

Case No. 3:20-cv-534 (JBA)

IN THE

UNITED STATES DISTRICT COURT

DISTRICT OF CONNECTICUT

Tre Mcpherson Et. Al.

Vs.

Ned Lamont Et. Al.

"INTERVENTION F.R.C.P. 24(a)(1), (2) OF "RIGHT" IS

"MY" DERIVATIVE ACTION UNDER "F.R.C.P. 23.1"

Transcript [T:6-23-15] submitted to "REDRESS"

[Exhibit # 7]

6-23-15
"TRANSCRIPT"

No.

IN THE
SUPREME COURT OF THE UNITED STATES

In Re
Michael A. Young - PETITIONER

Vs.

Ned Lamont Et. Al. - RESPONDENT(S)

"EMERGENCY" RULE 23 "APPLICATION FOR "EXTRAORDINARY"
"RULE 23.4" STAY" OF UNEXECUTED PORTION OF STATE COURT
"ILLEGAL" JUDGMENTS

"TRANSCRIPT"

[T: 6-23-15]

NO: T19-CR11-99206-S

: SUPERIOR COURT

STATE OF CONNECTICUT

: G.A. #9

V.

: AT MIDDLETOWN, CONNECTICUT

MICHAEL A. YOUNG

: JUNE 23, 2015

BEFORE THE HONORABLE JOAN K. ALEXANDER, JUDGE
BEFORE THE HONORABLE BRIAN T. FISCHER, JUDGE
BEFORE THE HONORABLE JAMES P. GINOCCHIO, JUDGE
BEFORE THE HONORABLE ARTHUR C. HADDEN, JUDGE

A P P E A R A N C E S:

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Representing the Defendant:

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Recorded By:
Gail Peck

Transcribed By:
Jean R. Patrizzi
Court Recording Monitor
One Court Street
Middletown, Connecticut 06457

1 THE CLERK: Your Honors, there's one more matter
2 that we have on our docket, number 17, Michael Young.

3 ATTY. JOY: Good morning, Your Honors.

4 ATTY. FISCHER: Good morning.

5 THE CLERK: Yesterday -- Mr. -- Attorney Joy and
6 I communicated. He had noticed that their Client
7 Michael Young was on for a matter in Rockville. I
8 looked it up, Attorney J. Patten Brown was to
9 represent him. I called their office and found out
10 that, in fact Attorney Brown would not be
11 representing in Rockville that matter was off. Our
12 computers did not know that. I think nobody notified
13 them and so, we were trying to find out whether or
14 not this matter was going to go forward today. It
15 appeared that videos are deleted from our --

16 JUDGE FISCHER: So, what's the status?

17 ATTY. JOY: Well, I received a voice mail this
18 morning not to come here and so, I actually went to
19 GA 19 because they told me he was going to be there.
20 I wanted to talk to him and he obviously is not
21 there, we don't know if he's available today.

22 But, I think you need a little background on
23 this -- on this matter. It's very strange the way I
24 ended up on this case. He went to trial with Norman
25 Pattis, all right, all the way through to a guilty
26 verdict. At which time, Mr. Pattis decided that he
27 thought Mr. Young needed a 54/56D, which he filed a

1 motion for, which Mr. Young objected to, and he fired
2 Pattis, and Judge Kwak let Pattis off.

3 I was brought in for sentencing. So, I was not
4 at the trial, I know nothing about it, I just
5 appeared at sentencing and attempted to resolve his
6 other nine cases; where he was to receive two first
7 time DUI's, six months suspended after forty-eight
8 hours on each, to run concurrent to what he was
9 sentenced to. He refused that, he wanted to take all
10 nine of the cases to -- go to trial, at which time,
11 he briefed me. I was able to withdraw and Attorney
12 Brown was brought on.

13 So, I did file a motion to withdraw from The
14 Sentence Review and I was hoping to resolve that
15 today, but it doesn't look like we can.

16 JUDGE FISCHER: What's the status with Attorney
17 Brown?

18 ATTY. JOY: I think, Attorney Brown, had a death
19 in the family and that's why today did not go
20 forward.

21 THE CLERK: And I don't know what matter he's
22 representing him on.

23 ATTY. JOY: It's two -- it's one of the DUI
24 cases with a evading, and he then ran from the
25 police.

26 JUDGE FISCHER: All right. We'll do this,
27 Attorney Joy, based on your representations to this

1 panel, we'll -- we will allow you to withdraw your
2 representation of Mr. Young.

3 ATTY. JOY: Very good. And I think, the panel
4 may want to decide if Attorney Pattis is needed for a
5 further sentence review.

6 THE COURT: All right. Thanks, Counsel.

7 ATTY. JOY: Thank you very much.

8 THE COURT: Thank you.

9 THE CLERK: Okay. That concluded the docket.

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NO: T19-CR11-99206-S

: SUPERIOR COURT

STATE OF CONNECTICUT

: G.A. #9

v.

: AT MIDDLETOWN, CONNECTICUT

MICHAEL A. YOUNG

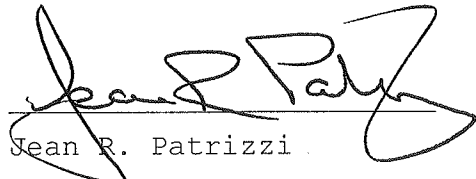
: JUNE 23, 2015

BEFORE THE HONORABLE JOAN K. ALEXANDER, JUDGE
BEFORE THE HONORABLE BRIAN T. FISCHER, JUDGE
BERORE THE HONORABLE JAMES P. GINOCCHIO, JUDGE
BERORE THE HONORABLE ARTHUR C. HADDEN, JUDGE

C E R T I F I C A T I O N

I hereby certify the foregoing pages are a true and correct transcription of the audio recording of the above referenced case, heard in Superior Court, G.A. #9, Middletown, Connecticut, before The Honorable, Joan K. Alexander, Judge, The Honorable Brian T. Fischer, Judge, The Honorable James P. Ginocchio, Judge, The Honorable Arthur C. Hadden, Judge, on the 23rd day of June, 2015.

Dated this 9th day of December, 2019, in Middletown, Connecticut.



Jean R. Patrizzi

Court Recording Monitor

Case No. 3:20-cv-534 (JBA)

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UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

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Vs.

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"INTERVENTION F.R.C.P. 24(a)(1), (2) OF "RIGHT" IS
"MY" DERIVATIVE ACTION UNDER "F.R.C.P. 23.1"

Transcript [T: 11-26-19] submitted to "REDRESS"

[Exhibit # 7]

11-26-19
"TRANSCRIPT"

No.

IN THE
SUPREME COURT OF THE UNITED STATES

In Re
Michael A. Young - PETITIONER

Vs.

Ned Lamont Et. Al. - RESPONDENT(S)

"EMERGENCY" RULE 23 "APPLICATION FOR "EXTRAORDINARY"
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"ILLEGAL" JUDGMENTS

"TRANSCRIPT"

[T:11-26-19]

Received 12-30-19

NO: T19-CR11-99206-S : SUPERIOR COURT
STATE OF CONNECTICUT : G.A. #9
V. : AT MIDDLETOWN, CONNECTICUT
MICHAEL A. YOUNG : NOVEMBER 26, 2019

BEFORE THE HONORABLE JOAN K. ALEXANDER, JUDGE
BEFORE THE HONORABLE OMAR A. WILLIAMS, JUDGE
BERORE THE HONORABLE ARTHUR C. HADDEN, JUDGE

A P P E A R A N C E S:

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Recorded By:
Tracy Odlum

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One Court Street
Middletown, Connecticut 06457

1 THE CLERK: Line 14, Michael Young.

2 JUDGE ALEXANDER: Mr. Young is in Court with
3 Attorney Brown. And if you could just put your name
4 on for the record. Mr. Young, have a seat please.
5 Thank you.

6 Good afternoon, Your Honors. Supervisory
7 Assistant State's Attorney Kathryn Hill.

8 Pat Brown, Your Honor. I'm here I guess for Mr.
9 Young, I'm not sure, my understanding is he was going
10 Pro se.

11 JUDGE ALEXANDER: All right.

12 ATTY. BROWN: And that's been my understanding
13 for some time. But, a -- I a -- I --

14 JUDGE ALEXANDER: You were assigned Counsel to
15 this after the trial?

16 ATTY. BROWN: I was the trial lawyer, Your
17 Honor.

18 JUDGE ALEXANDER: Okay.

19 THE DEFENDANT: No, you weren't.

20 JUDGE ALEXANDER: Edward Joy?

21 ATTY. BROWN: I believe that at some point, he
22 replaced Mr. Pattis who tried.

23 JUDGE ALEXANDER: Okay.

24 THE DEFENDANT: You have nothing to do with this
25 matter.

26 ATTY. BROWN: I was the trial lawyer for a
27 different case, Your Honor. Mr. Pattis had this and

1 then Mr. Joy, and I was appointed to represent him in
2 another matter, some DUI's.

