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U.S. DISTRICT COURT
MIDDLE DISTRICT OF TN

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10 UNITED STATES DISTRICT COURT
11 MIDDLE DISTRICT OF TENNESSEE

12 MICHAEL W WATKINS, MICHAEL D.
13 WATKINS

14 Plaintiffs,

15 vs.

16 KAJIMA International Incorporated,
17 HIROAKI HOSHINO CEO of U.S. operations
18 for Kajima Corporation, RONALD M.
19 GEORGE, individually, and in his official
20 capacity as Chief Justice of the California
21 Supreme Court city of Sacramento, California;
22 ART MCKINSTER, individually, and in his
23 official capacity as Associate Judge city of
24 Riverside, California; BETTY RICHLI,
25 individually, and in her official capacity as
26 Associate Judge city of Riverside, California;
27 JEFF KING, individually, and in his official
28 capacity as Associate Judge city of Riverside,
California; RAMIREZ, individually, and in
his official capacity as Presiding Judge city of
Riverside, California; ANNE HUNTER,
individually, and in her official capacity as
Deputy Attorney General city of Los Angeles,
California; PAUL HOGAN (ALJ),
individually, and in his official capacity as
Administrative Law Judge city of Los
Angeles, California; JAMES F. AHERN
individually, and in his capacity as Deputy

Civil Docket No. **3 06 0197**

VERIFIED COMPLAINT

**FOR PUBLICATION IN OFFICIAL
RECORDS.**

1 California; BILL LOCKYER, individually,
2 and in his official capacity as California
3 Attorney General city of Los Angeles,
4 California; DONALD ALVEREZ,
5 individually, and in his official capacity as
6 Associate Judge in the county of San
7 Bernardino, California, city of San Bernardino;
8 ROBERT FOWLER, individually and in his
9 official capacity as pro temp judge juvenile
10 court City of San Bernardino, CYNTHIA
11 LUDVIGSEN, individually and in her official
12 capacity as juvenile court judge city of San
13 Bernardino. DAVID PROULX, individually
14 and in his official capacity as Court
15 Commissioner of Victorville Superior Court of
16 San Bernardino County, DAVID WILLIAMS
17 individually, and in his official capacity as
18 Associate Judge in the Victorville Superior
19 Court of San Bernardino County, DAVID
20 COHN, individually and in his official
21 capacity as Supervising Justice of Victorville
22 Superior Court of San Bernardino County,
23 N.L. HANOVER individually and in his
24 official capacity as Federal Bankruptcy
25 Trustee in Riverside County, STEVEN
26 SANDS, individually and in his official
27 capacity as Registrar of Contractors State of
28 California, MICHAEL MARKEL individually
and in his official capacity as County Counsel
San Bernardino County, SANDY PARKER
individually and in her official capacity as San
Bernardino County Social Worker, PETER
VAIL, TOM CAVALLO, GEORGE
LASKO, SHERRY A. THOMPSON, PABLO
CASTRO, JULIE LINDEN, JOHN VEGA,
VIRGINIA L. WATKINS, STATE OF
CALIFORNIA Defendants.

JURISDICTONAL BASIS

1. Plaintiffs bring this matter to the federal courts and claim federal jurisdiction because it is a patent infringement case. All Defendants conspired and did infringe on Plaintiff's United States Patent #5,894,704. Patent infringement cases arise under Federal patent law over which the Federal courts have **exclusive** jurisdiction pursuant to Title 28 U.S. Code § 1338(a), Title 35 U.S. Code § 271 (a) "...**whoever** without authority makes, uses, offers to sell, or sells any patented invention during the term of the patent therefore, infringes the patent" (emphasis added). Title 35 U.S. Code § 271 (b) "**Whoever** actively induces infringement of a patent shall be liable as an infringer." (emphasis added). Title 35 U.S. Code § 271 (h) "As used in this section, the term '**whoever**' includes any State, any instrumentality of a State, and any officer or employee of a State or instrumentality of a State acting in his official capacity. Any State, and any such instrumentality, officer, or employee, **shall be subject to the provisions of this title in the same manner and to the same extent as any nongovernmental entity.**" (emphasis added).
2. Plaintiffs claim Federal Jurisdiction under Title 18 § 1964 (c). Plaintiffs were injured under Title 18 § 1962 & § 1961. Racketeering is a Federal Crime.
3. Plaintiffs are suing a Federal Agent of the Federal Government who conspired and did infringe on the Federal Patent. Plaintiffs claim federal jurisdiction pursuant to Article III § 2 which extends the jurisdiction to cases arising under the U.S. Constitution. Article III § 2 was created by Congress for the exact reason that the States were becoming corrupt. Even in Roman times a Roman Citizen could appeal to Rome a higher power.
4. Kajima Corporation an International Company doing business in the United States used the United States Patent without authorization of the owners. Michael W. Watkins and Michael D. Watkins are the owners of the United States Patent. Plaintiff Michael W. Watkins was the inspector on the project where Kajima used the patent. Kajima also paid state officials to keep Plaintiffs from using the Patent through law suits in the state court system.

