

MISCARRIAGE OF JUSTICE AND HUMAN RIGHTS VIOLATION

RAHEEM JEFFERSON BRENNERMAN

PUBLIC RELATIONS OBJECTIVES:

(WHAT DOES MR. BRENNERMAN WANT TO CONVEY TO THE WORLD THROUGH THE PUBLIC RELATIONS?)

1. The story is not merely about miscarriage of justice or injustice which Mr. Brennerman suffered. It is much more significant than that. It is whether these current and prior federal prosecutors (Robert Benjamin Sobelman, Nicolas Tyler Landsman-Roos, Danielle Renee Sassoon and the criminal investigator, Justin McCabe Ellard) and federal judges (Judge Lewis Avins Kaplan and Judge Richard Joseph Sullivan) COMMITTED CRIMES to wrongly convict and falsely imprison Mr. Brennerman. And if yes, then how many MORE SIMILAR CRIMES have they committed that the public does not know about?
 - How did Mr. Raheem Jefferson Brennerman end-up and remain in prison for years?
 - What did the appellate judges do? Did they merely protect their colleagues, both Judges Kaplan and Sullivan? Or did they participate in the cover-up?
 - Why did these appellate judges - Rosemary S. Pooler, Reena Raggi and William J. Nardini, not protect Mr. Brennerman's Constitutional rights but instead chose to violate their oath to protect the law and Constitution of United States?
2. This story is to demonstrate to the world that the American justice system systematically oppresses people.
 - Mr. Brennerman's mother passed away in 2019 at age 70 because he was deprived of the ability to donate his kidney to save her life despite the fact that he was a match and had pleaded with the judges to allow him to save her life.
 - Mr. Brennerman's liberty and freedom was taken away for years despite the fact that he had committed no crime.
 - Mr. Brennerman contracted COVID-19 while unjustly imprisoned.
3. This story is to highlight that Mr. Brennerman fought back while imprisoned so that others could be inspired to benefit from his plight.
 - Most of the evidence gathered and admitted to Court records as well as the writing of the petition highlighting the various miscarriage of justice concerns, misconducts and crimes committed against Mr. Brennerman by the federal judges and prosecutors, were done by him while imprisoned. He did most of the research and writing while his attorney reviewed the draft petitions, concurred with the arguments, then professionally formatted them for Court submission.
 - From all his research, this is the first time that demonstrable evidence of a federal judge intentionally misrepresenting evidence to wrongly convict and imprison someone has been documented on Court records and has probably uncovered something that occurs more frequent than people actually know.
4. This story is to also highlight the conspiracy to wrongly convict and unjustly imprison Mr. Brennerman
 - Industrial and Commercial Bank of China (ICBC) aided and abetted the wrongful prosecution and miscarriage of justice. First, by having its counsel, Linklaters LLP through attorney Paul Stephen Hessler, intentionally withholding and hiding the pertinent evidence, the ICBC evidence including [underwriting file] and settlement discussion [meeting minutes], [notes] and [e-mails] which Mr. Brennerman required for his defense. Second, with the ICBC banker, Mr. Julian R. Madgett providing false statement/testimony to the jury during trial, knowing that Mr. Brennerman had been deprived of the ICBC evidence he required to rebut his false testimony.

- By statute/law, ICBC is mandated by their government regulator (U.K. Financial Conduct Authority) to report any fraud in their regulatory filing. To-date, they (ICBC) have never reported in their filings that they were a victim of fraud because no fraud occurred.
- The federal judges and prosecutors manufactured Mr. Brennerman as a criminal by falsely accusing an innocent man then abusing their power and authority to wrongly convict and unjustly imprison him.

WHY DID THE JUDGES AND PROSECUTORS PURSUE MR. BRENNERMAN?

Mr. Brennerman's was targeted for prosecution because Judge Kaplan did not like what he (Mr. Brennerman) represented. A successful businessman in oil and gas. So he (Judge Kaplan) and his colleague, Judge Sullivan, weaponized the justice system to wrongly convict and imprison him. They believed that a criminal conviction would prohibit him from being able to do business and by imprisoning him he would be restrained. Mr. Brennerman's strong belief is that Judge Kaplan was compromised or paid by one of his competitors. This is something for the general public to investigate: Why did the judges do this to an innocent man?

HOW DID THEY DO IT?

Judge Kaplan enlisted the assistance of federal prosecutors (Robert Sobelman and Nicolas Roos) with nascent prosecutorial experience at the time supervised by other federal prosecutors (Danielle Sassoon and Emil Bove III). As well, the assistance of his colleague, Judge Sullivan.

