent, or obstruct a citizen in the free exercise



and enjoyment of any right or privilege secured to him by the Constitution and laws of the United States or by the Constitution and laws of this State, to wit: rights afforded under Title VII of the Equal Employment Opportunity Act of 1964 as amended and other civil rights including but not limited to due process and equal treatment under the law regardless of race, color or political influence.

in violation of S.C.: (Conspiracy against civil rights.) Title 16 CHAPTER 5. Sec. 16-5-10

### **COUNT FIFTEEN**

Violating any of the provisions of Section 16-5-10 any other crime, misdemeanor or felony shall be committed, the offender or offenders shall, on conviction thereof, be subjected to such punishment for the same as is attached to such crime, misdemeanor and felony by the existing laws of this State.

law of S.C.: (Punishment for commission of additional crimes.) Title 16 CHAPTER 5. Sec, 16-5-20

### **COUNT SIXTEEN**

Billy C. Sanders being an officer, or employee of the United States or any department or agency thereof, to wit: Program Manager of the Equal Employment Opportunities Commission, under color or pretense of office or employment committed or attempted an act of extortion to wit: Illegal use of one's official position or powers to obtain property, funds, or patronage, to wit: favorable treatment for another filed EEOC case.

in violation of (Extortion by officers or employees of the United States) U.S. TITLE 18 PART I CHAPTER 41 Sec. 872

### **COUNT SEVENTEEN**

Billy C. Sanders did threaten to accuse the addressee, to wit: The Plaintiff, of a crime in his email of 20, August 2003 where he said "RE: Harassment you need to know that if they took some type of discipline against the harasser and it ended we might not find a violation of the law despite having the graphic info." Harassment is a crime, which was used with the intent to extort from LM Communications settlement money or other thing of value, which was transmitted in interstate commerce in order to receive a preferred, and higher settlement amount for Patricia Thompson and did in reverse action extort the value of justice, the highest value of all, from Plaintiff in order to kill Plaintiff's EEOC case in favor of reducing LM Communication's legal obligations without due process to Plaintiff.

in violation of (Interstate communications) U.S. TITLE 18 PART I CHAPTER 41 Sec. 875

### **COUNT EIGHTEEN**

The EEOC respondent answering inquiries from Senator Graham knowing that an offense against the United States has been committed, having received an unauthorized copy of the initial criminal activity in the form of a letter to the Senator, received, relieved, comforted or assisted the offender in order to hinder or prevent his apprehension, trial or punishment, and is therefore an accessory after the fact.

in violation of U.S. (Accessory after the fact) TITLE 18 PART I CHAPTER 1 Section 3

### **COUNT NINETEEN**

Billy C. Sanders maliciously threatened to commit an act with the intent to extort pecuniary advantage in tampering with files of a governmental agency and tampering with a witness, which took place in a computer in North Carolina and in person and in U.S. mail with Patricia Thompson in South Carolina.

in violation of N.C. Article 20 - Frauds. [RTF] § 14-118.4. Extortion.

### **COUNT TWENTY**

Billy C. Sanders without lawful authority intentionally materially altered or changed civil process documents in a settlement with LM Communications, which is an official case record.

in violation of N.C. Article 30 - Obstructing Justice. [RTF] § 14-221.2. Altering court documents or entering unauthorized judgments.

### **COUNT TWENTY ONE**

Billy C. Sanders maliciously threatened to commit an act with the intent to extort pecuniary advantage in tampering with files of a governmental agency and tampering with a witness, which took place in a computer in North Carolina and in person with Patricia Thompson in South Carolina.

in violation of N.C. Article 60 - Computer-Related Crime. [RTF] § 14-457. Extortion.

### **PARTICULARS**

1. Title 29, Volume 4, Sec. 1600.101 Cross-reference to employee ethical conduct standards and financial disclosure regulations. "Employees of the Equal Employment Opportunity Commission (EEOC) are subject to the executive branch-wide Standards of Ethical Conduct at 5 CFR part 2635, the EEOC regulation at 5 CFR part 7201, which

supplements the executive branch-wide standards, and the executive branch-wide financial disclosure regulations at 5 CFR part 2634.

2. A GRAND JURY IS DEMANDED TO INVESTIGATE THESE CHARGES AND RETURN INDICTMENTS AND THE ATTORNEY GENERAL OF THE UNITED STATES OF AMERICA IS DEMANDED TO PROSECUTE THESE AND OTHER CHARGES THAT MAY BE FORTHCOMING FROM JUST INVESTIGATION INTO CORRUPTION WITHIN THE EEOC AND THE FCC.

3. IT IS HIGHLY RECOMMENDED THAT ALL ATTORNEYS GENERAL TAKE A LONG AND HARD LOOK AT ALL EEOC SETTLEMENT CASES WITHIN THEIR JURISDICTION FOR POTENTIAL FRAUD AND CORRUPTION INDUCED SETTLEMENTS.

PLAINTIFF EXPECTS IMMEDIATE ACTION ON THESE CHARGES FROM ALL JURISDICTIONAL VENUES.

Submitted by Plaintiff for Plaintiff and the good of the United States of America.

[signed]

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Lee Kent Hempfling  
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