

To: Attorney Patrick McQueeney @ mcqueeneylaw@gmail.com

From: Clifford Stafford

Date: January 2, 2016

As a defendant in *State of Michigan vs. Clifford Stafford (15-001184-01-FH)*, I am requesting that you as my attorney file the following motions in a timely fashion prior to my sentencing date of Jan. 13, 2016:

1) Motion to reschedule the sentencing date to allow for hearing of motions specified below.

2) Motion for Judgment Notwithstanding the Verdict and Acquittal or a New Trial due to newly discovered evidence. I now have in my possession Wayne County Investigator **Mary Williams-Jones'** Request for a Warrant, which states numerous falsehoods about what other parties told her. I base this on reading **newly discovered evidence:** copies of official statements given to **Mary Williams-Jones** from: **Joann Carlton**, who stated she and her husband **Donny Carlton** sold the 13236 Nautica property to NOVA2000 and/or Loan Origination Concepts, not to PCCS; **Glen Boggess**, president of NOVA2000 and its d/b/a Loan Origination Concepts; **Avis Washington**, an employee of NOVA2000 as well as Reliant Title, which handled the mortgage transaction with Wells Fargo; **Trenise Wyldon**, who received the proceeds of the Wells Fargo mortgage from Reliant Title; and **Emmet Wyldon**, Trenise's husband. These statements contradict not only the Investigator's Request for a Warrant statements, but also contradict each other, as well as testimony given at the trial. **The prosecution did not call** any of the above-mentioned parties as witnesses, and failed to call **Valerie Kauth**, wife of **Kevin Kauth**, owner of **Reliant Title**. Valerie Kauth gave testimony at the preliminary examination in this case that completely contradicts testimony given at the trial, including testimony that she frequently and fraudulently allowed another party to use her notary stamp and sign her name to documents.

I also add that you as my defense attorney, failed to call any of these witnesses. If you were aware of the other parties' statements to Investigator Williams-Jones, you did not use them at trial, evidence of negligence in your duties as my attorney.

3) Motion for a directed verdict of acquittal regarding the prosecution's failure to produce any evidence that myself or my wife was involved in the transaction of a \$395,000 loan from Wells Fargo to finance the purchase of a house at 13236 Nautica in Belleville Michigan, under "False Pretenses." Neither of us, or our company Private Consumer Consulting Services, received any remuneration from that transaction, or the property involved, unaware even of the mortgage's existence, or of a fraudulent deed transferring title to the property from PCCS to **Trenise Wyldon**. Wyldon pled guilty to charges of "falsifying a credit application"

related to that mortgage, then had the charge dismissed after she agreed to testify for the prosecution about mortgage fraud.

I am aware that you made such a motion during the trial, but it was repeatedly interrupted by Judge Michael Hathaway and needs to be cogently stated in written form.

- 4) Motion to strike all testimony from Investigator Mary Williams-Jones as an unqualified witness making false statements and likely committing perjury and other crimes.** She testified that she obtained 30 handwriting samples from my wife **Mary Ann Stafford**, taking the fraudulent original Warranty Deed transferring the 13236 Nautica property from PCCS to Trenise Wyldon, and **WHITING OUT THE SIGNATURE** on this legal document. She testified she then made 30 copies of that document, in violation of instructions from **Thomas Riley**, of the Michigan State Police forensics lab, that she was to obtain “SIMILAR” documents for exemplars. **No original of the warranty deed was given to Riley or presented at trial.** Riley failed to request an original.

She also violated procedures set forward by **Certified Forensics Document Examiner Katherine M. Koppenhaver**, founder of the International Association of Forensics Document Examiners (see attached document). A representative of Wells Fargo stated they do not keep originals, and a representative of the Register of Deeds office testified they send the originals back to the parties in question after scanning them. The warranty deed shown on the screen to jurors was admittedly a copy, and could easily have been one of the 30 copies signed by Mary Ann Stafford at the request of Investigator Jones.