These criminal cases arose from a civil case between ICBC (London) plc ("ICBC London") and The Blacksands Pacific Group, Inc., ("Blacksands Pacific"), a civil case which Mr. Brennerman was not even a party. Judge Kaplan ignored the law and federal rule to vigorously pursue Mr. Brennerman personally for civil contempt for court orders directed to the company, Blacksands Pacific. He invited the plaintiff, ICBC (London) plc, to pursue Mr. Brennerman for civil contempt even though he was not part of the civil case.

Within four (4) days, Judge Kaplan illegally/improperly pierced through the corporate veil of Blacksands Pacific to hold Mr. Brennerman personally in civil contempt. Then he actively sought willing federal prosecutors to charge him with criminal contempt when the initial set of prosecutors refused to prosecute him criminally.

Judge Kaplan then forged an arrest warrant and persuaded the prosecutors to arrest him even though there was no basis or probable cause for his arrest, there was no information, indictment or order to show cause when he was arrested. Judge Kaplan had crossed-out a section of the arrest warrant and written-in his own offense conduct which was invalid as no signed petition existed at the time.

A month after, Mr. Brennerman was granted bail by Chief Judge Colleen McMahon of the Southern District of New York, the federal prosecutors, indicted Mr. Brennerman for bank and wire fraud and its related conspiracy even through to this day, they have never obtained or reviewed the transaction documents from ICBC (London). Yet they claim that the transaction is/was fraudulent.

Prior to trials of the criminal contempt of court and fraud case. Mr. Brennerman through his attorneys at Thompson Hine LLP repeatedly requested for the missing ICBC files including the transaction underwriting file, settlement discussion notes, emails etc., which he required at trial to present his complete defense and to confront witnesses against him. A right afforded to Mr. Brennerman by the U.S. Constitution.

The prosecutors refused to obtain or review the missing ICBC files and both Judges Kaplan and Sullivan denied his request for the missing evidence. Linklaters LLP (attorney for ICBC London) through one of its partners, Paul Hessler, had hidden the missing ICBC files from Mr. Brennerman, so he wouldn't have it for his defense.

To convict Mr. Brennerman at trial, the prosecution presented their sole witness from ICBC (London), Mr. Julian Madgett, to testify as to the contents of the missing ICBC file (the transaction underwriting file) knowing that Mr. Brennerman had been deprived access to the file and would be unable to rebut and challenge the testimony to the jury. Mr. Madgett made misleading statements while Mr. Brennerman was deprived of the ability to meaningfully cross-examine him as to substance and credibility on the issue.

In addition to the missing ICBC files, at the end of the bank fraud trial when the alleged theory did not fit, the prosecution pivoted to argue another conduct which Mr. Brennerman had not even been charged with, arguing that Mr. Brennerman became entitled to banking perks such as sky miles (frequent flier miles), free checking account etc. However, to convict Mr. Brennerman for bank fraud, the institution where he received the alleged banking perks had to be federally insured (FDIC). That is when Judge Sullivan intentionally misrepresented the evidence by stating that Mr. Brennerman had received the banking perks from another institution which is/was federally insured (FDIC insured) even though there was no evidence presented at trial to demonstrate that Mr. Brennerman ever interacted with that institution.

During Mr. Brennerman's direct appeal, rather than the Court of Appeals following the evidence and law, they instead protected their colleagues (Judge Sullivan and Kaplan), to keep Mr. Brennerman wrongly convicted and imprisoned. As an example of their mendacity, you can review the appeal at No. 23-6180, doc no. 28 and the Court of Appeal's response.

HOW DID THE PROSECUTION USE THE MEDIA AGAINST MR. BRENNERMAN ?

From the outset, the intention was to cause maximum reputational damage to Mr. Brennerman and his business interests. The prosecution invited the media (including Law 360, Reuters, The Sunday Times of London, among others) to report on their false narratives and promulgations in Court).

Among others, the prosecution manufactured a new nationality for Mr. Brennerman by falsely stating that he had dual-Nigerian nationality. That is completely false. Although Blacksands Pacific holds assets in Nigeria, among its global energy holdings, Mr. Brennerman has no nationalistic or residential connection with the country.

At the time of Mr. Brennerman's arrest, the prosecution obtained Government issued identification documents including passports, drivers license and others, which were issued by the Governments of the United States, United Kingdom and Switzerland. No identification or Government issued documents from Nigeria were presented to support the false narrative.