- 1 5. Plaintiff Michael D. Watkins was an agent of the Federal Government engaged in
2 military service when defendants violated Federal law, Federal statutes and
3 treaties entered into by the Congress of the United States during the process of
4 their conspiracy and infringement on the Federal patent Plaintiffs claims Federal
5 jurisdiction under the Soldiers and Sailors civil relief act, Treaties entered into by
6 the United States at the Geneva Convention, and pursuant to Article III § 2 which
7 extends the jurisdiction to cases arising under the U.S. Constitution.
- 8 6. Plaintiffs bring this suit pursuant to Title 42 U.S. Code § 1983 for violation of
9 certain protections guaranteed to them by the First, Fourth, Fifth, Eighth, Ninth
10 and Fourteenth Amendments of the federal Constitution, by the defendants under
11 color of law in his/her capacity as a judge in the Administrative Court in San
12 Bernardino [Contractors State License Board (CSLB)] [Juvenile Court sitting in
13 separate session as Superior Court] in the Superior Court of Victorville, San
14 Bernardino County, the appellate court of Riverside California and the Supreme
15 Court in California all of which were used by the Billion Dollar Corporation
16 Kajima to infringe on the patent.
- 17 7. Plaintiffs bring this suit pursuant to Title 42 U.S. Code § 1983 for violation of
18 certain protections guaranteed to them by the First, Fourth, Fifth, Eighth, Ninth
19 and Fourteenth Amendments of the federal Constitution, by the defendants under
20 color of law in his/her capacity as California Attorney General, Deputy Attorney
21 Generals, California Registrar of Contractors, County Counsel San Bernardino
22 County, Social Worker San Bernardino County, and Federal Bankruptcy Trustee.
23 Also other Defendants under color of law including the state itself
- 24 8. The district courts shall have original jurisdiction of all civil actions arising under
25 the Constitution, laws, or treaties of the United States according to Title 28 Part
26 IV, Chapter 85 § 1331 where there is a federal question.

27 **"Parties"**

- 28 9. Plaintiff Michael W. Watkins herein is an individual in Los Angeles County, in
the City of Carson, California

- 1 10. Plaintiff Michael D. Watkins is herein is an individual in Los Angeles County, in
- 2 the City of Carson, California.
- 3 11. Hiroaki Hoshino is CEO of U S. operations for Kajima Corporation in Atlanta
- 4 Gerorgia.
- 5 12. Defendant Ronald M. George is Chief Justice presiding in Sacramento,
- 6 California
- 7 13. Defendant Art McKinster is an Associate Judge prcsiding in the city of Riverside,
- 8 California
- 9 14. Defendant Betty Richli is a Associate Judge presiding in the city of Riverside,
- 10 California
- 11 15. Defendant Jeff King is an Associate Judge presiding in the city of Riverside,
- 12 California.
- 13 16. Defendant Anne Hunter is a Deputy Attorney General residing in the city of Los
- 14 Angeles, California.
- 15 17. Defendant Paul Hogan (ALJ) is an Administrative Law Judge presiding in the city
- 16 of Los Angeles, California
- 17 18. Defendant James F. Ahern is a Deputy Attorney General residing in the city of
- 18 Los Angeles, California.
- 19 19. Defendant Bill Lockyer is an Attorney General residing in the city of Sacramento,
- 20 California.
- 21 20. Defendant Donald Alvarez is an Associate Judge in the county of San Bernardino,
- 22 California, city of Victorville.
- 23 21. Defendant George Lasko is an individual residing in the city of Victorville,
- 24 California.
- 25 22. Defendant N.L. Hanover is a Bankruptcy Trustee in the city of Riverside,
- 26 California.
- 27 23. Defendant Peter Vail is an individual residing in the city of San Diego, California.
- 28 24. Defendant Tom Cavallo is an individual residing in the city of San Bernardino
- California.
25. Defendant Virginia L. Watkins is, and at all times material herein has been, an
- individual residing in San Bernardino County, State of California, in the City of
- Victorville, California.

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- 26. Defendant Sherry A. Thompson is, and at all times material herein has been, an individual residing in San Bernardino County, State of California, in the City of Victorville, California
- 27. Defendant David Proulx is a Court Commissioner presiding in San Bernardino County, State of California, in the City of Victorville, California.
- 28. Defendant David Cohn is a Supervising Justice presiding in San Bernardino County, State of California, in the City of Victorville, California.
- 29. Defendant Sandy Parker is, and at all times material herein has been, an individual residing in San Bernardino County, State of California, in the City of Victorville, California.
- 30. Defendant Pablo Castro is, and at all times material herein has been, an individual residing in the City of San Bernardino, State of California
- 31. Defendant Robert Fowler is Pro Temp Judge presiding in the Juvenile Court City of San Bernardino, State of California.
- 32. Defendant Cynthia Ludvigsen as Juvenile Court Judge presiding in the city of San Bernardino, State of California.
- 33. Defendant John Vega is, and at all times material herein has been, an individual residing in San Bernardino County, State of California, in the City of San Bernardino, California.
- 34. The true names, identities and capacities of the parties herein sued as Roes 1 through 50, inclusive, whether individual, corporate or otherwise are unknown to Plaintiff. Accordingly, Plaintiff sues such defendants by their fictitious names. Plaintiff will seek leave to amend this Complaint to specify the true names and capacities of these fictitiously named defendants when the same have been ascertained. Plaintiff is informed and believes, and based thereon alleges, that all defendants sued herein as Roes 1 through 50, inclusive, are in some manner responsible for the acts and omissions alleged in this Complaint.
- 35. Plaintiff is informed and believes, and based thereon alleges, that at all times mentioned herein, defendants, each of them, were the agents, servants, employees, representatives, subsidiaries, owners, members and/or partners of each other and were acting within the course and scope of such agency, service, employment, representation, association, subsidiary relationship, ownership, membership or partnership and with the knowledge, consent or authority of their principles.

1 employers, associates, parent corporation, members and/or partners in doing some
2 or all of the acts alleged herein.

