

In the United States District Court
For the District of Columbia

UNITED STATES OF AMERICA,
Plaintiff

v.

ELMER STEWART RHODES,
III, et al.,
Defendant

Criminal Action No. 1:22-cr-00015

LET THIS BE FILED
Signature Amir [Signature]
Date 5/10/23

DECLARATION OF BRIAN DAVID HILL IN SUPPORT OF ELMER STEWART RHODES III, CONCERNING CHARACTER WITNESS OF ELMER STEWART RHODES III, IN SUPPORT OF SENTENCING OR ANY OTHER PURPOSE (SENTENCING LETTER)



Brian David Hill – Ally of Q
Founder of USWGO Alternative News

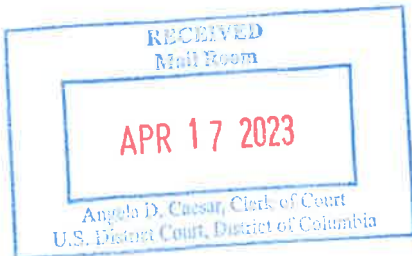


Virginia 24112

Pro Se Filer

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COVER PAGE



I, Brian David Hill, declare pursuant to Title 28 U.S.C. § 1746 and subject to the penalties of perjury, that the following is true and correct:

I am Brian D. Hill. Back in 2012-2013 and in 2015, I had been in contact with Elmer Stewart Rhodes III (“Stewart Rhodes”, or “Rhodes”), aka Stewart Rhodes formerly of Oath Keepers political organization. Back then in 2012 I had ran USWGO Alternative News from 2009 to 2012 which was at uswgo.com back then when it used to be USWGO Alternative News before I shut down my website in 2012 after I was set up in Mayodan. I did have some assistance from Stewart Rhodes before I was wrongfully convicted after being set up. That was nice of him back then in 2012. Wish he had not turned his back on me in 2015.

I want to say my peace in case something happens to me in the future, and so I pray that this Honorable Court file this sentencing letter, that this be filed by the Clerk and be accepted by the judge for filing this sentencing letter; and that this be filed as a sentencing letter in support of Elmer Stewart Rhodes III. I did in fact know Stewart Rhodes to a certain extent and will provide photographic proof in this Declaration that I did in fact know Stewart Rhodes at one time, went through positive and negative things with my communication with Rhodes. I want to tell the truth and make the truth known from what I still remember, so that I have a clear conscience. I am In Forma Pauperis as my only source of income is my SSI disability with me paying \$500 a month of rent. My money goes every month so if

the Court wishes me to file an In Forma Pauperis affidavit in addition to this sentencing letter, I agree to do so upon order of the Court or request from the Clerk.

This same Court had accepted my sentencing letter in the Roger Jason Stone case, the Honorable Amy B. Jackson granted my filing as a sentencing letter in 2019. So hopefully this sentencing letter for Elmer Stewart Rhodes will be accepted for filing this year since my 2019 sentencing letter in the Roger Stone case was accepted for filing. See case no. 1:19-cr-00018, Letter(s) in Support of Sentencing - Document #262, United States v. STONE.

Back in 2012, I met Stewart Rhodes (of Oath Keepers, *defendant in this criminal case*) and Alex Jones (of Infowars). It was at the Hyatt Place Hotel in Chantilly, Virginia (Fairfax County). I had my photo taken with the both of them on June 1, 2012. That is my proof that I was involved with Rhodes long ago.

Photo is on the next page.



Figure 1: Brian D. Hill (left), Alex Jones (center), and Stewart Rhodes (right)

In 2012, he met me, gave me his email which at one time was rhodeslegalwriting @ a certain email address provider. I even had the opportunity to film the interview between Alex Jones and Stewart Rhodes, despite me using a cheap camera to film it back when I was struggling to survive due to the economic recession and inflation. Still, I was able to film it and received Rhodes email

address, as well as Aaron Dykes mobile phone number and Richard Reeves mobile phone number who both used to work for Infowars.