The prosecution further falsely stated in their press statement and indictment that ".....BRENNERMAN sought financing for purported business deals by falsely representing that Blacksands Pacific had significant worldwide involvement in the exploration and development of oil and gas reserves, produced over 10,000 barrels of oil per day, had over \$1 billion in long term assets and over 100 million barrels of proved oil reserves.....when, in fact, BRENNERMAN knew that Blacksands Pacific lacked any long-term assets and has, at most, a few employees, and minimal involvement in the oil and gas industry."

The prosecution knew that their press statement and statements contained in their indictment were false. In their false statement the prosecution used historic business information related to prior Blacksands Pacific assets in

the U.S. When in reality, those assets were divested during the restructuring process that occurred during the oil price crash in 2014.

The divestiture of Blacksands Pacific's U.S. assets presented an opportunity to acquire assets in other markets including in Nigeria, Cote D' Ivoire, Equatorial Guinea, and Ghana. This is what the prosecution (not understanding the industry) conflated in their press statements and assertions in the indictment.

For example, in the antecedent civil case from which the criminal cases were created, at 15-cv-00700 (LAK), ECF nos. 127-128, Blacksands Pacific showed that as of December 2016 (5 months prior to the indictment of May 31, 2017), the core Blacksands Pacific business, Blacksands Pacific International Limited ("BSPIL"), an affiliate of The Blacksands Pacific Group, Inc. ("BSPG"), was/is entitled to approx. 2 billion barrels of oil equivalent (2P + 2C) reserves and production in excess of 70,000 barrels of oil per day and 400 million cubic feet of gas per day totaling approx. 132,000 barrels of oil equivalent per day, valuing the business long-term assets in-excess of US\$4 billion, a much more significant operation than the inept prosecution asserts.

This fact was known to Judge Kaplan and the prosecution prior to and during the criminal prosecution. However, the prosecution intentionally omitted mentioning this business, BSPIL, during trial. Judge Sullivan ordered that this business, BSPIL and its assets would be excluded and cannot be mentioned during trial, so the entire trial focused solely on BSPG, even though Mr. Brennerman and Blacksands Pacific had previously submitted in the antecedent civil case cited above, that BSPG had disposed all its assets and operations in 2014 and had no more operations and assets. This was done to support their false narrative.

(A copy of the document titled: Answers to false dissemination by Prosecution, can be obtained from the home page section of the website: <https://freeraheem.org>)

THE UN-SANITIZED BACKGROUND EVENTS WHICH CAUSED THE MISCARRIAGE OF JUSTICE (HUMAN RIGHTS VIOLATION)

The criminal cases arose from a 2014 civil case between ICBC (London) plc, a British subsidiary of a Chinese state-owned bank, Industrial and Commercial Bank of China, headquartered in Beijing, China ("ICBC London or bank") and The Blacksands Pacific Group, Inc., a Delaware based oil and gas development company ("Blacksands Pacific or company"). The civil lawsuit was brought by ICBC London in an endeavor to recoup US\$5 million out of the US\$20 million bridge finance provided to Blacksands Pacific to cover the expenses incurred by the company when the bank reneged on the negotiated US\$1.35 billion oil and gas financing.

A civil case to which Mr. Brennerman, the Chairman and CEO of Blacksands Pacific at the time, was not even a party. In 2016, Judge Lewis A. Kaplan ("Judge Kaplan") ignored the law and federal rule to vigorously pursue him for civil contempt of court orders which the judge directed to the company, Blacksands Pacific. He (Judge Kaplan) invited the plaintiff, ICBC London to pursue Mr. Brennerman for civil contempt even though he was not part of the civil case.

After conducting extra-judicial research into Mr. Brennerman through the internet, Judge Kaplan in December 2016, deliberately ignored the law and federal rule and within four (4) days, he illegally/improperly pierced through the corporate veil of Blacksands Pacific to hold Mr. Brennerman personally in civil contempt of court even though he was not part of the civil lawsuit between ICBC London and Blacksands Pacific. No subpoena, motion to compel or order to show cause were ever directed at Mr. Brennerman personally nor was he present during the various civil proceedings. However, after erroneously holding Mr. Brennerman in civil contempt, Judge

Kaplan actively persuaded the set of prosecutors with nascent prosecutorial experience at the time to prosecute Mr. Brennerman criminally after the initial set of prosecutors refused his request to do so.

In 2017, Judge Kaplan then forged an arrest warrant and persuaded the prosecutors to arrest Mr. Brennerman even though there was no basis or probable cause for his arrest. There was no information, indictment or order to show cause when Mr. Brennerman was arrested at his Las Vegas home in April of 2017. Judge Kaplan had crossed-out a section of the arrest warrant and written-in his own offense conduct: "The Petition" which was invalid as no signed petition existed at the time.