3 36. Plaintiff is informed and believes and thereon alleges that Defendants individually
4 and in their official capacities as Federal and State Actors as mentioned above
5 worked together to violate Plaintiffs civil rights and each one individually and all
6 together did partake in the conspiracy to fraud Plaintiffs and to steal a **Federal**
7 **patent and to infringe on said Patent.**

8 "STATEMENT OF THE CASE"

9 37 Plaintiffs rights were violated when Kajima infringed on Plaintiffs Patent by using
10 the patent at Alameda and 6th street in Los Angeles California and other projects
11 through out the United States. Also Kajima paid state officials to keep Plaintiffs
12 from using the patent. They were able to get to every judge who touched this
13 case.

14 38. Plaintiffs claims federal jurisdiction pursuant to Title 28 § 1338 (a). District
15 courts shall have exclusive jurisdiction over any case arising under the U S Patent
16 laws. Federal and State Actors are presumed to know the law and therefore
17 willfully acted to usurp the authority and jurisdiction of the Federal courts by
18 prosecuting and hearing in State courts the matters herein alleged involving Patent
19 infringement. Both Plaintiff's own said patent, and Plaintiff's have been
20 irreparably damaged by the states' simulation of process. Where as the sate
21 judicial system even after being warned that the suits each and every one of them
22 involved the infringement of a Federal Patent continued simulation of process to
23 irreparable damage to Plaintiffs. Defendants (Judges) were supposed to protect
24 Plaintiffs' rights but conspired and induced others to use the Patent owned by
25 Plaintiffs'.

26 39. Plaintiffs are suing a Bankruptcy Trustee of the Federal Government who
27 conspired and did infringe on the Federal Patent. The Bankruptcy Trustee is
28 presumed to know the law and in direct conflict with the law and acting to
defraud Plaintiffs has prosecuted a case involving patent infringement in the State

1 courts. The trustee knew that the case should be in Federal Courts but continued
 2 the case in State courts knowing that the case involved infringement of a Federal
 3 Patent. All defendants were noticed that the cases that they were involved in
 4 involved the infringement of a Federal Patent. Plaintiffs claim federal jurisdiction
 5 pursuant to Article III § 2 which extends the jurisdiction to cases arising under the
 6 U.S. Constitution and Title 28 § 1338 (a). District courts shall have exclusive
 7 jurisdiction over any case arising under the U.S. Patent laws.

8 40. Plaintiffs bring this suit pursuant to Title 42 U.S. Code § 1983 for violation of
 9 certain protections guaranteed to them by the First, Fifth, Eighth, Ninth and
 10 Fourteenth Amendments of the federal Constitution, by the defendants under
 11 color of law in his/her capacity as a judge in the Administrative Court in San
 12 Bernardino [Contractors State License Board (CSLB)] [Juvenile Court sitting in
 13 separate session as Superior Court] in the Superior Court of Victorville, San
 14 Bernardino County, the appellate court of Riverside California and the Supreme
 15 Court in California.

16 41. The whole case started out when Plaintiffs built the first house using the concrete
 17 wall system developed by Michael W. Watkins Plaintiff. First Michael W.
 18 Watkins had applied for a grant from the Federal Government. The government
 19 said that Plaintiff needed to try to get a bank loan first for if Plaintiff could get a
 20 loan then they could not offer a grant. Plaintiff was able to get a loan and built
 21 the first house and was successful using the Patent. There was a partner who had
 22 invested money in the corporation formed and shortly there after sued trying to
 23 steal the patent. The state court through the case out after about a year and one
 24 half as frivolous law suit. Then Plaintiff was approached by the Belottis wanting
 25 a house built for them. Unbeknown to Plaintiff the Belottis were members of the
 26 under world. Richard Belotti went to prison for seven years for selling cocaine.
 27 The house was built by the corporation to the roof level. Belottis found away to
 28 sue to try to steal the Patent by signing change order to change the pitch of the
 roof. This required a change in engineering. Belottis signed the change order that
 stated the Belottis were required to have the engineering done. Belottis paid

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\$20,000.00 to bring the concrete walls to the new pitch and to put up shoring to the new pitch. The corporation could not go further on the project until the engineering was performed. Belotti then made a complaint to the California Contractors License Board (CSLB) stating breach of contract. This led to Plaintiffs finding out that Belottis had a relative that was their attorney who had worked for the CSLB and had worked with the Deputy Attorney General and the CSLB investigator and Peter Vail the Expert Witness. Plaintiffs learned that the Belottis were involved with Kajima when they were observed meeting with Kajima representatives on the project at Alameda. Later Plaintiff observed Attorney Thompson, who is now representing Plaintiffs wife in the divorce case, meeting with Kajima representatives. When defendants did not win in the civil suit to try to steal the patent and to try to keep Plaintiffs from using the patent because of appeal they went to Plaintiff's wife and mother and paid her to help them who intern filed for divorce. Plaintiffs discovered that Judge Cohn was also involved with the patent and had direct contact with Kajima who was the Supervising Judge in the Divorce case. First there was an accusation of physical abuse to kick Plaintiff from the house and from all the records in the house on an ex parte hearing that Plaintiff did not receive notice on. Plaintiff sued the first Judge who then recused himself along with the attorney Thompson and the Supervising Judge. Plaintiff then won joint physical custody of the 17 year old daughter who has down syndrome after a long battle. Then Attorney Thompson and the wife accused Plaintiff of rape after only two week ends and got full physical custody returned to her. The District Attorney was called into the case and because of lack of evidence he would not get involved so the case was then transferred to Juvenile Court where they brought in Judge Ludvigsen. Judge Ludvigsen was the Judge in the CSLB (patent) case and then later was brought to the Juvenile hearing and refused to recuse herself and refused to let Plaintiff represent himself until she was sued. Then Judge Ronald M George who was being sued moved Cohn another judge who was sued in the case to hear hearings in the Juvenile Court. Judge Cohn then would not allow for discovery and over