After I went home when I used to live in Mayodan, I did remember sending some emails to Rhodes. I also remember I was a political activist back then which was trying to fight to nullify the National Defense Authorization Act (NDAA) for the fiscal year of 2012. I had worked with both Dan Johnson of PANDA which stands for People Against the NDAA; and Stewart Rhodes of Oath Keepers. In 2012, Rhodes and Dan Johnson helped with me receiving a drafted Town Resolution on nullifying the NDAA which I had lobbied to the Town Council for the town of Mayodan in the State of North Carolina. By email I received this drafted resolution, and this did involve Stewart Rhodes to the best of what I can remember from 11 years ago. Rhodes also was involved in almost being framed with child pornography in 2013. My family gave me the links which point to what I am referring to. I will explain to this Court why I am referencing an old child pornography set up attempt on Stewart Rhodes and Dan Johnson reported in 2013.

BREAKING: Attempted Set-Up of Stewart Rhodes & Dan Johnson With Child Porn: <https://www.youtube.com/watch?v=XYVvuDRstDw>

Anyways, I was set up with child porn in 2012. I had received multiple tormail.org email messages which were reported to Assistant Attorney General (North Carolina) Joy Strickland who had worked for the North Carolina

Department of Justice at the time I had reported the threat emails to her, if I am remembering correctly.

The threatening tormail.org emails I received in 2013 were posted at <https://wearechange.org/case-brian-d-hill/> by a journalist.



Brian Hill <admin@uswgo.com>

You better watch out.....

johnsnatchz@tormail.org <johnsnatchz@tormail.org>
To: admin@uswgo.com

Sun, Apr 7, 2013 at 5:30 AM

You better watch out Brian...We are watching you...Having child porn planted on your hard drives and computer was only the beginning and we will set you up for violent sex crimes if you don't watch your back...Have fun becoming a sex offender...Police won't believe you no matter how much evidence you have that you been set up we know some people in the SBI who will make sure you are convicted. You will be shut up by being a sex criminal, Your friends Alex Jones, Dan, James, Sean, Alex, and others are next...BeWare!

I was charged in the United States District Court for the Middle District of North Carolina with a single count charge of possession of child pornography. Case no. 1:13-cr-435-1, originally tried under the Honorable William Lindsey Osteen Junior. The indictment was on November 25, 2013. I was wrongfully convicted (in my opinion) on November 12, 2014.

After I was released from imprisonment, I was on federal supervised release but I was allowed at the time to use a cell phone as text messaging was not prohibited by my conditions of supervised release. So, I asked my family to get me

the contact list and see if they could find Stewart Rhodes's phone number so that I could contact him, to text him, and tell him that I was framed with child porn in 2012 and was wrongfully convicted in 2014, and that the threatening email claims against me had succeeded because of me being wrongfully convicted. By being railroaded, I am aware that the threats against me were carried out against me by the unknown assailant or assailants. I even tried writing letters to the U.S. Federal Bureau of Investigation (FBI) in 2014-2015. To get them to investigate.

There was a time period that I actually spoke with him, Stewart Rhodes over the phone but that was a long time ago, in either late 2014 or in 2015. I had texted messaged him too but again it was a long time ago. On a cell phone I no longer have as it was a long time ago.

Rhodes said to me that he was shocked that I took a guilty plea. I did that because I had ineffective counsel, and I wanted to explain that to him. I did have proof that I was framed with child pornography and it wasn't just proof of the threatening emails which would show reasonable doubt but the real proof was in my discovery evidence material and was reported in my FOIA lawsuit on public record.

I found in the State Bureau of Investigation (SBI) forensic case file that there were download dates between July 20, 2012, and July 28, 2013. It said:

CITATION: eMule Known.met: The Known.net saves all files eMule knows of whether they are shared files, files currently in the download list, or downloaded

in the past. For every file, information like file size, file name, hash sets, hash values, and some statistics are saved. From the analysis, this record showed that 454 files had been downloaded with the eMule program between July 20, 2012, and July 28, 2013. This record also showed that files were shared with other users and the number of times each file was shared.

This information quoted above is not secret and this Court has nothing to worry about for me citing this quotation. It was revealed in my criminal case and the Freedom of Information Act (FOIA) lawsuit in Western District of Virginia civil case no. 4:17-cv-00027, Brian David Hill v. Executive Office for United States Attorneys (EOUSA). So, the information was in public record, still is in the public record on PACER, and that information about the Known.met eMule download dates from the FOIA lawsuit case is not designated as classified/confidential in the public record from that case. So, this information is being stated as fact. See also Document #136-1, Filed 12/04/17 Page 9-10 of 19, Middle District of North Carolina, case no. 1:13-cr-435-1.