These prosecutors did not appear to undertake any investigation to ascertain the law and federal rule with respect to non-parties and contempt ruling prior to charging Mr. Brennerman with criminal contempt of court, arresting and seizing his personal properties. Furthermore, these prosecutors did not conduct any investigation to ascertain whether Morgan Stanley Smith Barney, LLC where Mr. Brennerman opened his wealth management brokerage account was federally insured (FDIC insured) to understand whether there was even any federal jurisdiction for them to charge Mr. Brennerman with a federal crime, much less prosecute and imprison him prior to charging him with bank fraud and its related conspiracy.

Nor did these prosecutors undertake any meaningful investigation to obtain the pertinent evidence from ICBC London, the missing ICBC file including transaction [underwriting file] and settlement discussion [meeting minutes], [notes], and [e-mails] which could have conclusively demonstrated if any fraud or contempt of court occurred prior to charging Mr. Brennerman with wire fraud and its related conspiracy and criminal contempt of court.

Even without involving the FBI (the agency that normally investigate white collar crime) these prosecutors refused to request, obtain or review the ICBC files. In actuality, ICBC London had provided the files to their New York based attorneys, Linklaters LLP. One of the partners at the law firm called attorney Paul Stephen Hessler, who persuaded Judge Kaplan to initiate the criminal prosecution had intentionally withheld and hid the ICBC files and did not provide them to the prosecution despite providing in-excess of 5,000 pages of email communication between Blacksands Pacific and ICBC. The prosecutors did not want to request or compel for the missing ICBC files so they would not become legally obligated to provide them to Mr. Brennerman for his defense.

A month after Mr. Brennerman was granted bail by Chief Judge Colleen McMahon of the Southern District of New York, the federal prosecutors indicted him for bank and wire fraud and their related conspiracy even though to this day, the prosecutors have never obtained or reviewed the pertinent transaction documents from ICBC London, yet they claim that the transaction is/was fraudulent.

Prior to trial of the criminal contempt of court and fraud case, Mr. Brennerman through his attorney at Thompson Hine LLP repeatedly requested for the missing ICBC files including the transaction underwriting file, settlement discussion notes, emails, etc which he required at trial to present his complete defense and to confront witnesses against him. The prosecutors refused to obtain or review the missing ICBC files and both Judge Kaplan and Judge Richard J. Sullivan ("Judge Sullivan") denied his request for the missing ICBC evidence.

During trial of the fraud case, Judge Sullivan again denied his request to obtain the missing ICBC files even after government's sole witness from ICBC London, Mr. Julian R. Madgett, testified in open Court as to the existence of the ICBC underwriting file and that it contained the basis for the bank approving the bridge loan. Judge Sullivan again denied Mr. Brennerman's request to obtain the missing ICBC file while permitting Mr. Madgett to testify as to the contents of the file, knowing that Mr. Brennerman had been deprived access to the file and would be unable to meaningfully cross-examine Mr. Madgett as to substance and credibility on the issue. Mr. Madgett

made misleading statements to the jury while Mr. Brennerman was deprived of the ability to rebut the statement. This also deprived Mr. Brennerman of his ability to present his complete defense using the missing ICBC file.

Additionally, even when the prosecutor's theory of the alleged \$300 million bank fraud fell apart during trial, they pivoted to another argument arguing that Mr. Brennerman became entitled to banking perks including sky miles (frequent flier miles), free checking account and fancy credit card etc worth \$6,500 even though Mr. Brennerman wasn't charged with that.

However, to convict Mr. Brennerman for bank fraud the institution where he received the alleged banking perks must be federally insured (FDIC insured). During trial, Judge Sullivan permitted the case to proceed to the jury, confusing the non-FDIC insured (not federally insured) entity, Morgan Stanley Smith Barney, LLC (MSSB) where Mr. Brennerman maintained his wealth management account and thus would have received the alleged banking perks with its FDIC-insured (federally insured) affiliate, the private banking arm of Morgan Stanley (MSPB), even though the prosecution adduced no evidence that Mr. Brennerman ever interacted with that affiliate entity.

After trial, Mr. Brennerman highlighted the confusion to Judge Sullivan in his motion for judgment of acquittal and motion for new trial, in response, Judge Sullivan then misrepresented the evidence, by supplanting the non-FDIC insured (not federally insured) institution, MSSB, where Mr. Brennerman opened his wealth management account based on all evidence adduced at trial with a FDIC-insured (federally insured) affiliate institution, MSPB, even though there was no evidence presented by either the prosecution or Judge Sullivan to support such ruling.