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ruled the Presiding Judge of the Juvenile court who had herd the motion for discovery and ordered discovery. When Plaintiff complained Judge Cohn said that we do not do discovery in this court. Then Judge Cohn set the hearing and Plaintiff was sick and was in court and told the Judge he was sick and had to leave and the Judge went on with the hearing anyway. This even embarrassed County Council who then asked for the hearing to be challenged. The Judge went on anyway. In the process Plaintiffs wife opened two credit cards that were closed and paid over \$10,000.00 to her attorney and stole over \$225,000.00. Plaintiff then sued her and her attorney for credit card fraud. The case was moved by Ronald M George to Victorville where Plaintiff would face the same crooked Judges. Back to the Bellotis, when they did not win they took out bankruptcy and now the Bankruptcy Trustee is trying to reopen the case for them and has taken money for the same. This corruption goes on and on and defendants stole from Plaintiff millions. It is time that they be brought into check. The Deputy Attorney General introduce false documents to hearings and lied on the record and later admitted to the lies. The construction was new and yet there was an expert of the new process? The CSLB investigator came to a meeting before Belottis filed a complaint and introduced himself as the Belottis friend. Later he denied being at the meeting. The transcript said there was a phantom attorney there for the RMO where there was no one there nor was the RMO there. Deputy Attorney Ahern later admitted that there was no one there and it is part of the transcript. In the CSLB hearing Belotti said the engineering was not done and latter admitting in the civil case that the engineering had been done. The appeals court said that Plaintiff that was in the armed forces could not have been served at the corporation because he was not a licensee but never corrected the fact that he was not served. Plaintiff and his captain notified after the hearing that he did not know about the hearing yet it was never corrected even though the Appeals Court through out most of the corrupt decision by CSLB court. Plaintiffs have been fighting and defending the patent for about seven years. It is time that the Federal Courts get involved since patent infringement is the exclusive jurisdiction of this

1 court. That is why that Plaintiff is suing in this court. The account of what has
 2 happened could go on for 200 pages because of all of the illegal acts by state
 3 officials getting paid to help Kajima. Kajima has billions and has been able to
 4 weld there billion dollar power to cause state officials to break the law and to
 5 commit fraud against Plaintiffs.

6 42. Plaintiff Michael D. Watkins was an agent of the Federal Government engaged in
 7 military service when defendants violated Federal law, Federal statutes and
 8 treaties entered into by the Congress of the United States during the process of
 9 their conspiracy and infringement on the Federal patent Plaintiffs claims Federal
 10 jurisdiction under the Soldiers and Sailors civil relief act, Treaties entered into by
 11 the United States at the Geneva Convention, and pursuant to Article III § 2 which
 12 extends the jurisdiction to cases arising under the U S Constitution. The district
 13 courts shall have original jurisdiction of all civil actions arising under the
 14 Constitution, laws, or treaties of the United States according to Title 28 Part IV,
 Chapter 85 § 1331 where there is a federal question.

15 43. Defendants worked together to help Persons use a patent (infringement) and were
 16 paid by a person from the under world to steal the above mentioned patent and
 17 some of the Defendants even admitted on the record to tampering with evidence,
 18 falsifying documents, extortion, taking pay offs, simulation of process, unclean
 19 hands and other forms of criminal obstruction of justice all for the purpose of
 20 stealing a patent. And even though it was admitted the outcome is the same. The
 21 state is standing behind them. The defendants not only violated law after law of
 22 the State Constitution and statutes they in the process violated many federal laws
 23 in the process both of the federal constitution and federal statutes and Federal
 Patent laws.

24 44. Defendants did not serve Plaintiff Michael D. Watkins but continued their lawless
 25 acts of obstruction of justice, criminal misconduct in office, simulation of process
 26 and numerous criminal acts for the purpose of stealing a patent and continuing the
 27 infringement of said patent.
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- 45. Defendants were noticed that they where violating the law and that they were proceeding in their personal capacities not in their official capacities and hence were no longer protected under qualified immunity doctrines. Defendants ignored the notices and warnings given by Plaintiffs and willfully continued in criminal violation against Plaintiffs.
- 46. Judge Michael Dest of Big Bear Lake Superior Court ruled and there is a minute order that says that Michael D. Watkins was not served. As soon as this ruling took place the case was immediately moved out of his hands to San Bernardino.
- 47. The Judge there ruled a summary adjudication for Plaintiff Michael W. Watkins. The case was moved to Judge Ludvigsen's court.
- 48. Judge Ludvigsen is now the judge in the Juvenile case where Defendant's have purposely conspired to assassinate the character of Michael W. Watkins. Judge Ludvigsen was notified and demanded to recuse herself because she was in a conflict of interest but she would not recuse herself.
- 49. There has been a pay off and promises of protection from litigation to Virginia L. Watkins to file for divorce and assassinate the character of Plaintiffs. Virginia L. Watkins henceforth joined Defendants conspiracy. She previously had been sued along with Plaintiffs in Defendants attempts to steal the patent and further their infringement. The strategic advantage of "divide and conquer" that Defendants have employed to break up a family of over thirty years should be noted to be the tactics of depraved and immoral individuals. She is also getting paid for the patents use at this time.
- 50. Virginia L. Watkins filed for divorce and made numerous false allegations and perjured herself to "railroad" Michael W. Watkins (she bragged to Plaintiff that everyone in the Victorville Court is together and you don't have a chance). She stole over \$225,000 00 before she filed for divorce. Virginia L. Watkins was observed leaving the same building shortly after the aforestated members of the underworld who are currently using the patent in another State without permission. She has done these things to attempt to reduce Plaintiffs' assets, exhaust their will power, and hamper their ability to defend against patent

1 infringers. Later her and Sherry Thompson committed credit card fraud of over
 2 \$15,000.00 with \$10,000.00 going directly to Sherry Thompson. Virginia L.
 3 Watkins then brought a false accusation of rape two weeks after a long battle over
 4 custody where Michael W. Watkins had been granted joint physical custody.