My computer was seized by search warrant on August 28, 2012, and so the alleged child pornography files were downloading for 11 months after my computer was already seized by Police from the Town of Mayodan, in North Carolina. 11 months of the download dates I didn't possess the computer with the eMule.exe application file as it continued downloading while in law enforcement custody. That is my evidence I was framed with child pornography. Just like the

threatening tormail.org email message had stated. I had learned that Stewart Rhodes had been almost framed with child pornography using a tormail.org email message, and I had learned about this in 2013 when he went public about it with StormCloudsGathering YouTube channel.

Anyways, after Stewart Rhodes told me he was shocked that I plead guilty, I did ask for his help and he advised me to contact the Public Defender office to help me with my bid to overturn my wrongful conviction in the U.S. District Court, a federal court.

Rhodes does not know how the Public Defender system works, at least in my opinion. He doesn't know that it is up to the discretion of the Court to appoint the Public Defender or CJA panel of attorneys in 2255 cases. The expense of proving my innocence is at my expense. I would have to file a 2255 Motion in order to challenge my wrongful conviction. The Court had said that I am not constitutionally guaranteed the right to legal counsel for a civil case including a 2255 Motion case but can have counsel appointed in a 2255 case under certain legal criteria and/or circumstance. I am just trying my best to explain what I read from some case law and what a judge said in court orders involving my past 2255 case.

Rhodes tells me to get a Public Defender when I cannot just have them help me without a court order appointing me counsel. After that he turned his back on

me, he didn't even want to review over the evidence and discovery papers in my criminal case. He didn't want to know anything about it, he just turned his back on me after I told him that by circumstances out of my control when my life is being gambled in the legal system, I was forced to falsely plead guilty to possession of child pornography in 2014, or I would face up to twenty years in federal prison, my family told me to take the plea agreement because my Asst. Federal Public Defender named Eric David Placke instructed that I take the plea agreement to get time served or I would face imprisonment. He had no defense prepared and needed more time to prepare any possible defense or plea negotiations and the judge denied his request for more time. So, he told me to take the plea agreement, or I would be in federal prison.

I tried the best I could despite my autism disorder to explain that to Stewart Rhodes over the phone and in text messages, but he acted cold and didn't want to have anything to do with me anymore. I was to be ignored and blackballed.

I felt BETRAYED, horrified, suicidal at the time, and I felt like I was abandoned by my comrades, I was abandoned by Alex Jones of Infowars, I was abandoned by the alternative media. Stewart Rhodes abandoned me. He didn't care about proving my innocence. He didn't care about helping me with any fundraiser or raising awareness about me being set up with a yucky child porn charge. He didn't care, he treated me like I was not to exist anymore, like I was a dirty secret

to be kept in the closet of Oath Keepers, Infowars, and the rest of the alternative media. Only a few alternative media had my back after I was wrongfully convicted with child porn. ActivistPost and We Are Change had the truth and they had my back because the truth and facts were on my side. See

<https://www.activistpost.com/2019/06/can-of-worms-infowars-targeted-by-child-porn-and-msm-not-the-first-time-alternative-journalists-set-up.html>.

Anyways, I have to tell the truth about Stewart Rhodes, it can help him, it can hurt him.

Since he is being sentenced and I cannot legally write him directly to say my peace because I cannot be in contact with a felon (supervised release condition), I want to say my peace in a court of law. I want this Court to tell my story by filing this Declaration/Affidavit sentencing letter. I ask and beg this Court to accept me filing this sentencing letter and allow my story to be told.

Stewart Rhodes did help me with the whole fight against the NDAA 2012 law, the whole activism thing. He did so for free without charging me. He did some great stuff for me back then. He did help me when I used to be USWGO Alternative News.

However, Stewart Rhodes did turn his back on me, refused to investigate the discovery evidence materials in my criminal case. He refused to let the other alternative media high ups know that I did have evidence proving I was framed

with child porn. I did have proof which could have had me be found innocent by a jury in the Middle District of North Carolina. I could have been found innocent in federal court. Even till this day I am still a registered sex pretender on the sex offender registry. A virgin on the sex registry, so I have to be a sex pretender. Stewart Rhodes along with Alex Jones who both know each other longer than how much they knew me, in my opinion. They both turned their backs on me, and refused to investigate why I was framed. Why an innocent man with autism spectrum disorder who is a virgin, never raped, never molested, never charged with assault, would sit on the sex offender registry, an innocent man with autism.