The factually- and legally-flawed ruling by Judge Sullivan falsely satisfied the law and statute which requires that the institution be FDIC-insured (federally insured). Judge Sullivan made such flawed ruling purposely to wrongly convict and imprison Mr. Brennerman. Quite simply, Judge Sullivan lied about the evidence to convict and imprison Mr. Brennerman.

During trial of the criminal contempt case, Judge Kaplan having deprived the jury from considering the missing ICBC evidence including the settlement discussion [notes], [meeting minutes], [e-mails] etc, he (Judge Kaplan) then permitted the prosecutors to present the erroneously adjudged civil contempt order to the jury, swaying the jury to find Mr. Brennerman guilty of criminal contempt of court (according to one of the jurors named Gordon).

After trial of the fraud case, Judge Sullivan asked an attorney called Scott B. Tulman to speak with Mr. Brennerman and inform Mr. Brennerman that he (Judge Sullivan) was willing to be lenient with him (Mr. Brennerman) if he would agree to say that he was guilty of the charged offense. When Mr. Brennerman refused to falsely claim that he was guilty, Judge Sullivan sentenced him harshly. Mr. Brennerman had terminated his trial counsel and agreed for Atty. Tulman to represent him at sentencing based on the fact that Judge Sullivan requested that Atty. Tulman speak with him. At sentencing, although Atty. Tulman promised to obtain and present the missing ICBC evidence as a mitigating factor, he ultimately failed to do so and advised Mr. Brennerman that the prosecution pressured him not to obtain the evidence.

To-date, the United States Court of Appeals for the Second Circuit in New York, in the petition for rehearing en banc, has refused to review and rectify the miscarriage of justice, due to procedural hurdle.

Due to lack of resources the United States Court of Appeals for the Second Circuit states that it cannot review all petitions for rehearing en banc, yet the rules require all active judges for the circuit court to review the miscarriage of justice claims, while the United States Supreme Court only reviews less than 2% of all submitted petition for writ of certiorari.

(NOTE: A detailed version of the background events can be obtained from the BACK STORY section of the website: freeraheem.org)

So the question here is whether these federal prosecutors and judges COMMITTED CRIMES against Mr. Brennerman and if yes, then how many MORE CRIMES have they committed that the public does not know about? How many other judges operate this way?

DOCUMENTED DEMONSTRABLE EVIDENCE:

Below are the pertinent Court submissions which I am suggesting for you to read, as those submission corroborate the above.

1. Extraordinary writ (Draft) Fraud case
2. Extraordinary writ (Draft) Contempt case
3. Supreme Court Petition + Appendix (fraud case) submitted at the Supreme Court at docket no. 20-6638
4. Supreme Court Petition + Appendix (Contempt case) submitted at the Supreme Court at docket no. 20-6895
5. Omnibus motion including collateral attack motion, submitted at the District Court at case no. 17 CR. 337 (RJS), at ECF No. 269
6. Notification of violation to Court submitted in furtherance of the collateral attack motion, submitted at the District Court at case no. 17 CR. 337 (RJS), at ECF No. 298

(NOTE: The above documents can be obtained from the Court Document section of the website: freeraheem.org)

7. Letter to British Government
8. Conspiracy and Misconduct at S.D.N.Y. [FOR PRESS]

(NOTE: The above documents can be obtained from the Home page section of the website: freeraheem.org)

PREFERRED MEDIA OUTLETS

PRINT:

1. Financial Times
2. U.K. Telegraph
3. U.K. Independent
4. U.K. Daily Mail
5. U.K. Daily Express
6. Der Spiegel (Deutsch)
7. International Herald Tribune
8. South China Morning Post
9. U.S.A. Today
10. San Jose Mercury News
11. LA Times
12. Associated Press
13. UPI - United Press International
14. ProPublica
15. Washington Post
16. New Yorker

17. Wall Street Journal
18. New York Times International
19. New York Times
20. Any other print media outlets

Note: I sued the Sunday Times (which is part of the Times of London) and the Guardian Newspaper in the U.K. I will likely continue the lawsuit when this situation is concluded, so I prefer not to go with either outlets.

BROADCAST:

1. GB News
2. Sky News
3. Deutsch Welt
4. BBC World News & BBC Panorama (Investigation)
5. CNN International
6. CNN
7. CNBC
8. CBS 60 Minutes
9. NBC
10. Fox News
11. Bloomberg
12. Al Jazeera
13. CCTV
14. All other broadcast outlets

SOCIAL MEDIA:

1. Any social media outlets

If you have any questions, please do not hesitate to let us know

Thank you.

on behalf of Mr. Raheem J. Brennerman

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W: <https://freeraheem.org>