5 51. There was a summary judgment motion for perjury against individuals in the
 6 under world one whom is a convicted felon who served a seven year prison term
 7 for selling cocaine. Then these individuals took out bankruptcy to avoid the
 8 perjury which put a stay on the State proceedings (an asset bankruptcy). N. L.
 9 Hanover then decided to take up the case after a pay off to him even though he
 10 was noticed that the case involved the infringement of the above mentioned Patent
 11 a Federal Patent issued by the United States Commissioner of Patents and
 12 Trademarks.

13 52. Virginia was paid to file for divorce and took \$225,000.00 cash from the home in
 14 the process. She has gotten money from the defendants so defendants can steal
 15 and use the above mentioned patent.

16 53. The judges in the divorce case have violated the civil rights of Michael W.
 17 Watkins by simulation of process to use and or infringe on the above mentioned
 18 patent. The motive here is to continue to use the above mentioned patent

19 54 In the case that was originally brought by the California Contractors State License
 20 Board (CSLB) James Ahern Deputy attorney general admitted that Michael D.
 21 Watkins was not served. Judge Alvarez just ignored that statement and ruled
 22 because that Michael was a licensee he could be served at the corporation even
 23 though Michael was not a licensee and James Ahern said that Michael was not
 24 served properly and did not do anything about the hearing since he was in
 25 Germany in the United States Army. Also James Ahern in the same hearing
 26 admitted that the transcript has been altered but Judge Alvarez did nothing about
 27 this either nor did the appellate court. Each one of these persons were noticed that
 28 they did not have subject matter jurisdiction and that the case involved
 infringement of a United States Patent. Defendants are presumed to know the law
 ant the law is clear. **The United States District Court has exclusive**

1 **jurisdiction for patent infringement cases.** Court defendants became a part of
 2 the infringement and conspired with other patent infringement perpetrators to
 3 infringe on the above mentioned patent.

4 55. As stated above Michael Dest in the civil case ruled that Michael D. was not
 5 served.

6 56. The Appeals Court ruled in their opinion that Michael D. Watkins was not a
 7 licensee but did not correct the fact that he could not have been served. They did
 8 reverse much of the lower courts decision but allowed the simulation of process to
 9 continue even though the Appellate Judges knew that Michael was not served
 10 because they were paid off not to reverse the service requirement.

11 57. To serve Michael there was a requirement to serve according to the Hague
 12 Convention. The courts were notified by the Jag office that they must serve
 13 Michael by the Hague Convention. This notification happened after Michael
 14 found out that there was a hearing and that he was not notified nor knew about it.
 15 He asked for the hearing to be reopened so that he would have a chance to defend
 16 himself. Steven Sands of CSLB ignored his request and went forward with a
 17 despicable ruling. Steven Sands was notified that the case involved an
 18 infringement on U.S. Patent. The subject matter jurisdiction was challenged but
 19 still Defendants continued simulation of process.

20 58. Michael D Watkins has never been heard and the higher courts said that he could
 21 not have a hearing in their courts or trial because that had to be done in the lower
 22 court. Criminal obstruction of justice is the only thing that anyone could see here.

23 59. The patent was infringed on in Los Angeles also where Plaintiff has proof of and
 24 has found out that the money is going to the Federal Bankruptcy Trustee via
 25 Attorney Thompson. There is a 65 foot high Concrete building where the Patent
 26 was used.

27 60. There is much more and not enough room to put in this complaint. There was a
 28 challenge of jurisdiction that has not been answered by any of the courts even
 though the challenge can be brought at any time and the courts must answer.
 More simulation of process where the Courts knew that CSLB did not have

1 subject matter jurisdiction yet simulated process as if they did. All of the above is
 2 a violation of federal statutes and the federal Constitution to name a few. There is
 3 fraud, tampering with evidence, simulation of process, taking pay offs or bribes,
 4 extortion, collusion, unclean hands and the like.

5 61. The army had to let Michael go because the Appeals Court would not let the stay
 6 go on any further even though Michael was deployed to Iraq on secret missions.
 7 So the commander gave the court a date that he would let Michael come back to
 8 defend himself in the Appellate process.

9 62. Both Michael the father and Michael the son have been taken through hell by the
 10 judicial system and punished by it because of the patent just because state
 11 officials and a corporation is infringing on the Patent.

12 63. Judge Williams is trying to tie Michael W. Watkins hands by labeling him as a
 13 Vexatious litigant. He was trying to make sure that Michael could not even
 14 defend himself from this injustice. He committed fraud against Michael amongst
 15 about 10 other crimes of criminal obstruction of justice. He was also noticed that
 16 the suit was a patent infringement case and that he did not have subject matter
 17 jurisdiction.

18 64. Defendants all of them have one thing or another to do with the criminal
 19 infringement of the above-mentioned Patent.