I do not believe in my opinion that Stewart Rhodes should get a heavy prison sentence for his conviction. However, I do believe he needs to go through the same pain and suffering of some imprisonment, the same treatment which I had gone through with the federal imprisonment I had to suffer in 2014. Because of being set up with child porn in 2012 and the stigmatization I would face which I was afraid of in 2013, I almost committed suicide with a knife in 2013, and Stewart Rhodes made me feel awful in 2015, and his hurtful behavior of turning his back on me almost caused me to really think about suicide again at that time. I believe he should go through some imprisonment, and at least experience what I had experienced in December, 2013, and through November, 2013. I feel that he should have at least get to experience himself what it feels like to spend almost an

entire year of federal imprisonment with my original sentence in 2014. Then my federal imprisonment in 2015 over having an autistic meltdown while sitting in a chair hurting nobody in front of U.S. Probation Officer Kristy L. Burton of Danville, Virginia. The emotional anguish Stewart Rhodes caused me.

So, I do believe he should face some imprisonment as an educational karma experience which he already had already suffered, but I do not believe that he should spend many years of imprisonment. I think it is wrong for him to spend a lot of years in prison. But he should experience with the imprisonment and any criminal allegation, the very similar federal custody imprisonment which had caused the misery and suicidal thoughts I had experienced while sitting in jail cells being stigmatized and people turning against me for being set up. At least by him being in jail, he understands that I was not guilty, maybe he realizes now. He did already spend a lot of time in jail, so he did experience the misery of detention which I had experienced.

I apologize to Stewart Rhodes publicly in this Court for being harsh but I am telling the truth, and the truth can be harsh. I do wish him well, God Bless him, I will pray for him, I will pray that he becomes a better person. I pray that he becomes less judgmental now that he is a convicted felon like me. Republicans in my view are too judgmental and love the tough on crime initiative. Stewart Rhodes had republican judgmental views where he thought I was guilty and didn't care that

I had evidence which would have proven my innocence. Being judgmental, well now Stewart Rhodes is being judged. I am sorry for writing this sentencing letter, I am sorry for my emotional remarks, but I feel that I must write this so that I have a clear conscience.

Roger Stone did a better job helping me fight for a presidential pardon from Donald Trump in 2020-2021 after he was pardoned. However, Roger Stone did fail to have me pardoned before Donald Trump left The White House in 2021, but I still consider Roger Stone a hero for at least trying. Roger did try to help me, and he actually cared about me, he cared about me being innocent of child porn. Roger Stone cared more about me than Stewart Rhodes of Oath Keepers.

I apologize for my harsh words against Stewart Rhodes, but that is JUSTICE to me, for the general public and this Court to know my emotions, my feelings, how I almost killed myself when Stewart Rhodes turned his back on me. He acted like he is a constitutional lawyer, a lawyer who loves the Constitution. Yet he cared less about my Constitutional rights. I have to tell this Court the truth so that I can move on with my life. He is real in some ways and fake in other ways.

I think the imprisonment he had already served had educated him about karma for turning his back on his allies. It did teach him a lesson about judging other people who may be innocent of a crime. I hope he is more humbled when he serves his sentence. I pray that Rhodes will understand more about how life works and not

just judge me as if he is a republican judge judging me as if I am guilty and evidence doesn't matter to the Oath Keepers when accused of a crime. Rhodes does not know the facts of my case, and so Stewart Rhodes now understands while sitting in a jail cell. Now he has to judge himself for being a convicted felon and other republicans will judge him harshly like he judged me. He gets the karma he puts out. He is likely facing the same hurt and emotions I had suffered for years.

I do believe Rhodes had some great moral ideologies about making sure that police officers and military follow their oaths of office. He did have some great principles which he had pushed for. I admire him for that. That is of great noble character. However, he was fake in protecting my Constitutional rights by not wanting to protect my constitutional rights in my criminal case, and by not caring about my constitutional rights at stake. Stewart Rhodes thought I was guilty or gave me the impression that he thought I was guilty for entering a false guilty plea by circumstance because I had no choice, it was plead guilty or face twenty years in prison.

