

Hon. William R. Carpenter
Court of Common Pleas
Montgomery County
Norristown, PA 19404

February 9, 2018

RE: #3151-2015

SETTING THE BAR
FOR GREAT INJUSTICE

“There is no great injustice caused by the January 27, 2016 order” ... “having appointed a Public Defender to represent him.” Judge William Carpenter (Opinion March 9, 2016)

Defendant respectfully acknowledges that he failed to realize that in his Opinion dated March 9, 2016, Judge Carpenter was setting the bar establishing a basis to measure justice intended for this Defendant.

March-April 2015, preliminary hearings occurred where the Defendant did not sign any Waiver of Counsel, and the Defendant had asserted and requested his constitutional right to be represented (as required by LAW), the defect affecting jurisdiction was called to the attention of the court and IGNORED. The defect will affect every subsequent event or action. No correction available.

Waiver of Counsel and Waiver of Preliminary Hearing was incorrectly entered on the docket. The false entries into the computer system was indicated and acknowledged. Requests for correction were IGNORED.

The period of time for the crime falsely alleged expanded from a single day to multiple years on three versions of the Criminal Complaint/Affidavit. Requests for the documents were IGNORED.

June 2015, upon arrival for a scheduled Formal Arraignment, the Defendant filed a statement with the Clerk indicating the necessity of an arraignment. The Defendant went to the room indicated, but learned there were no formal arraignments. The Defendant was coerced under duress to sign a Waiver of Arraignment or face a bench warrant. The Defendant signed and noted the situation on the waiver document which was then incorrectly entered on the docket as non appearance. Requests for Correction were IGNORED.

Neither Bill of Information nor Bill of Particulars were provided. Requests for the documents were IGNORED.

August 2015, Defendant appeared for the scheduled pretrial conference. There was no pre-trial conference. There never would be a scheduled pre-trial conference.

September 2015, Defendant appeared for Call of the Trial. It was continued. Defendant indicated the improper entry of an appearance by the Public Defender. The Court ordered the Public Defender withdrawal.

October 2015, ADA requests and receives an Order for a Mental Health examination of Defendant without any hearing yet fails to inform Defendant. Defendant appeared for Call of the Trial list and was chastized for failure to appear for the exam. The exam is rescheduled, defendant indicates the defect with jurisdiction and the necessity of counsel at the exam. Defendant is threatened with Bench Warrant should he not appear for the exam. Defendant appealed AND Defendant attended.

Oct 2015 exam, Defendant indicates the failures to comply with the Mental Health law will serve to prevent the court (lacking jurisdiction) from accepting any subsequent report. Laws would never apply to the matter. Any report would not be written until February 2016.

At January 27, 2016, Call of the Trial List, without hearing, without testimony, without evidence, without that report, from chambers, the Court finds the Defendant incompetent and appoints the Public Defender to represent him. Defendant appealed.

There was never a review as required by the Mental Health Laws. Not every 90 days. Not Ever. None.

March 2016, Defendant appeared for Call of the Trial List. Public Defender did not. Defendant indicated in a statement his belief that the Public Defender was assigned to sabotage his appeals and undermine his defense. No Great Injustice.

The Public Defender refuses to meet, or communicate with the Defendant. The Public Defender fails to file the briefs in two appeals from October and the appeals are dismissed.

Judge Carpenter indicated in his Opinion filed March 9, 2016, "There is no great injustice in this court finding the Defendant incompetent and assigning a Public Defendant to represent the Defendant."

July 2016, The Public Defender secretly files to withdraw the Appeal of the January 27, 2016 order. The Defendant was not informed, nor provided the document filed. The Withdrawal was denied by the Superior Court. Defendant was not informed.

The Public Defender refuses to meet, or communicate with the Defendant.

Public Defender requests repeated extensions for time to file a brief. Eventually, it would be filed late. Denied review. Public Defender indicated jurisdiction returned to the Common Pleas court and no further effort on the appeal, YET, immediately escalated the appeal to the Supreme Court in February 2017.

The Public Defender refuses to meet, or communicate with the Defendant.