20 FIRST CAUSE OF ACTION

21 (Patent Infringement)

22 65. Plaintiffs refers to and incorporates herein by this reference as though fully set
 23 forth paragraph 1 through 64 of this Complaint

24 66. Title 35 U.S. Code § 271 (a) "...**whoever** without authority makes, uses, offers to
 25 sell, or sells any patented invention during the term of the patent therefore,
 26 infringes the patent" (emphasis added)

27 67. Title 35 U.S. Code § 271 (b) "**Whoever** actively induces infringement of a patent
 28 shall be liable as an infringer." (emphasis added)

68. Title 35 U.S. Code § 271 (h) "As used in this section, the term '**whoever**'
 includes any State, any instrumentality of a State, and any officer or employee of

1 a State or instrumentality of a State acting in his official capacity. Any State, and
 2 any such instrumentality, officer, or employee, **shall be subject to the provisions**
 3 **of this title in the same manner and to the same extent as any**
 4 **nongovernmental entity.”** (emphasis added)

5 69. Each and every one of the aforementioned defendants each and all of them
 6 violated Title 35 U S Code § 271 (a) and (b). Title 35 U.S. Code § 271 (h)
 7 encompasses all Defendants and allows no exceptions for qualified immunity of
 8 their respective offices. All of the defendants were parties to the conspiracy to
 9 infringe on the aforesaid patent to use it. They were paid monies and/or promised
 10 monies, granted favors, promised future favors, received promotions, promised
 11 future promotions, took bribes, promised future bribes, received kickbacks,
 12 promised future kickbacks, received certain protections, promised future
 13 protections, received all manner of compensations and future compensations.
 14 Relying on their knowing, wanton, malicious and willful falsification of the
 15 record Defendants wantonly, maliciously, and willingly take and maintain action
 16 against Plaintiffs under color of law and not under color of law with intent to
 17 criminally fraudulently deceive Plaintiffs into believing they had subject matter
 18 jurisdiction to steal a Patent and use said patent to Plaintiffs irreparable harm,
 19 damage, and injury with willful intent to take Plaintiffs’ property and liberty. All
 20 of this was done in the clear absence of subject matter jurisdiction and a
 21 simulation of process to use or infringe on said patent.

21 SECOND CAUSE OF ACTION

22 (Violation of the 14th Amendment)

23 70 The first and 14th amendment of the Federal Constitution gives the citizen the
 24 right of due process of law and the equal protection of the laws to defend against
 25 the state invasion to take property or said patent or to use said patent.

26 71 Each and everyone of the afore mentioned defendants each all of them violated
 27 the 14th amendment due process rights by not requiring Respondent to serve
 28 Plaintiff and not allowing him to defend against the lower courts in a conspiracy
 that was state wide to steal a patent. All of these defendants were paid under the
 table and were part of the conspiracy to steal the above mentioned Federal Patent.

1 The judges are guilty of misconduct in office or better known as Criminal
2 Obstruction of Justice.

3 72. As a result of the fraudulent conduct of defendants as herein alleged, Plaintiffs'
4 have suffered, and continues to suffer, actual damages in the nature of loss of
5 lively hood and income that Plaintiffs' could have earned. In addition Plaintiff
6 has endured years of stress and undue hardship and irreparable damage including
7 lost use of the patent.

8 73. The alleged conduct of defendants, their agents, employees and otherwise as
9 herein alleged were intentionally false promises, misrepresentations inclusive of
10 deceit and or concealment of material facts known to the defendants with the
11 intention on the part of defendants of thereby depriving Plaintiff of assets or legal
12 rights or otherwise causing injury and to use Plaintiffs' Patent. The same was
13 despicable conduct that subjected Plaintiff to cruel and unjust hardship in
14 conscious disregard of Plaintiff's civil rights, constituting oppression, fraud
15 and/or malice as defined by the 14th amendment to the Federal Constitution.

16 SECOND CAUSE OF ACTION

17 (Fraud and violation of the 4th amendment)

18 74. Plaintiffs refers to and incorporates herein by this reference as though fully set
19 forth paragraph 1 through 73 of this Complaint

20 75. As herein alleged, Court Defendants promised Plaintiff that defendants would
21 protect the rights of all citizens. Specifically promised to protect the citizen's
22 rights. The fourth amendment gives rights of people to be free in their persons,
23 houses, papers, and effects... The patent has been used and no payment was
24 given to Plaintiff for its fraudulent use.

25 76. At the time defendants made the promises to all citizens, defendants had no
26 intention of performing on them. The truth, known to defendants but unknown to
27 Plaintiff was that Court Defendants knew each other and conspired to harm
28 Plaintiff. Under California Penal Code 182 a judge can go to prison for seven
years. Defendants conspired to take away Plaintiff's rights to his monetary
property and to his lively hood and the use of a patent that Plaintiff's own.

1 77 As a result of the fraudulent conduct of defendants as herein alleged, Plaintiff has
 2 suffered, and continues to suffer, actual damages in the nature of loss of lively
 3 hood and income that Plaintiff could have had Plaintiff suffers irreparable
 4 damage.

5 78. The alleged conduct of defendants, their agents, employees and otherwise as
 6 herein alleged were intentionally false promises, misrepresentations inclusive of
 7 deceit and or concealment of material facts known to the defendants with the
 8 intention on the part of defendants of thereby depriving Plaintiff of assets or legal
 9 rights or otherwise causing injury and the infringement of a U S. Patent. The
 10 same was despicable conduct that subjected Plaintiff to cruel and unjust hardship
 11 in conscious disregard of Plaintiff's rights, constituting oppression, fraud and/or
 12 malice as defined by the fourth amendment to the Federal Constitution.

13 THIRD CAUSE OF ACTION

14 (Abuse of process a violation of the 7th amendment)

15 79. Plaintiffs refers to and incorporates herein by this reference as though fully set
 16 forth paragraph 1 through 78 of this Complaint

17 80. Defendants prosecute Plaintiff with no valid reason except there own self-seeking
 18 interest. Defendants secretly and purposely intended to steal monetary funds and
 19 infringe on a United States Patent. Therefore Defendants prosecute Plaintiff an
 20 abuse of process wherein plaintiff was not served and no jury trial was allowed or
 21 offered before taking away lively hood and blocking Plaintiffs' use of their own
 22 Patent.