- 5) Motion for a finding of prosecutorial misconduct** by Wayne County Prosecutor Jennifer Douglas, who displayed the copy of the warranty deed side by side with the statement Mary Ann Stafford gave to Investigator Jones on a wide screen, and asked the jury as if THEY were forensic examiners, “Aren’t those the same signatures?”

- 6) Motion for disqualification (recusal) of Wayne County Circuit Court Judge Michael Hathaway:**

(a) Judge Hathaway’s failure to disclose his familial ties with newly-appointed Wayne County Treasurer Richard Hathaway, who oversees the Register of Deeds, directly connected with the Deed and Mortgage Fraud Task Force of the Wayne County Prosecutor’s office, which brought action against myself and my wife.

b) His violation of MCR 2.003 Sec. C (1) (a) (b), which says “(1) Disqualification of a judge is warranted for reasons that include, but are not limited to, the following: a) The judge is biased or prejudiced for or against a party or attorney. (b) The judge, based on objective and reasonable perceptions, has either (i) a serious risk of actual bias impacting the due process rights of a party as enunciated in *Caperton v Massey*,

[556 US 868]; 129 S Ct 2252; 173 L Ed 2d 1208 (2009), or (ii) has failed to adhere to the appearance of impropriety standard set forth in Canon 2 of the Michigan Code of Judicial Conduct.” His violations are exemplified by:

- 1) Meeting Judge Hathaway held with defense witness Richard Woonton, in the presence of **YOURSELF**, during which he questioned Mr. Woonton, an expert witness retained pro bono by defense counsel, who did not know myself or my wife, about his opinion on whether we were guilty as charged. He then referred to the possibility of including allegations of “aiding and abetting” in the judicial proceedings. Witness told a third party he felt threatened by the judge with being charged with that offense.

(It was your duty as my attorney to object to this question and intimidation of an expert witness.)

- 2) *Ex parte* conference with witness **Attorney Antonio Tuddles** at the bench, at the time he was scheduled to appear to testify in my case, 3:45 pm on Dec. 2, 2015. You were not present at the bench, nor privy to their conversation, which lasted approximately 15 minutes, although you were in the courtroom **and did not object**. After the conversation, Judge Hathaway announced that Attorney Tuddles would instead testify the following morning at 9 a.m.

Attorney Tuddles then testified only to the fact that he would not have argued a legally invalid case in *Case No. 10.003072 Private Consumer Consulting Services, LLC, v. Trenise Wyldon, Emmett Wyldon, Valerie B. Kauth, and Federal National Mortgage Association*. We expected him to argue instead the merits of that case as expressed in his case evaluation. That case was used by the prosecution as part of the grounds for its “obstruction of justice” charges against myself and my wife. (See attached case evaluation by Attorney Tuddles.)

- 3) His removal of an older Black woman juror, accompanied by a disrespectful tirade, because she was 15 minutes late the following morning. He never gave her a chance to explain why or say a word. Jurors had been appearing for trial at 10 a.m. except for that day. He told her specifically she had missed Tuddles’ testimony and was therefore being removed. This likely had the effect of intimidating the other jurors.
- 4) Judge Hathaway’s inclusion in jury instructions of a provision that “aiding and abetting” could be included in the charges of False Pretenses and Obstruction of Justice. He told our attorneys when they partially objected to the instruction, “The evidence is clear that there are a number of wrongdoers here. There could have been others guilty of deliberate wrongdoing.” No one else has been charged in relation to the cases against myself and my wife. This instruction muddied the waters just prior to jury deliberation, giving them *carte blanche* to convict us based on the actions of other uncharged and even unknown parties.

These jury instructions were worked out improperly, in the judge's chambers, with yourself and other parties present. Your objection implied that you agreed partially with including that charge.

- 5) Judge Hathaway's open disrespect towards you when you argued for a directed verdict of "not guilty" at the end of the prosecution's case. He repeatedly interrupted your argument with his own opinions, violating Michigan Court Rules and the Judicial Code of Conduct.