3 JUDGE ALEXANDER: Okay.

4 ATTY. BROWN: And then Mr. Young refused to meet
5 with me. I've tried to send someone else from my
6 office, if he just didn't like me personally, he
7 wouldn't meet with them. And my understanding is he
8 wants to go Pro se.

9 JUDGE ALEXANDER: Okay. Mr. Young do you want
10 to handle this argument today, yourself?

11 THE DEFENDANT: Well, I'm prepared to move
12 forward with my obligations at this point.

13 JUDGE ALEXANDER: Okay.

14 THE DEFENDANT: Some of what Attorney Brown has
15 stated is inaccurate. What --

16 JUDGE ALEXANDER: That's okay, with respect we
17 don't -- this is really a very limited review. We
18 look at your sentence that you received from Judge
19 Kwak of 12 years to serve and 5 years of Special
20 Parole. And our standard is, is it inappropriate or
21 disproportionate to others who are similarly
22 situated. Okay?

23 THE DEFENDANT: Yes, yes.

24 JUDGE ALEXANDER: That's our only review here.

25 THE DEFENDANT: Umm.

26 JUDGE ALEXANDER: Would you -- would you like to
27 represent yourself at this hearing?

1 THE DEFENDANT: Well, at this point I'm not --
2 I'm not inclined to waive any of my rights, but I
3 would just refer The Court maybe to take judicial
4 notice under Connecticut Code of Evidence. I believe
5 it's 2.2.

6 JUDGE ALEXANDER: Okay.

7 THE DEFENDANT: And I'll rely on the accurate
8 record that has been established on that -- that
9 issue.

10 JUDGE ALEXANDER: Okay. So, you don't want to
11 be heard on this?

12 THE DEFENDANT: No, no, no. I do want to be
13 heard today and I want to fill my obligation of --

14 JUDGE ALEXANDER: Okay.

15 THE DEFENDANT: -- on this part of the matter.

16 JUDGE ALEXANDER: All right. If we're going to
17 go forward then I do have to put you under oath
18 because I to question you. Okay?

19 THE DEFENDANT: Yeah, but I have some
20 preliminary matters I'd like to discuss with The
21 Court at this time before we do that.

22 JUDGE ALEXANDER: We got the preliminary matters
23 where you're only appearing for a limited purpose, is
24 that what you want The Court to know?

25 THE DEFENDANT: I don't believe I filed a -- an
26 appearance in that manner.

27 JUDGE ALEXANDER: No, just for -- again, for the

1 Special, I think you're calling it a Special Reprisal
2 for Sentence Review, correct?

3 THE DEFENDANT: Well that's part of -- while --
4 I had already, I believe, yeah I already filed that.

5 JUDGE ALEXANDER: Yeah.

6 THE DEFENDANT: So, if The Court has that
7 memorandum.

8 JUDGE ALEXANDER: Yeah, we're good.

9 THE DEFENDANT: Along with the attachments.

10 JUDGE ALEXANDER: Yup.

11 THE DEFENDANT: So, if I could just clarify for
12 the record that you've got everything because I've
13 been having problems with the mail coming out of DOC.

14 JUDGE ALEXANDER: Nope, we've got everything.

15 THE DEFENDANT: Well, if we could just clarify
16 what you have to what --

17 JUDGE ALEXANDER: I'll put it all -- I'll put it
18 on the record. October 29, 2019, caption my mark and
19 special reprisal for Sentence Review Division
20 Hearing. Then October 29th my mark and Special
21 reprisal for Sentence Review Hearing, exhibits one to
22 five. My mark and special reprisal for Sentence
23 Review Hearing and it also checks habeas 9/17/19
24 transcript, and other transcripts from June 6th, 11,
25 9/3/13, 2/20/14, and April 17th of 14. And with
26 respect to that we do have those transcripts that
27 were all referred to.

1 And then there is a final, I believe case
2 detail, regarding what I believe is a habeas matter
3 pending at Rockville.

4 THE DEFENDANT: You have a case detail? That's
5 not submitted by me, right?

6 JUDGE ALEXANDER: Case lookup. I think we do
7 this as part of our review, to make sure that there
8 are no other actions pending, which might put off
9 Sentence Review. Okay?

10 So, we have all of those.

11 THE DEFENDANT: To off Sentence Review?

12 JUDGE ALEXANDER: Yeah, sometimes people if they
13 have habeas or an appeal, they wait for Sentence
14 Review because if you succeed in your appeal you
15 don't need Sentence Review. Are out sill appealing
16 and taking habeas matters?

17 THE DEFENDANT: No, I want to go through with
18 the Sentence Review, I want to get that over with.

19 JUDGE ALEXANDER: Okay. That's fine. So, if
20 you would please, raise your right hand.

21 THE DEFENDANT: Umm, at this point, Your Honor,
22 could I get the handcuffs removed, maybe?

23 JUDGE ALEXANDER: No.

24 THE DEFENDANT: And umm, I have some preliminary
25 paperwork that I need to follow up and submit to The
26 Court as well.

27 JUDGE ALEXANDER: More than what we have?

1 THE DEFENDANT: Yes, yes.

2 JUDGE ALEXANDER: All right. Just hand it to
3 Mr. Brown or the Marshal and he'll present it to
4 Court.

5 THE DEFENDANT: Hey, can you sign that for me,
6 it's just for the transcript for today. All right.
7 And now I want to submit that.

8 ATTY. BROWN: It's just a transcript request.

9 JUDGE ALEXANDER: All right.

10 THE DEFENDANT: That's got to go with it. Do
11 you know the names of these three Judges?

12 ATTY. BROWN: I do.

13 THE DEFENDANT: Could you write it down on a
14 paper for me.

15 ATTY. BROWN: Yeah.

16 THE DEFENDANT: The first and the last.

17 ATTY. BROWN: Yes.

18 JUDGE ALEXANDER: You're calling this a future
19 proceeding, but what I understand, Mr. Young is you
20 want today's transcript, correct? Because it says
21 future proceeding, but, I think what you're asking
22 for is the transcript from today's Sentence Review,
23 correct?

24 THE DEFENDANT: You mean on the umm --

25 JUDGE ALEXANDER: On the form.

26 THE DEFENDANT: -- the waiver?

27 JUDGE ALEXANDER: Yeah.

1 THE DEFENDANT: It says what I need them for.

2 JUDGE ALEXANDER: Okay.

3 THE DEFENDANT: For future proceedings.

4 JUDGE ALEXANDER: All right.

5 THE DEFENDANT: That's right. But, the umm --
6 the umm, the actual transcript order is for two
7 days I believe, right? For today and --

8 JUDGE ALEXANDER: Today.

9 THE DEFENDANT: -- a date in June, the 23rd, I
10 believe 2015.

11 JUDGE ALEXANDER: Was that for Sentence Review
12 also?

13 THE DEFENDANT: Yeah, yeah, yes.

14 JUDGE ALEXANDER: It got marked off?

15 THE DEFENDANT: I'm not sure what really
16 happened, I didn't -- I didn't actually go before The
17 Court that day.

18 JUDGE ALEXANDER: All right.

19 THE DEFENDANT: All right. Here I am. Where am
20 I? We got that, they have that. They have that.
21 Oh, here they are. All right.

22 JUDGE ALEXANDER: All right. According to our
23 notes, Mr. Young, on June 23rd of 2015, the video
24 conference was canceled by Judge Randolph, as you
25 were scheduled in a Rockville matter.

26 Attorney Joy appeared at Sentence Review with an
27 oral motion to withdraw, with no State's Attorney, no

1 Defendant present. The motion was granted, I believe
2 by Judge Randolph and a new attorney was assigned.
3 The reason, although it doesn't appear on the notes
4 is that, I believe, you were probably in a habeas
5 matter with Attorney Joy for ineffective, is that
6 correct?