23 81. The alleged conduct of defendants, their agents, employees and otherwise as
 24 herein alleged were intentionally false promises, misrepresentations inclusive of
 25 deceit and or concealment of material facts known to the defendants with the
 26 intention on the part of defendants of thereby depriving Plaintiff of assets or legal
 27 rights or otherwise causing injury and the infringement of a United States Patent.
 28 The same was despicable conduct that subjected Plaintiff to cruel and unjust
 hardship in conscious disregard of Plaintiff, constituting oppression, fraud and/or
 malice as defined by the 7th amendment to the Constitution of the United States.

1 and/or malice as defined by the 7th amendment to the Constitution of the United
2 States.

3 87. As a result of the fraudulent conduct of defendants as herein alleged, Plaintiff has
4 suffered, and continues to suffer, actual damages in the nature of lost livelihood.

5 FIFTH CAUSE ACTION

6 (Racketeering)

7 88 Plaintiff's refers to and incorporates herein by this reference as though fully set
8 forth paragraph 1 through 87 of this Complaint.

9 89. Defendants prosecute for the purpose of theft of a patent and not for any other
10 reason knowingly violate laws that they could go to prison for where Defendants
11 excepted bribes and committed Racketeering Defendants reached over state lines
12 to commit theft and use of a Patent as an organized group Defendants violated
13 among other laws Title 18 § 1961 and § 1962 and come under the Federal
14 jurisdiction under § 1964.

15 90. Defendants prosecute Plaintiff with no valid reason except there own self-seeking
16 interest. Defendants secretly and purposely intended to steal the Patent and did
17 use or infringe on the above mentioned Patent as an organized group. Therefore
18 Defendants prosecute Plaintiff an abuse of process wherein no jury trial was
19 allowed or offered before taking away livelihood. Also Defendants took bribes to
20 abuse process as an organized group.

21 91. The alleged conduct of defendants, their agents, employees and otherwise as
22 herein alleged were intentionally false promises, misrepresentations inclusive of
23 deceit and or concealment of material facts known to the defendants with the
24 intention on the part of defendants of thereby depriving Plaintiffs of assets or
25 legal rights or otherwise causing injury and the infringement of the Patent. The
26 same was despicable conduct that subjected Plaintiff to cruel and unjust hardship
27 in conscious disregard of Plaintiff, constituting oppression, fraud and/or malice as
28 defined by the rule of law.

92. As a result of the fraudulent conduct of defendants as herein alleged, Plaintiff has
suffered, and continues to suffer, actual damages in the nature of lost livelihood.

SIXTH CAUSE OF ACTION

(Obstruction of Justice violation of due process 14th amendment & fraud)

93. Plaintiffs refers to and incorporates herein by this reference as though fully set forth paragraph 1 through 92 of this Complaint.

94. Court Defendants committed obstruction of justice when each and every one of them infringed on the patent and did not require that SGT Watkins be served. The record was falsified when the court defendants said that SGT Watkins was served knowing full well that he was not served. The hearings on the matter were a simulation of process. Also defendants when they did not allow Michael W. Watkins to represent himself or challenge subject matter jurisdiction or when subject matter jurisdiction was challenged there was no answer and the court proceeded anyway a falsification of the record. Defendants did not prosecute the infringement in the Federal Courts even though they were noticed. Also when Judge Alvarez was asked if CSLB was judicial court he did not answer and there were 5 witnesses that signed affidavits stating that he did not answer. The transcript was altered to say that he said no. James Ahern in the same court admitted that the only attorneys that were at the CSLB hearing were himself and Lasko. The transcript was changed to state their was an unidentified attorney there. If Plaintiff's were to go on about the many counts of Criminal Obstruction of Justice by the California Judicial System the complaint would be many more pages. The rest will be proven at trial.

As a result of the fraudulent conduct of defendants as herein alleged, Plaintiff has suffered, and continues to suffer, actual damages in the nature of lost livelihood. Under the constitution of California and the 14th amendment of the Constitution of the United Sates Plaintiff has a right to be free from government intervention without due process of law. California Constitution Article I § 1 and Article I § 3 (b) (4) and the 14th amendment of the Federal Constitution gives Plaintiff the right to protect his property from invasion without due process of law by filing this law suit. Plaintiff was not provided due process of law to have the case heard by the Federal courts where the cases belong. Plaintiffs' rights were violated and both Plaintiffs' were railroaded. **The second sentence of section 1 the Fourteenth Amendment states: "No state shall deprive any person of life, liberty, or property, without due process of law.**

1 Article 1, Section 7(a), Constitution of the State of California that states; A person may
2 not be deprived of life, liberty, or property without due process of law or denied equal protection
3 of the laws. Also Postal Telegraph Cable Co. v. Newport, 247 U.S., 464, 476 (1918); Baker v.
4 Baker, Eccles and Co., 242 U.S. 294, 403 (1917); Louisville & Nashville RR v. Schmidt, 177
5 U.S. 230, 236 (1900) A state may not, consistent with the due process clause, enforce a judgment
6 against a party named in the proceeding without having given him an opportunity to be heard
7 sometime before final judgment is entered. Proceedings in which due process must be observed.
8 **While due notice and a reasonable opportunity to be heard to present one's claim or**
9 **defense have been declared to be two fundamental conditions almost universally prescribed**
10 **in all systems of law established by civilized countries Twining v. New Jersey, 211 U.S. 78, 110**
11 **(1908); Jacob v. Roberts, 223 U.S. 261, 265 (1912).**

12 "All sovereign power is vested in the citizens of the state, who are limited only as expressed
13 in the Constitution. State v Shumaker, 63 A. L. R. 218; 200 Ind 716, 164 N.E. 408