August 2017, after five months where the District Attorney fails to file any brief, the Supreme Court denies the Request to Appeal to Supreme Court on the January 27, 2016 order finding the Defendant incompetent without proceeding, evidence, or testimony and appointing a Public Defender. NO GREAT INJUSTICE? The bar had been set.

Jan 2, 2018, from chambers, Court orders a Trial for January 10, 2018. However, the Public Defender still refuses to meet, or communicate with the Defendant.

Jan 9, 2018, Defendant files Notice of Appeal for the Order for Trial and informs the court of the issues which are involved.

Jan 11, 2018, The Public Defender files to withdraw as counsel after two years of neglect and inaction and failure which have prevented the Defendant from efforts to assemble defense documents and witnesses.

Court Orders Defendant to appear on January 18, 2018 to explain the Notice of Appeal in person. The Public Defender fails to appear.

Jan 18, 2018, instead of any explanation, Court conducts a 'surprise' competency hearing without notice to DA or Defendant. Without any Mental Health exam, evaluation or report, the Court finds Defendant competent and permits the Defendant to represent himself, excuses the Public Defender, the Public Defender files to withdraw (AGAIN) and appoint conflict counsel, the court secretly orders Thomas Carluccio to represent the Defendant, and Orders Call of the Trial List on January 23, 2018.

NO GREAT INJUSTICE having appointed a Public Defender?

Jan 23, 2018, Court withdraws Thomas Carluccio and appoints Philip Press to represent Defendant. While the court has verbally indicated Mr Press is only available as advisor, the FULL assignment prevents documents from being filed with the Clerk. The File from the Public Defender is requested and not provided. Discovery ordered January 2, 2018 is not provided by ADA. Discovery is ordered to be provided again. A Trial is scheduled for February 7, 2018. GREAT INJUSTICE.

The Public Defender refuses to communicate or provide their file. The District Attorney neglects to provide Discovery information. The Defendant requests the Court issue Orders for documents and persons to appear where there is no time for the Subpeona process before the Trial date. IGNORED.

STILL REACHING FOR GREAT INJUSTICE? After three years of stalling, where the Defendant was provided no opportunity to defend, the haste and the rush to Trial is concerning as official means have been prevented opportunities to collect information or prepare any defense.

The Defendant begins to realize, the Court was informing him in 2016 of the target - "Great Injustice". The Court was not done with that demonstration yet.

The Defendant assembles defense strategy while recognizing his advisor counsel is failing to advise, or accomplish anything to assist.

One week before the Trial, Defendant notifies his witnesses directly of the Trial. The Court would not issue orders for appearance or for documents.

Feb 2, 2018, The Court orders a full list of the Defendants Witnesses and expected information they will provide or confirm AND orders an immediate hearing where any and all pre-trial motions will be addressed. Tasks assigned to advisor are neglected completely.

Feb 5, 2018, Defendant complies with the courts short order, files documents with the Clerk (which are forwarded to the Advisor), and appears for the instant conference. Motions are denied without consideration. Despite previous orders to provide missing discovery documents, the District Attorney ignores. The Judge neglects to address the witness list he had demanded from the Defendant. Court **THREATENS** arrest if Defendant fails to appear on time for Trial on February 7, 2018.

Feb 5, 2018, 10 PM, the ADA provides a disc with over 3500 pages of documents, email, internet use, etc. The files are a partial package which indicates 12 years of electronic surveillance has occurred. The complete package is never provided.

Advisor Counsel continues to neglect any task assigned, yet, informs defendant that the ADA has excused/dispatched defense witnesses, may drop charges. Advisor files documents concurrently with the ADA falsely indicating the Defendant being arrested for murder and other charges in October 2009.

Feb 6, 2018, the Defendant goes to the Public Defender Office to request the files, including any prepared for January 10 Trial date. Defendant is informed the Public Defender has taken no actions to assemble any defense, or documents, or depositions. Their file, if they had one, would be empty. They offer a box which contains the statements filed at every appearance by the Defendant which have been ignored. Two years of inaction and complete neglect, the Defendant has been sabotaged and undermined (predicted in Statement of Defendant on March 30, 2016). NO GREAT INJUSTICE?