7 THE DEFENDANT: No, that's all inaccurate as
8 well.

9 JUDGE ALEXANDER: Okay.

10 THE DEFENDANT: But are what -- you're trying to
11 get at is, there was no hearings, so there's no
12 transcript for that day?

13 JUDGE ALEXANDER: I think the only thing that
14 happened was that Attorney Joy was withdrawn from the
15 case. So, you were not here, nothing happened
16 because our information according to our secretary
17 was that, you were at the Rockville Court on that
18 day. So, I don't know if anything is going to show
19 up in our transcript. Does that make sense?

20 THE DEFENDANT: Well, was there a hearing of the
21 motion to withdraw --

22 JUDGE ALEXANDER: There should have been.

23 THE DEFENDANT: -- without me or --

24 JUDGE ALEXANDER: There should have been a
25 hearing on the motion to withdraw, so do you want
26 that limited transcript?

27 THE DEFENDANT: Well, that's -- that's what

1 the --

2 JUDGE ALEXANDER: Okay.

3 THE DEFENDANT: -- transcript order was
4 referring to was that date of the --

5 JUDGE ALEXANDER: June. All right.

6 THE DEFENDANT: -- Counsel's motion to withdraw.

7 JUDGE ALEXANDER: So what I'll ask The Court
8 Reporter, and I will sign the request is that, we
9 produce a transcript from June 23rd of 2015, and of
10 today's proceedings.

11 All right. With respect to it, I'm going to put
12 you under oath, so you can address the panel on what
13 sentence you believe is the appropriate sentence.
14 And that's our inquiry today. Okay?

15 THE DEFENDANT: Okay, Your Honor, but just
16 before we do that, I do have a preliminary matter I'd
17 like to bring forward and file with The Court before
18 we start the actual --

19 JUDGE ALEXANDER: Does it have to --

20 THE DEFENDANT: -- Sentence Review part.

21 JUDGE ALEXANDER: Does it have to do with
22 Sentence Review?

23 THE DEFENDANT: Yes, it does, yes.

24 JUDGE ALEXANDER: What's it called? Because we
25 usually don't do anything preliminary because of our
26 limit in our review. What's your --

27 THE DEFENDANT: Well, I understand, but it's

1 within the limit -- the limited scope of this review.

2 JUDGE ALEXANDER: What's your request?

3 THE DEFENDANT: So -- well from the background
4 there, from my understanding, your flags behind you,
5 you all are not recognized in International Law and
6 are in fact Pirate Flags.

7 JUDGE ALEXANDER: Okay.

8 THE DEFENDANT: ^{As} Has anything attached to a Title
9 section 1 or 2 4 U.S.C. C1 or C2 flag. Them gold fringes
10 manipulates the flag under Title 4 U.S.C. 3, which
11 carries a one year prison term, just so you all know.
12 The gold fringe represents ^{COLOR} Code of Law, when placed
13 upon Title 4 U.S.C. flag. The fringe is a
14 manipulation that suspends The Constitution.

15 JUDGE ALEXANDER: All right.

16 THE DEFENDANT: And establishes color of law.

17 JUDGE ALEXANDER: Mr. Young, we'll note your
18 objection to us being in a Courtroom with those
19 flags. That is a noted objection by The Court to
20 you -- to your record for appearing before us with
21 those flags. You've made your record on that. Okay?

22 THE DEFENDANT: Okay. Could I continue?

23 JUDGE ALEXANDER: Does it still have to do with
24 the flags because we're very familiar with that
25 objection. It will be overruled because again, we're
26 appearing for the limited purpose of reviewing your
27 sentence.

1 THE DEFENDANT: Well, I'm just trying to set the
2 record straight --

3 JUDGE ALEXANDER: Right.

4 THE DEFENDANT: -- to when I'm going to need it.

5 JUDGE ALEXANDER: And that's -- that's why we
6 noted that as your objection.

7 THE DEFENDANT: Okay. So, may I continue, Your
8 Honor?

9 JUDGE ALEXANDER: Is the other objection again
10 to the Jurisdiction of The Court in your matter?

11 THE DEFENDANT: I'm just trying to -- umm --
12 actually, I'm trying to get to that part, but I don't
13 believe that was an objections to the jurisdiction of
14 Court.

15 JUDGE ALEXANDER: All right. And you don't want
16 to submit to the Jurisdiction of the Court, because
17 as you claimed your documents, that you are factually
18 innocent.

19 THE DEFENDANT: I don't believe that's what I
20 was saying at all.

21 JUDGE ALEXANDER: All right. So, my question to
22 you is, pretty straight forward, do you want to
23 appear before The Court in light of all of your
24 objections to have your sentence reviewed? If you do
25 then we're going to have to proceed, if you don't,
26 then your objections will be noted, but you will not
27 go forward on Sentence Review.

1 THE DEFENDANT: But, I don't believe it's an
2 objection, Your Honor. I'd just like to clarify for
3 the record.

4 JUDGE ALEXANDER: Okay.

5 THE DEFENDANT: Umm, that you may be
6 interpreting it's in -- interpret taking it as it's
7 an objection.

8 JUDGE ALEXANDER: But, you don't have an
9 objection? You're just making a record?

10 THE DEFENDANT: Not, at this point --

11 JUDGE ALEXANDER: Okay.

12 THE DEFENDANT: -- I don't have an objection at
13 this point.

14 JUDGE ALEXANDER: Okay.

15 THE DEFENDANT: And I do apologize to The
16 Court --

17 JUDGE ALEXANDER: No, no apologies necessary.

18 THE DEFENDANT: -- for you know, umm, your
19 interpretation that, that's what I was doing at that
20 time.

21 JUDGE ALEXANDER: All right.

22 THE DEFENDANT: But that's not what I was doing,
23 so may I continue?

24 JUDGE ALEXANDER: You can, but then we do have
25 to move to the argument on the sentence.

26 THE DEFENDANT: Okay. So, I'm going to continue
27 from where I left off.

1 All right. Those gold -- gold fringed flags
2 behind -- that utilize the color of State Law, and
3 pretends to be the people's American Flag there are
4 not the American Flag of Peace. It's a pirate flag,
5 my clear warning to whom and what I'm about to do
6 business with here.

7 JUDGE ALEXANDER: All right.

8 THE DEFENDANT: ^{"ARMY"} On the Regulation 260-10 states
9 ^{M.A.V.} that the gold fringe made be used only on regimental
10 colors, the President's Flag, for military court-
11 martial or for the flags used at military recruitment
12 centers. So, now with that said, umm -- The Law of
13 The Flag, in international law which recognizes --
14 which is recognized by every Nation of the Planet is
15 defined as a rule to the effect that a vessel is a
16 part of the territory of which the Nation whose flags
17 it flies.

18 The term is used to designate the right under
19 which a ship's owner who sends his vessel into a
20 foreign port gives notice by his flag to all who
21 enter into contract with. The ship master that he
22 intends the law of that flag to regulate those
23 contracts and that they must either submit to thereto
24 its operation or do not contract with him or his
25 agent at all.

26 So, now with that being said, obviously The
27 Court has indicated they received my Marque and

1 Special Reprisal for The Sentence Review Divisions
2 Hearing today, which you did indicate that you had
3 noticed my flag.

4 JUDGE ALEXANDER: Yes.

5 THE DEFENDANT: So, you notice in my flag, my
6 flag does not fly with the fringes around the edges
7 and is a common law flag. Therefore, I have these
8 separate individual contracts that I would like to
9 submit to, Your Honor, and your colleagues. If you
10 would like to review them and had any questions, I
11 would be happy to answer them.

12 JUDGE ALEXANDER: Yup. Marshal?

13 THE DEFENDANT: So, I would like them filed for
14 Sentence Review Record as well.

15 JUDGE ALEXANDER: All right. With respect to
16 this, Mr. Young, The Court cannot enter into an
17 agreement with you as it is outlined. The Court has
18 both Statutory and Constitutional Obligations to The
19 State of Connecticut and we are prohibited in our
20 role as Judges to enter into an agreement that you
21 seek to present to The Court today.

22 Do the fellow Jurists agree with that?

23 JUDGE WILLIAM: Agreed.

24 JUDGE HADDEN: Agreed.

25 THE DEFENDANT: Okay. So, would object at this
26 point.

27 JUDGE ALEXANDER: That's what we hear.

1 THE DEFENDANT: And take exception to --

2 JUDGE ALEXANDER: Yup.

3 THE DEFENDANT: -- I believe that's your ruling?

4 JUDGE ALEXANDER: It is --

5 THE DEFENDANT: Okay.

6 JUDGE ALEXANDER: -- and that's why we make the
7 ruling so you can have the objection so it is noted
8 on our Court Record.