14 "Where fundamental personal liberties are involved, they may not be abridged by the States
15 simply on a showing that a regulatory statute has some rational relationship to the
16 effectuation of a proper state purpose. Where there is a significant encroachment upon
17 personal liberty, the State may prevail only upon showing a subordinating interest which is
18 compelling. City of Carmel-By-The-Sea, v. Young, 466 P.2d 225, 232; 85 Cal. Rptr. 1
19 (1970)

20 "The 'liberty' guaranteed by the constitution must be interpreted in the light of the common
21 law, the principles and history of which were familiar and known to the framers of the
22 constitution. This liberty denotes the 'right of the individual to engage in any of the common
23 occupations of life, to locomote, and generally enjoy those rights long recognized at common
24 law as essential to the orderly pursuit of happiness by free men " Myer v. Nebraska, 262 U.S.
25 390; United States v. Kim Ark, 169 U.S. 649, 654

26 "The rights of the individual are not derived from governmental agencies, either municipal,
27 state, or federal or even from the Constitution. They exist inherently in every man, by
28 endowment of the Creator, and are merely reaffirmed in the Constitution, and restricted only
to the extent that they have been voluntarily surrendered by the citizenship to the agencies of
government. The people's rights are not derived from the government, but the government's

1 authority comes from the people. The Constitution but states again these rights already
 2 existing, and when legislative encroachment by the nation, state, or municipality invade
 3 these original and permanent rights, it is the duty of the courts to so declare, and to
 4 afford the necessary relief” City of Dallas, et al. v. Mitchell, 245 S.W. 944, 945-46 (1922)

5 “Primacy of position in our state constitution is accorded the Declaration of Rights; thus
 6 emphasizing the importance of those basic and inalienable rights of personal liberty and
 7 private property which are thereby reserved and guaranteed to the people and protected from
 8 arbitrary invasion or impairment from any governmental quarter. The Declaration of
 9 Rights constitutes a limitation upon powers of every department of the state
 10 government.” State ex rel. Davis v. Sturart, 64 A.L.R. 1307, 97 Fla. 69, 120 So 335.

11 “Primacy of position” means no provision of any of the succeeding Articles of the California
 12 state constitution may be interpreted as meaning that any power whatsoever has been
 13 conferred therein to any office, which can only be occupied by a state political trustee, of the
 14 California state government which may operate to derogate or abrogate any of the people’s
 15 common law inalienable rights. This same fact of life exists in each and every one of the
 16 aforesaid states and is guaranteed by the United States Constitution

17 95. All of the above is a violation of the United States Constitution. When a
 18 corporation uses the patent without authorization it infringes on the patent and
 19 when this corporation is able to pay off state officials they go beyond the original
 20 crime and violate the foundational rights of the citizen. When a judge goes
 21 beyond his official capacity and infringes on a United States Patent he or she
 22 works in his or her personal capacity he no longer has absolute immunity or
 23 qualified immunity. Under the Patent laws a person under color of law is to
 24 prosecuted as a person that is not under color of law Title 35 U.S. Code § 271 (a)
 25 “...**whoever** without authority makes, uses, offers to sell, or sells any patented
 26 invention during the term of the patent therefore, infringes the patent.” (emphasis
 27 added)

28 96 Title 35 U.S. Code § 271 (b) “**Whoever** actively induces infringement of a patent
 shall be liable as an infringer.” (emphasis added)

1 97. Title 35 U.S. Code § 271 (h) "As used in this section, the term 'whoever'
 2 includes any State, any instrumentality of a State, and any officer or employee of
 3 a State or instrumentality of a State acting in his official capacity. Any State, and
 4 any such instrumentality, officer, or employee, shall be subject to the provisions
 5 of this title in the same manner and to the same extent as any
 6 nongovernmental entity." (emphasis added).

7 **"Prayer for Relief"**

8 On the First Cause of Action

- 9 1. For money, lost income, lost profits, increased expense and carrying costs, injury to
 10 economic credit in excess of \$20,000,000.00 as may be allowed by law according to
 11 proof;
 12 2. For general damages pled in this cause of action and otherwise as may be allowed by
 13 law according to proof.

14 On Second Cause of Action

- 15 3. For money damages according to proof.
 16 4. For punitive and exemplary damages as may be allowed by law.
 17 5. For attorneys' fees and costs.

18 On Third Cause of Action

- 19 6 For money, lost income, lost profits, injury to economic credit in excess of
 20 \$20,000,000 00 as may be allowed by law according to proof.
 21 7. For general damages pled in this cause of action and otherwise as may be allowed by
 22 law according to proof.

23 On Fourth Cause of Action

- 1 8 For money, lost income, injury to economic credit in excess of \$20,000,000 as may
2 be allowed by law according to proof.
3 9. For general damages pled in this cause of action and otherwise as may be allowed by
4 law according to proof.

5
6 On Fifth Cause of Action

- 7 10. For money, lost income, lost profits, injury to economic credit in excess of
8 \$20,000,000.00 as may be allowed by law according to proof.
9 11. For general damages pled in this cause of action and otherwise as may be allowed by
10 law according to proof.


11 Additional Relief sought:

- 12 1. Issue declaratory relief as this Court deems appropriate and just. The judges
13 in this case should all go to prison under 182 of the California Penal Code and
14 under other federal laws.
15 2. Issue other relief as this Court deems appropriate and just.
16 3. Award plaintiff his costs of litigation, lost wages, and loss of career and lost
17 use of the Patent for the amounts abovementioned.
18 4. Issue injunctive relief vacating all orders by the lower courts.

19 I have read the above complaint and it is correct to the best of my knowledge.

20 Dated: March 7, 2006

21 
22 Michael W. Watkins in pro se

23 
24 Michael D. Watkins in pro se