I want this affidavit to be one of the character witness testimonies in writing, in support of sentencing for Elmer Stewart Rhodes III.

This is all I wish to file and don't wish to file anything else other than what I had personal knowledge of by my own witness testimony by having my photo

taken with him, him giving me his email address, emailing him back in 2012 and maybe in 2013 but it is hard to remember, talking with him over the phone after my release from imprisonment, and texted messaged him long ago. Over my texting and phone calling Rhodes, I can specify to that extent of what I know about his character. I beg this Court to accept my Declaration and allow my testimony for his sentencing to be said in writing. Rhodes needs to understand why I want to file this, his lawyers need to understand this. I cannot sit back and say nothing before I forever hold my peace. I must say my peace, I must tell this Court the truth even if it may be hurtful to Rhodes. I am sorry Rhodes; I must tell this Court what I been wanting to say publicly in court record for years about how the alternative media had treated me. Only a few alternative media stuck out for me. Even James Freeland of Against the Wall with JJink stood up for me after I was convicted in 2014. Very few alternative media stood up for me, and the rest blackballed me including Stewart Rhodes.

I declare that I am In Forma Pauperis. I am under IFP status in the Middle District of North Carolina in case no. 1:13-cr-435-1, and that status is not revoked. If the Clerk can file this sentencing letter, then that is great. If I need to file an IFP form of any kind, I am willing to do so. I wish for my sentencing letter to be filed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 11, 2023.

Respectfully filed with the Court, this the 12th day of April, 2023.

Respectfully submitted,


Signed

Brian D. Hill

Signed

Brian D. Hill (Pro Se)

310 Forest Street, Apartment 2

Martinsville, Virginia 24112

Phone #: (276) 790-3505



Former U.S.W.G.O. Alternative News reporter

I stand with Q Intelligence and Lin Wood – Drain the Swamp

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Declaration Filer Brian David Hill also requests with the Court that a copy of this pleading be served upon the Government and all counsel of record as stated in 28 U.S.C. § 1915(d), that “The officers of the court shall issue and serve all process, and preform all duties in such cases. Witnesses shall attend as in other cases, and the same remedies shall be available as are provided for by law in other cases”.

Petitioner requests that copies be served with the U.S. Attorney office of Washington, DC via CM/ECF Notice of Electronic Filing ("NEF") email, by facsimile if the Government consents, or upon U.S. Mail. Thank You!

CERTIFICATE OF SERVICE

Declaration Filer Brian David Hill certifies that on April 12, 2023, service was made by mailing the original of the foregoing:

“DECLARATION OF BRIAN DAVID HILL IN SUPPORT OF ELMER STEWART RHODES III, CONCERNING CHARACTER WITNESS OF ELMER STEWART RHODES III, IN SUPPORT OF SENTENCING OR ANY OTHER PURPOSE (SENTENCING LETTER)”


by deposit in the United States Post Office, in an envelope (certified mail, tracking no. 9414-8379-0327-5503-9829-06), Postage prepaid, on April 12, 2023 addressed to the Clerk of the Court in the U.S. District Court, for the District of Columbia, 333 Constitution Avenue N.W., Washington D.C. 20001, Room 1225.


Then pursuant to 28 U.S.C. §1915(d), Declaration Filer requests that the Clerk of the Court move to electronically file the foregoing using the CM/ECF system which will send notification of such filing to the following parties to be served in this action:

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This is pursuant to Petitioner's "In forma Pauperis" ("IFP") status, 28 U.S.C. §1915(d) that "The officers of the court shall issue and serve all process, and perform all duties in such cases ...". Filer requests that the Clerk shall serve process via CM/ECF to serve process with all parties.

<p>Date of signing:</p> <p>April 12, 2023</p>	<p>Respectfully submitted,</p> <p></p> <p><u>Brian D. Hill</u> Signed Brian D. Hill (Pro Se)</p> <p>Martinsville, Virginia 24112</p>
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	<p>Phone #: (276) 790-3505</p>  <p>I stand with Q Intelligence and Lin Wood – Drain the Swamp I ask Q Intelligence and Lin Wood for Assistance (S.O.S.) Make America Great Again</p>
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Friend's justice site: JusticeForUSWGO.wordpress.com
JusticeForUSWGO.NL; <https://youtu.be/zR-7YLVp5uQ>