9 THE DEFENDANT: Okay. Now, seeing as though
10 that's going to take place -- with that taking place
11 then, I just have a short informational note for --

12 JUDGE ALEXANDER: Yes, please.

13 THE DEFENDANT: -- this Court as well.
14 [as read]. Under my patriotic -- Patriotic Warrior
15 status devised in libertarian approach with -- under
16 this Court's Judicial Clerk's or other official's
17 duties and sworn on oath of office to defend The
18 Constitution of The United States, and of this State
19 in question, he or she is bound by this Civil
20 Contract Filing, yes whether or not he or she has
21 accepted or rejected in dishonor and returned an
22 official signature is not required to make these
23 Color of Law Presentment legally binding in and good
24 faith party agreement. So, umm --

25 JUDGE ALEXANDER: All right. That again is
26 overruled by this Court as your request for that
27 agreement is denied. Okay. So, your objection is

1 noted.

2 THE DEFENDANT: Okay. And very briefly here,
3 Sounding libel, this presentment makes The
4 Constitution and The Bill of Rights Colorable Law in
5 this Court's jurisdiction. Drafted this way both are
6 simply contractual provisions that can be and are in
7 fact enforced by me in this Sentence Review Hearing.

8 JUDGE ALEXANDER: All right.

9 THE DEFENDANT: By way of my best china
10 submitted to box The Constitution, whereby The
11 Constitution Encompasses the Review Court's proper
12 jurisdiction and this Review Court's jurisdiction
13 encompasses the universal -- the Uniform Commercial
14 Code. And the UCC encompasses contracts, including
15 the Color of Law Agreements that I had just
16 submitted. Yeah, so once again enable to use my
17 special forces of top secret intelligence,
18 eliminating all forms of Malicious Law.

19 JUDGE ALEXANDER: If I can inquire of Counsel of
20 Record, has Mr. Young ever been subject to a 54-56D
21 examination during any of the proceedings?

22 "WHO"??? ATTY. PREVILLE: Yes, Your Honor, I wasn't the
23 trial attorney that tried the case, but there was a
24 competency ordered between the rendering of verdict
25 and the sentencing. The competency evaluation was
26 submitted and the representatives from Demus found
27 the Defendant competent and that's when the

1 sentencing proceeded.

2 JUDGE ALEXANDER: Thank you. All right. Mr.
3 Young, you have made your record. And I would ask
4 you now to be put under oath for the purpose of
5 arguing your Sentence Review. All right. Please
6 raise your right hand.

7 JUDGE ALEXANDER: Do you solemnly swear that the
8 evidence you're about to give this Court will be the
9 truth, the whole truth and nothing but the truth, so
10 help you God or under penalty of perjury?

11 THE DEFENDANT: I do.

12 JUDGE ALEXANDER: Thank you. State your name
13 for The Court Record.

14 THE DEFENDANT: Michael Young.

15 JUDGE ALEXANDER: All right. Mr. Young, at
16 Sentence Review, one of three things can result. We
17 can leave your sentence the same, we could increase
18 your sentence to the Statutory Maximum, and we could
19 decrease your sentence. Do you understand that those
20 are the three results of Sentence Review?

21 THE DEFENDANT: Absolutely.

22 JUDGE ALEXANDER: Do you wish to go forward with
23 Sentence Review today?

24 THE DEFENDANT: I do.

25 JUDGE ALEXANDER: Has anyone forced you or
26 threatened you to go forward?

27 THE DEFENDANT: Absolutely not.

1 JUDGE ALEXANDER: Has anyone promised you any
2 specific result?

3 THE DEFENDANT: No, they haven't.

4 JUDGE ALEXANDER: And do you need any time to
5 discuss this decision with Attorney Brown?

6 THE DEFENDANT: Ahh. Not the decision, no.

7 JUDGE ALEXANDER: Do you need to discuss -- ask
8 him for some advice on something else?

9 THE DEFENDANT: I would like to maybe, could we
10 get a ten minute recess to maybe discuss some of what
11 my arguments going to be at this point?

12 JUDGE ALEXANDER: I can give you about five
13 minutes, which I think is enough because like I said
14 we have a very limited argument, but certainly we
15 could to that.

16 THE DEFENDANT: Umm.

17 JUDGE ALEXANDER: If you'd like to see Mr.
18 Brown.

19 THE DEFENDANT: Well, Your Honor, the problem
20 with that is have an eight page brief here. So, I
21 think it's going to take that five minutes, just too
22 even -- to read the brief and comprehend where I'm
23 going it, before I can even ask him any advice.
24 That's why I asked for maybe ten minutes.

25 JUDGE ALEXANDER: Okay. With respect to this
26 matter, can you hold on one minute?

27 **Go off the record please.**

1 Back on the record.

2 JUDGE ALEXANDER: We have a hard break at 1:00.
3 This Court is not available at 2:00, but there is one
4 other Judge who was here for Sentence Review that
5 might be able to actually -- even though I did the
6 preliminary rulings, they would hear your argument on
7 Sentence Review. Does that make sense?

8 THE DEFENDANT: Well, no, Your Honor, I could
9 not do that at 2:00.

10 JUDGE ALEXANDER: Of course you can.

11 THE DEFENDANT: I need to proceed with the three
12 of you up there at this point.

13 JUDGE ALEXANDER: No, no there will be three
14 Judges, you are guaranteed three judges, don't worry
15 about that. You haven't started your argument, but I
16 also need to know that Counselor are you available at
17 2:00, if this continued at 2:00?

18 ATTY. PREVILE: Yes, Your Honor, I'm available.

19 JUDGE ALEXANDER: And Mr. Brown.

20 ATTY. BROWN: I can be, Your Honor.

21 THE DEFENDANT: But, Your Honor, again I need to
22 proceed with the three Judge Panel that I have here
23 that I started with.

24 JUDGE ALEXANDER: No, we've only done
25 preliminary matters. You haven't -- that's why I
26 kept asking you to make your Sentence Review Argument
27 because at this point you haven't started and so I

1 haven't heard as to the argument on Sentence Review
2 yet.

3 THE DEFENDANT: No, I understand, but then it
4 will blow my whole Preliminary Procedure out the
5 window, if that happens that way.

6 JUDGE ALEXANDER: Okay. And what way?

7 THE DEFENDANT: If I proceed with another panel
8 after 2:00.

9 JUDGE ALEXANDER: Why would it blow it up?

10 THE DEFENDANT: Because I've already --

11 JUDGE ALEXANDER: And I'm using your terms, but
12 go ahead.

13 THE DEFENDANT: Because I've already submitted
14 my Preliminary Filings with Your Honor and her two
15 colleagues.

16 JUDGE ALEXANDER: Okay. So, you want the one
17 that says Joan Alexander to have a different Judges
18 name, is that what you're saying?

19 THE DEFENDANT: Excuse me, I'm being confused.

20 JUDGE ALEXANDER: Okay. The only thing that you
21 did that had my name particularly, was that you
22 wanted us to enter an agreement. I don't --

23 THE DEFENDANT: No, there were two other
24 agreements along with yours.

25 JUDGE ALEXANDER: Right.

26 THE DEFENDANT: For your colleagues.

27 JUDGE ALEXANDER: Those two Judges would still

1 be here, the third Judge --

2 All right. So, the third Judge is not available
3 at 2:00 either. So, with respect to this matter the
4 other option you have is instead of three Judges, you
5 can have two Judges. It would still be the two
6 Judges who were here with me today, but I would not
7 participate in the final decision as to whether your
8 sentence would change.

9 Would you like to proceed with two of the three
10 Judges?

11 THE DEFENDANT: No, I -- I really wouldn't, Your
12 Honor.

13 JUDGE ALEXANDER: Okay. Then we -- we're going
14 to have to continue the matter. And I'm not doing
15 this to force your decision one way or the other.
16 But, again, I have about five sentencings that I have
17 to do in New Britain at 2:00 that there are people
18 waiting to be heard on their initial sentences that I
19 have to rule on.

20 So, with respect to it, you certainly are
21 welcome to meet with Mr. Brown and go over that eight
22 page brief. If you'd like to submit that eight page
23 brief, we will read it before your next hearing
24 that's not a problem at all. Because as you know, I
25 already read what you've put in earlier because we
26 do -- we do review everything up front, so we
27 understand your argument.