Feb 7, 2018, Defendant appears on time and prepared for Trial, defense exhibits assembled and organized. The Court orders him to sign a Wavier of Counsel. The Defendant indicates he wishes to represent himself. The Court indicates that the Defendant will sign the Waiver of Counsel and be represented by Philip Press, OR NOT SIGN the waiver and representation by Philip Press would be ordered. Defendant did not sign. REPRESENTATION ORDERED. GREAT INJUSTICE? More.

Philip Press fails to communicate or learn the defense strategy and chooses to proceed incorrectly.

The ADA presents a fraudulent deed which she knows to be defective and void.

At pre-trial, the Defendant had reminded the ADA that even if it is certified that only indicates it is recorded. The Recorder of Deeds does not validate, authenticate, confirm or perform any function other than to record. The document is known to the Defendant as defective. It was part of a fraudulent conveyance, where the mortgage was satisfied by the title insurance company just three weeks after he was arrested, three years ago, in 2015.

The Defendant's claim to the property is the basis of the criminal complaint against him. Attempts to resolve the matter through the courts have been alleged as stalking and harassment.

The Defendant indicates to Philip Press to Challenge the document NOW properly before the Court to address the defect. Defendant provides the documentation necessary to demonstrate the defect and support the challenge. Philip Press neglects and refuses.

At a Break, the Defendant files the challenge document with the Clerk. Philip Press refuses to present the filed, time-stamped documents to the Judge to address the defective deed.

Feb 8, 2018, the Defendant again files the document with the Clerk, provides copies to Philip Press, while Press ignores and neglects.

Philip Press then fails to present any defense for the Defendant. Three Character witnesses scheduled for the afternoon had arrived early and briefly testify in under ten minutes. Defense rests. ??
GREAT INJUSTICE.

The jury having heard no defense to the allegations endures 45 minutes of defamatory and slanderous lies from the Prosecutor in her closing. The jury quickly finds the Defendant guilty of all charges. Stalking and harassment where the Defendant had only served the Action in Ejectment documents to the 'victim'.

MY FEAR IS THAT THE LEVEL OF INJUSTICE WHICH JUDGE CARPENTER IS SEEKING TO ATTAIN, HOWEVER "GREAT", MAY BE A DEATH PENALTY.

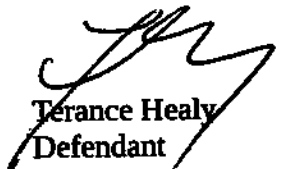
Having endured injustices since 2007, worsened in 2011 by deliberately defective orders from Judge Carluccio (Yes, Thomas' wife), where every opportunity to prevail and escape further indignities and injustices is prevented by the Court, the Defendant perseveres. The Defendant has been before the entire Montgomery County Judiciary to no avail. Appeals have been prevented and dismissed pursuant to Rules.

When a court acts without jurisdiction, intentionally and deliberately, that error becomes capable of repetition, yet evading review.

Where 'rules' enacted by the Judiciary without any constitutional review are prevented from constitutional review by the Judiciary's conflict of interest IGNORE LAWS enacted by the Legislature to UNDERMINE RIGHTS protected by the Constitutions of Pennsylvania and the United States.

Defendant respectfully requests your action to assist in preventing GREAT INJUSTICE and to address this constitutional crisis which is affecting the entire United States and the constitutional; rights of all Americans.

Sincerely,


Terance Healy
Defendant
...since 2007

Where 'rules' improperly enacted by the Judiciary without any constitutional review are prevented from constitutional review by the Judiciary's conflict of interest and Rule 1.6 mandate of non-disclosure...

IGNORE LAWS enacted by the Legislature, and serve to...

UNDERMINE RIGHTS of litigants protected by the Constitutions of Pennsylvania and the United States.

The Legislature must address the Judiciary 'rules' which "affect the right of the General Assembly to determine the jurisdiction of any court". Article V Section 10(c)

I am available if you need any further explanation. Thank You.

871 Mustang Road, Warrington, Pennsylvania, 18976