1 THE DEFENDANT: No, I think that you do have
2 this eight page brief. It's the Marque and Special
3 Reprisal.

4 JUDGE ALEXANDER: Oh, then --

5 THE DEFENDANT: So, it's already submitted, I
6 think we went through that --

7 JUDGE ALEXANDER: Oh, so it's not something
8 different. I thought you had something in addition.

9 THE DEFENDANT: No, what I had in addition was
10 the Preliminary Filings that, we just got through.

11 JUDGE ALEXANDER: Understood. Yup.

12 THE DEFENDANT: And no we're going to start on
13 the Sentence Review part.

14 JUDGE ALEXANDER: Okay.

15 THE DEFENDANT: I needed to get through the
16 Preliminary Proceedings first.

17 JUDGE ALEXANDER: Got it, got it.

18 THE DEFENDANT: So at this point, Your Honor,
19 I'd -- could I just consult for --

20 JUDGE ALEXANDER: Of course.

21 **DISCUSSION OFF RECORD DEFENDANT AND HIS ATTORNEY**

22 JUDGE ALEXANDER: Yes, Mr. Young?

23 THE DEFENDANT: Okay. So, at this point, Your
24 Honor, I'd like to reserve my right to make that
25 decision till 2:00. As you had indicated the other
26 two Justices are available.

27 JUDGE ALEXANDER: Yes, they are.

1 THE DEFENDANT: You will not be available.

2 JUDGE ALEXANDER: Correct.

3 THE DEFENDANT: There will a third Judge -- not
4 as a replacement is not available.

5 JUDGE ALEXANDER: Correct.

6 THE DEFENDANT: So, at this point I'd like to
7 reserve my right to make that decision till 2:00,
8 whether I'm going to ask for a continuance or proceed
9 with the other two Justices -- that way it will give
10 me time to consult with my -- with Attorney Brown.

11 *"NOT ME!!!"* Ms. Preville, did you want to be heard?

*Judge Alexander
said this!!!*

12 *"WHO???"* ATTY. PREVILLE: With all due respect, Your
13 Honors, I'd be more than willing to stay for five or
14 ten minutes if Mr. Young wants to speak with his
15 Attorney about doing it at 2:00. What I would be
16 worried about is waiting until 2:00, Mr. Young not
17 making a decision, and then being out of the office
18 for a full day.

19 JUDGE ALEXANDER: All right.

20 THE DEFENDANT: Your Honor, could I respond?

21 JUDGE ALEXAANDER: Why don't we give you ten
22 minutes that's what you asked for.

23 THE DEFENDANT: But, Your Honor, I've been
24 waiting since 2015 to now.

25 JUDGE ALEXANDER: Yup.

26 THE DEFENDANT: So, I don't think it's a --

27 JUDGE ALEXANDER: Oh, she's just saying that

1 she's willing to accommodate your schedule that's
2 all.

3 THE DEFENDANT: For the ten minutes, she's
4 objecting to me making a decision at 2:00.

5 JUDGE ALEXANDER: Right with respect to it, do
6 you want to start with ten minutes, or we'll bring
7 you back out or do you want to wait till 2:00.

8 THE DEFENDANT: Well, I'd like to have that time
9 till 2:00 to consult with Attorney Brown?

10 JUDGE ALEXANDER: So, Marshals is the lock-up
11 open between one and two?

12 THE MARSHAL: No.

13 JUDGE ALEXANDER: So, Court lock-ups are not
14 open.

15 THE MARSHAL: It's not here usually, Your Honor.

16 JUDGE ALEXANDER: No. So, Mr. Brown's not going
17 to be able to see you except for right now and then
18 he wouldn't be able to see you again until 2:00. So,
19 he's not going to be able to consult with you again,
20 it's kind of a hard break. Do you want a few minutes
21 right now here?

22 THE DEFENDANT: Well, I'll take whatever, Your
23 Honor's going to provide me this morning.

24 JUDGE ALXENANDER: Yeah, why don't you do that
25 right now and then again we'll get a quicker, at
26 least feel, for what you want to do?

27 ATTY. PREVILE: May I exit the audience to give

1 up privacy?

2 JUDGE ALEXANDER: Yes. They are going to go
3 back, can he go into the lockup?

4 THE DEFENDANT: Your Honor, I'm going to leave
5 this here --

6 JUDGE ALEXANDER: Yeah. Go --

7 THE DEFENDANT: But, I'll be able to come back
8 out and --

9 JUDGE ALEXANDER: Yeah, nobody's moving. We're
10 going to just go off the record and nobody's going to
11 move.

12 SHORT RECESS:

13 BACK IN SESSION:

14 JUDGE ALEXANDER: All right. And Mr. Young is
15 back in Court. Attorney Brown is here and Attorney
16 Preville is here as well.

17 Mr. Brown, I believe you held onto the
18 transcript waiver?

19 ATTY. BROWN: I did.

20 JUDGE ALEXANDER: Would you hand that to our
21 Court Reporter, just so she has the paperwork --

22 ATTY. BROWN: Yes.

23 JUDGE ALEXANDER: -- for the preparing of the
24 transcripts.

25 And, Mr. Young, did you want a continuance or
26 did you want to have your argument at 2:00, with the
27 two judge panel.

"WHO"
???

1 THE DEFENDANT: No, Your Honor, I would like you
2 to be on the bench.

3 JUDGE ALEXANDER: Okay. So, we'll get you a
4 continuance date, that's fine.

5 THE DEFENDANT: And I also would ask that you
6 reappoint a different Attorney.

7 JUDGE ALEXANDER: Okay.

8 THE DEFENDANT: As there is a severe conflict
9 here.

10 JUDGE ALEXANDER: So, would you like an Attorney
11 to argue for you or do you just want Standby Counsel?

12 THE DEFENDANT: No, no, no. What I want is some
13 Counsel to assist me in some of my questions that I
14 had.

15 JUDGE ALEXANDER: All right. So, with respect
16 to Attorney Brown, would you agree that there is a
17 breakdown between the relationship between you and
18 Mr. Young at this point.

19 ATTY. BROWN: I would say that is a fair
20 assessment at this point.

21 JUDGE ALEXANDER: All right. And making an oral
22 motion to withdraw?

23 ATTY. BROWN: I would, Your Honor.

24 JUDGE ALEXANDER: Motion is granted based on
25 your request, Mr. Young, Mr. Brown will no longer
26 represent you. The Court will assign Counsel and I
27 don't want to delay this because as you said it was

1 originally filed in 2015. We do not have Sentence
2 Review is December, but we do have Sentence Review in
3 January, so I'm going to docket you for that. Mr.
4 Brown can you please let the Office of Assigned
5 Counsel know that Mr. Young needs Counsel appointed
6 and they should meet with him before -- what date is
7 it in January, Madame Clerk or Mr. Clerk?

8 THE DEFENDANT: You know what, Your Honor --

9 JUDGE ALEXANDER: Yeah?

10 THE DEFENDANT: We'll just cut to the chase
11 here, and I will come back at 2:00, and I will argue
12 in front of the other two Gentlemen.

13 JUDGE ALEXANDER: You know what you -- I'd
14 rather have you, once a person, and I'm just
15 following the law, once a person says they want to
16 consult with a lawyer, I don't take that lightly. I
17 really think you should consult with a lawyer because
18 of the possible risk that you could receive an
19 increase of sentence.

20 THE DEFENDANT: Yeah, yeah.

21 JUDGE ALEXANDER: That is one of the outcomes,
22 so, you need --

23 THE DEFENDANT: But, Your Honor, I'd like to get
24 this over and done with today, and just move on. Get
25 a decision and move on that's all I want to do. The
26 record is established the way I need it to be
27 established, therefore, I would like to come back at

1 2:00, and proceed with the other two Gentlemen and
2 finish this up and get a decision.

3 JUDGE ALEXANDER: Just the two judge panel and
4 you are going to proceed without Mr. Brown assisting
5 you, and you are withdrawing your request to have an
6 Attorney assist you?

7 THE DEFENDANT: I'm not addressing that matter,
8 I'm just --

9 JUDGE ALEXANDER: Okay.

10 THE DEFENDANT: -- stating for the record that
11 I'm here to fulfill my obligations today.

12 JUDGE ALEXANDER: Now --

13 THE DEFENDANT: -- and I would like to do that
14 at 2:00 and --

15 JUDGE ALEXANDER: See, you have to answer yes or
16 no. You initially told me that you want another
17 lawyer. Okay?

18 THE DEFENDANT: Well that was because of the
19 fact that I did get a ten minute break to go and
20 discuss the brief with Attorney Brown, and he wanted
21 to talk about everything else, under the sun, but
22 that. Therefore, I saw that I was going to get
23 nowhere, and therefore proceeded back in here, to
24 make my request to the Court.

25 JUDGE ALEXANDER: Okay.

26 THE DEFENDANT: And at this point again, I would
27 state for the record, and make the record clear, that

1 I would like to comeback 2:00, and finish up my
2 argument -- and - so I'll start my argument with the
3 Review Board and the panel of two judges, and then
4 have them issue a decision as expeditious as
5 possible.

6 JUDGE ALEXANDER: And do you wish to have an
7 Attorney assist you in this matter, yes or no?

8 THE DEFENDANT: Well, I'm going to let the
9 record reflect for itself.

10 JUDGE ALEXANDER: Okay. Then you're not getting
11 a continuance till two because you have to tell me if
12 you want a lawyer or not. Your last statement to the
13 panel was that you wanted an Attorney assigned to the
14 case because you haven't changed that request, your
15 request for 2:00 is going to have to be denied.

16 THE DEFENDANT: But, Your Honor, my request for
17 Counsel to assist me in some questions.

18 THE COURT: Right.

19 THE DEFENDANT: That was what the whole matter
20 was about, and he refused to assist me in the
21 assistance of the a --

22 JUDGE ALEANDER: All right. So, I'm going to
23 get you --

24 THE DEFENDANT: -- questions.

25 JUDGE ALEXANDER: -- a different Attorney, who
26 will answer your questions.

27 THE DEFENDANT: But, I have no questions at this

1 point for any Attorney, Your Honor.

2 JUDGE ALEXANDER: Okay. Well, with respect to
3 the -- then do you need an Attorney?

4 THE DEFENDANT: I was under the assumption, I
5 was here to argue my matter myself today.

6 JUDGE ALEXANDER: All right. And --

7 THE DEFENDANT: They've had plenty of time to
8 assist me from 2015 until, I believe its November 26,
9 2019.

10 JUDGE ALEXANDER: Okay.

11 THE DEFENDANT: And they haven't done it yet,
12 and quite frankly, Your Honor, you given me a short
13 continuance for a month or two to get an appointed
14 attorney to assist me, it's not going to happen,
15 therefore, again, I'd like to make the record reflect
16 that I'd like to proceed at 2:00 with my oral
17 argument for the umm --

18 JUDGE ALEXANDER: Don't be --

19 THE DEFENDANT: -- other two members of the
20 Panel.

21 JUDGE ALEXANDER: -- don't be thinking that you
22 wouldn't have an attorney with you because I would
23 assure you that The Court would have an appointed
24 Attorney for you. And so, I need you to
25 unequivocally state that you do not want an Attorney,
26 is that correct?

27 THE DEFENDANT: No, but -- but, Your Honor --

1 JUDGE ALEXANDER: No that -- you have to answer
2 that question. Do you want an Attorney, yes or no?

3 THE DEFENDANT: But, now if I --

4 JUDGE ALEXANDER: No, it's a yes or no. Do you
5 want an Attorney?

6 THE DEFENDANT: Well, the thing is --

7 JUDGE ALEXANDER: And I'm not -- I'm not -- I
8 need to make a record. So, this is the only question
9 that's very important right now. Do you want an
10 Attorney, yes or no?

11 THE DEFENDANT: No, I would rather come back at
12 2:00, give my oral argument to the two judge panel,
13 then they could issue their decision.

14 JUDGE ALEXANDER: All right. So, you --

15 THE DEFENDANT: Without no further inadequate,
16 inordinate delay.

17 JUDGE ALEXANDER: All right. So, you do not
18 want an Attorney, correct?

19 THE DEFENDANT: Absolutely, at this point, I
20 don't need an Attorney, Your Honor.

21 THE COURT: That's what I needed you to say.
22 2:00 and you can proceed with your argument. You are
23 agreeing to a two judge panel, who've been who've
24 been here for the whole proceeding. Okay?

25 THE DEFENDANT: Fine, Your Honor.

26 JUDGE ALEXANDER: All right. Very good. See
27 you at 2:00. Thank you, Mr. Brown.

1 LUNCH RECESS:

2 RE-OPEN COURT:

3 JUDGE WILLIAMS: Good afternoon. Thank you very
4 much for waiting, by the way. All right. Mr. Young
5 is back out, The State is back out. Mr. Young, would
6 you please raise your right hand. Do you solemnly
7 swear and sincerely affirm as the case may be that
8 what you're about to say is the truth, the whole
9 truth and nothing but the truth, so help you God or
10 under penalty of perjury?

11 THE DEFENDANT: I do.

12 JUDGE WILLIAMS: Thank you. You may put down
13 your hand. Please state your name for the record?

14 THE DEFENDANT: Michael Young.

15 JUDGE WILLIAMS: All right, Mr. Young, have you
16 taken any drugs, alcohol or medication today that
17 affects your thinking?

18 THE DEFENDANT: No.

19 JUDGE WILLIAMS: Has anyone forced you or
20 threatened you to go forward with this hearing today,
21 Sir?

22 THE DEFENDANT: No.

23 JUDGE WILLIAMS: Has anyone promised you any
24 specific result for this hearing?

25 THE DEFENDANT: I have.

26 JUDGE WILLIAMS: You promised yourself
27 something?

1 THE DEFENDANT: Absolutely.

2 JUDGE WILLIAMS: Okay. No one other than
3 yourself has made any promises to you?

4 THE DEFENDANT: No.

5 JUDGE WILLIAMS: Are you doing this of your own
6 free will today, Sir?

7 THE DEFENDANT: Yes, I am.

8 JUDGE WILLIAMS: Has anyone threatened you or
9 forced you to go forward with this hearing?

10 THE DEFENDANT: No.

11 JUDGE WILLIAMS: Here's how this hearing works,
12 Sir. It's your burden to show that the challenged
13 sentence is inappropriate or disproportionate in some
14 way as defined in Section 43-28 of The Practice Book.
15 We will first hear from you, the moving party. We
16 will then hear from The State and anyone on behalf of
17 any victim who wishes to be heard. And then after
18 that, Judge Hadden and I will discuss the record and
19 the arguments made and we will issue a written
20 ruling. Do you understand that, Sir?

21 THE DEFENDANT: Yes, I do.

22 JUDGE WILLIAMS: You may go right ahead.

23 JUDGE HADDEN: Should go over Judge Alexander's
24 beginning.

25 JUDGE WILLIAMS: Oh, may I have one second,
26 please.

27 DISCUSSION BETWEEN JUDGE WILLIAMS AND JUDGE HADDEN:

1 JUDGE WILLIAMS: And, Sir, just a reminder to
2 what Judge Alexander addressed earlier today, as a
3 result of this hearing, you can -- your sentence can
4 remain the same, the Panel can increase it to the
5 maximum sentence allowed by law, or it can be
6 reduced. Do you understand that those are three
7 possibilities as a result of this hearing?

8 THE DEFENDANT: Yes.

9 JUDGE WILLIAMS: Thank you, Judge Hadden, I
10 appreciate that. Thank you, Sir, you may go right
11 ahead.

12 THE DEFENDANT: Could umm, by any chance I could
13 have the handcuffs removed?

14 JUDGE WILLIAMS: No, Sir.

15 THE DEFENDANT: So, just before I begin, I think
16 I had overheard, Judge Alexander state that the
17 previous documents that I had requested in 2015 that
18 she had a copy of the brief of actual innocence that
19 was before the Trial Court on the Sentencing Date,
20 along with a Post-Conviction Motion to dismiss, and a
21 Motion for a new trial. So, I just wanted to clarify
22 that them documents are properly submitted and umm --
23 before I begin. Because I will be beginning with
24 opening questions.

25 JUDGE WILLIAMS: Please do go ahead with your
26 argument, Sir, Judge Alexander appropriated addressed
27 after giving you plenty of time, she addressed, she

1 addressed everything within the record of this Court
2 to be reviewed. So, please go right ahead.

3 THE DEFENDANT: But I just want to make sure
4 that it's in the record.

5 JUDGE WILLIAMS: What is it now that you're
6 asking to verify is already in the record, Sir?

7 THE DEFENDANT: Well, I'm going to give you an
8 argument on - based on them documents. But, I'm not
9 under the assumption --

10 JUDGE WILLIAMS: What is the document you're
11 asking us to verify what we have?

12 THE DEFENDANT: A Brief of Actual Innocence, A
13 Post-Conviction Motion to Dismiss, and a Motion for a
14 New Trial that was before the Trial Court at the time
15 of sentencing.

16 JUDGE WILLIAMS: Do you have one there dated,
17 Sir?

18 THE DEFENDANT: No, these documents I asked to
19 be submitted back in 2015, so I don't have a copy of
20 any of them documents any more.

21 JUDGE WILLIAMS: I've got a set of Post-
22 Conviction, a transcript of Post-Conviction Motions
23 dated February 20, 2014, in front of Judge Kwak, is
24 that what you're referencing, Sir.

25 THE DEFENDANT: Not a transcript. No, no, no,
26 no. It's a Brief in Support of my Actual Innocence,
27 it's a handwritten Brief. Approximately twenty-seven

1 pages long, along with a Post-Conviction Motion to
2 Dismiss, and a Motion for a New Trial. Two separate
3 motions that I asked be submitted back in 2015 to The
4 Review Court.

5 JUDGE HADDEN: Mr. Young, let me ask you this,
6 the brief that you submitted, which outlines your
7 argument that you were not guilty of these offenses,
8 is that correct?

9 THE DEFENDANT: There was two separate --

10 JUDGE HADDEN: Does the brief argue that you
11 were not factually guilty of these offenses? Is that
12 what the brief contains?

13 THE DEFENDANT: Are you a --

14 JUDGE HADDEN: That would be a yes or no answer.

15 THE DEFENDANT: I'm confused.

16 JUDGE HADDEN: It's a very simple question, the
17 brief that you're referring to, is that a brief in
18 which you presented to Judge Kwak an argument that
19 you were factually innocent?

20 THE DEFENDANT: Absolutely, yes, Sir.

21 JUDGE HADDEN: That is not relevant to this
22 Panel. Please proceed with your argument.

23 THE DEFENDANT: But it is.

24 JUDGE HADDEN: It is not relevant to this Panel,
25 please proceed with your argument.

26 THE DEFENDANT: So, I take it objection to that,
27 and want to reserve it.

1 JUDGE HADDEN: That's fine. So noted.

2 THE DEFENDANT: So, umm -- just give me a minute
3 to shift gears here, okay?

4 JUDGE WILLIAMS: Certainly.

5 THE DEFENDANT: All right. Well, I guess we'll
6 go about it this way then. All right. So, although
7 reservation of my rights to appeal my actual
8 innocence is documented at the four transcript
9 4/17/14 at page one through four, which are in
10 reference to them documents that we just had a
11 discussion about, there was no proper procedural
12 requirements ever taken ^{"IN ACCORDANCE"} and according to Connecticut
13 Practice Book, Chapter 73 provisions, to effectuate
14 that granted request.

15 JUDGE WILLIAMS: I am going to allow you to go
16 forward, but I am redirecting you now for the first
17 time, as to the limited scope of this Panel's Review.

18 THE DEFENDANT: But, I believe this is --

19 JUDGE WILLIAMS: Whether the sentence imposed
20 was inappropriate or disproportionate that is what
21 this hearing is for.

22 THE DEFENDANT: This all -- all pertains to
23 that.

24 JUDGE WILLIAMS: Anything else is not relevant,
25 go ahead.

26 THE DEFENDANT: This pertains to that, so you
27 could disregard whatever you want to disregard, but

1 I'm going to make the record reflect what I need it
2 to reflect.

3 JUDGE HADDEN: As long as it has to do with
4 whether your sentence was inappropriate or
5 disproportionate --

6 THE DEFENDANT: Absolutely.

7 JUDGE HADDEN: -- that is all we're dealing
8 with.

9 THE DEFENDANT: Absolutely. It all pertains.

10 JUDGE HADDEN: Carry on.

11 THE DEFENDANT: Okay. So, oh there was no
12 proper procedural requirements ever taken in
13 accordance with Connecticut Practice Book 73
14 provisions to effectuate that granted request. Now
15 these were requests were just prior to me being
16 sentenced. Yeah that was in rule of illegal --
17 deliberate bypass doctrine, followed by at page 2
18 now, if you go to page 2 of that transcript the Judge
19 indicates -- no the Attorney indicates an in
20 Chambers, stage set, Counsel Edward Jordan's refusal
21 to my appropriate Connecticut Practice Book 42-56
22 request in arrest of the judgement. I was requesting
23 to arrest the Judgement, but he never brought that to
24 the attention of The Trial Court at that point. Due
25 to the fact that they had a discussion without my
26 presence in Chambers prior to this sentencing.

27 JUDGE WILLIAMS: Sir, again, while I will let

1 you continue, The Panel redirects you to its limited
2 scope of review under Sections 43-28 of The Practice
3 Book.

4 THE DEFENDANT: And this ^{isn't} isn't --

5 JUDGE WILLIAMS: Carry on.

6 THE DEFENDANT: -- in limited scope because this
7 is out of the transcript of 4/17, which is my
8 sentencing transcript.

9 JUDGE WILLIAMS: Go ahead.

10 THE DEFENDANT: So, that's another intentional
11 violation of due process ^{an} an in my equal protection
12 rights.

13 JUDGE HADDEN: Sir, those are claims that have
14 to be made on appeal or a habeas. They have no
15 relevance to a Sentence Review.

16 THE DEFENDANT: How about this. What we have
17 here is your presumptive case of illegal sentencing
18 IN and vindictiveness, set forth by our U.S. Supreme
19 Court in North Carolina verses Pearce, found at 395
20 U.S. 711 and 725. Yes, where as in this case, a
21 IMPERMISSIBLY Judge in permissively considers my decision to
22 exercise my Constitutional Right to Jury Trial by in
23 rule of evil "DELIBERATE" BYPASS delivered by past doctrine excluding my
24 actual innocence in determining his sentence. Vi
25 versus walker at 261 federal 3rd 370.

26 And in -- and his imposition of over the max
27 sentence, was again "IMPERMISSIBLY" in permissively enhanced to

1 penalize me for exercising my Constitutional Right to
2 Trial.

3 JUDGE WILLIAMS: Are you argue -- just so the
4 record is clear, Sir, are you now arguing that you
5 received greater than the maximum sentence allowed by
6 law --

7 THE DEFENDANT: That's --

8 JUDGE WILLIAMS: -- based on those comments?

9 THE DEFENDANT: -- I think that's what I just
10 said in that sentence, right? Yeah. In this --

11 JUDGE WILLIAMS: For which crime are you saying
12 you received a sentence greater than a Statutory
13 Maximum?

14 THE DEFENDANT: We're going to get to that when
15 I get through --

16 JUDGE WILLIAMS: I am asking right now? For
17 which crime that you were convicted did you receive a
18 sentence greater than the maximum?

19 THE DEFENDANT: I've been sentence in violation
20 of Double Jeopardy Clause. Umm --

21 JUDGE WILLIAMS: That wasn't my question. You
22 said you received a sentence greater than the
23 Statutory Maximum, which this Panel notes, could be
24 addressed through a correction of an illegal
25 sentence.

26 We're here for Sentence Review, but for clarity
27 of the record, since this Panel was to determine

1 whether a sentence was inappropriate or
2 disproportionate, which sentence did you receive that
3 was greater than a Statutory Maximum? That's the
4 question from the Panel.

5 THE DEFENDANT: The Enhancement Sentence. There
6 was no arguable compo -- competent arguable
7 jurisdiction for the Enhancement Sentences that I had
8 received. And I will get to that, it's in this
9 argument. And I will clarify that for the record for
10 both of you.

11 JUDGE WILLIAMS: Please do, go ahead. Go ahead.

12 THE DEFENDANT: Again, I'll pick up where I left
13 off. This imposition of over the max sentence was
14 again impermissibly enhanced to penalize me for
15 exercising my Constitutional Right to Trial. See
16 United States verses Cruz, 977 F 2nd, 732,733 through
17 4.

18 Also, in accordance with U.S. Supreme President
19 the Criminal Court -- ^{"KWAK"} Trial Court, KK was prohibited
20 from imposing Connecticut General Statute 53a-40b,
21 sentences based on both Unconstitutional Prior
22 Convictions. See U.S. verses Tucker 404 U.S. 443,
23 447. So, I think I'm explaining that right there.
24 All right? He was prohibited from imposing The
25 Connecticut General Statute 53a-40B sentences. Based
26 on the two prior Unconstitutional convictions in --

27 JUDGE HADDEN: Sir, you were convicted of

WHAT???

being -- and had your sentence enhanced because you were convicted of crimes while released on Bond. It had nothing to do with any prior conviction.

THE DEFENDANT: No, the enhancements now, were based on them prior convictions.

JUDGE HADDEN: No, they were not. You're mistaken.

THE DEFENDANT: The enhancement was in a subsequent prosecution. It wasn't in the same prosecution.

JUDGE HADDEN: No, you're wrong about that as well.

THE DEFENDANT: Well, clearly several Unconstitutional Deterrent Sentences all imposed in spite at T:4-17-14Pg 19-21 Patient 19 through 21. So, were going to go to 19 here through 21. All right. Yes, with convincing equal protection and due process intentional violations upon yet another unethical rule of evil DELIBERATE "BY PASS" of delivered by Passive my factual challenge at Transcript 2-20-14, at page 6 through 8. Where I was trying to challenge before sentencing the State's illegal information Filings filence.

JUDGE WILLIAMS: Anything further, Sir?

THE DEFENDANT: Oh, I got a lot. I'm trying to find that Transcript. Oh it's right here. Let's see page 6 through 8. Yes, so I'm directing the Court to page 6 through 8 of Transcript 2-20-14 page 6 through

1 8. Which is two months prior to the sentencing.
2 Right of multiple State insufficient information
3 drafts in fatal defective variance filings. See U.S.
4 verses Miller 263 F3D, 1 and 4. Yeah, so along with
5 the PSI and Prosecutorial lies in deceit at the
6 sentencing 4-17-14, page 4 through 14. So now if you
7 look at 4 through 14 he goes through the PSI --
8 ~~what'd directed~~ ^{WHAT'S} in the PSI the inaccurate information
9 that's in the PSI is what I'm talking about there.
10 ~~Let be noted, he goes into a -- bar is my~~ ^{Equivalent to a "PLEA" at}
11 contractional no plea entry to the subject matter
12 jurisdiction and personal jurisdiction and contract
13 is law of the case, on this subsequent prosecution at
14 9-3-13. So, now that's the part B that we just
15 discussed that you said I was inaccurate on, which
16 I'm not inaccurate on. The Part B there was no plea
17 ever entered to the Part B Information, and that is
18 committing while allegedly committing while on
19 release. So again there was never no pleas ever
20 taken on that -- on that charge.

21 So, now you've got me all confused telling me
22 that I'm wrong when I'm not wrong there.

23 JUDGE HADDEN: Sir, the Enhancement Statute that
24 you were convicted on is based upon you're being
25 convicted of a crime while released on bond. You
26 argue that you -- that your Enhancement Statute had
27 to do with prior criminal convictions that's all I

1 pointed out to you and I am correct about that.

2 THE DEFENDANT: But, but listen -- the prior
3 criminal convictions are the convictions we're here
4 today for.

5 JUDGE HADDEN: Those are not prior criminal
6 convictions those are the convictions in this case.

7 JUDGE WILLIAMS: Unless we stray too far the
8 Panel --

9 THE DEFENDANT: But, but, Your Honor, we have, I
10 think you're confused --

11 JUDGE WILLIAMS: -- refers you again --

12 THE DEFENDANT: -- we had two --

13 JUDGE WILLIAMS: Sir, we need a clear record,
14 which means we cannot be interrupted. The Panel
15 refers you again to Section 43-28 of The Practice
16 Book

17 THE DEFENDANT: Right we had two subsequent
18 prosecutions -- we had two separate prosecutions
19 here.

20 JUDGE HADDEN: Sir - Sir --

21 THE DEFENDANT: It didn't happen in one trial,
22 it happened in two trials, Your Honor.

23 JUDGE HADDEN: Sir, we are here to review the
24 sentence you received after being convicted. The
25 sentence that Judge Kwak imposed. That is the only
26 thing that this Panel has jurisdiction over. The
27 sentence -- the sentence that was imposed in that

1 case. Nothing else can be heard by this Panel. Your
2 claims have to do with Appellate issues, your claims
3 may have something to do with a Habeas issue, but
4 they have nothing to do with the sentence.

5 So, please restrict your argument to the issue
6 of whether or not the sentence imposed by Judge Kwak
7 was disproportionate or inappropriate.

8 THE DEFENDANT: It wasn't appropriate.

9 JUDGE HADDEN: Tell us why.

10 THE DEFENDANT: I have been explaining --

11 JUDGE HADDEN: No, you haven't yet. You haven't
12 touched on it.

13 THE DEFENDANT: Okay. I'm telling you right
14 here that there was never no plea to these
15 Enhancements.

16 JUDGE HADDEN: What does that have to do with
17 the sentence, Sir?

18 THE DEFENDANT: Huh?

19 JUDGE HADDEN: Sir, the sentence --

20 THE DEFENDANT: There's no competent argue --

21 JUDGE HADDEN: I'm not here --

22 THE DEFENDANT: -- over who's jurisdiction --

23 JUDGE HADDEN: -- this Panel --

24 THE DEFENDANT: -- to sentence me on the
25 Enhancement, Your Honor.

26 JUDGE HADDEN: -- this Panel -- Sir, please,
27 this Panel cannot make a ruling regarding the

INACCURATE

1 procedures that were followed prior to your
2 conviction.

3 THE DEFENDANT: What about illegally filed.

4 JUDGE HADDEN: Sir, the only issue before us, is
5 the sentence. It's as simple as that. So, please
6 restrict your argument to the sentence and what you
7 believe makes it disproportionate or inappropriate.

8 THE DEFENDANT: Well, it was all done -- IN
9 further obvious intentional stage set manipulation of
10 the accurate record. In promotion of the attempted
11 murder KK called cover-up, okay? So, with no prior
12 advance notice being provided to me for these
13 Enhancements, in violation of Connecticut General
14 Statute 54-64ed (b) sub section 4. And without the
15 appropriate sufficient information filing, another
16 violation of C.G.S. Connecticut 54-62, also see, U.S. verses
17 Valentine, 21 Federal 3D, at 395. After K.K. case
18 which is Judge Kwak factual confused conclusion in
19 tactical maneuver of LEE lying deceit at 4-17-14
20 Transcript page 16. Okay because there, at page 16,
21 what he says -- okay -- page 16, I'm going to start
22 at line 5. On May 10th, 2011, the police were
23 dispatched to the Offender's home, for a domestic
24 violence complaint. According to the complaintant,
25 Jessica Reed, Mr. Young assaulted and strangled her.
26 Mr. Young was also charged with Interfering With an
27 Officer, and two counts of Assault on a Police

1 Officer, as well as, threatening in the 2nd Degree
2 and Reckless Endangerment in the 1st Degree that's
3 inaccurate information right there because I was only
4 charged on May 10, 2011, with one count of Assault on
5 a Police Officer and I was found not guilty on that
6 count that was count 3.

7 So, again, when I tried in the February
8 Transcript, page 6 through 8, I believe it was,
9 trying to challenge this information, filing prior to
10 sentencing, Judge Kwak refused. Then when he
11 sentences me, he puts inaccurate information here
12 that -- manipulating the accurate record that --
13 because I was only charged on May 10, 2011, with one
14 count of Assault on a Police Officer. And again, I
15 will specify and clarify for the record, I've been
16 found not guilty of that charge. So it wasn't two,
17 it was only one on May 10th.

18 But I'll give him a reluctant benefit at the
19 very lease -- Criminal Kwak Trial Court, KK was
20 mistaken in believing State's Legislative Branch had
21 authorized any consecutive sentences in the
22 circumstances of this case. Because here I am,
23 convicted of two offenses ^{"NOT AN ONLY"} on an Assault on a Police
24 Office, and Interfering on a Police Officer. Them
25 are, the only two charges I was convicted of, prior
26 to the ^{"SUBSEQUENT"} Substitute Prosecution on the Enhancements,
27 okay?

1 So at the very least he was mistaken in
2 believing that The State's Legislative Branch, had
3 authorized consecutive sentences in the circumstances
4 of what I just told you. And that error has imposed
5 a consecutive -- no, a constructive denial of my
6 right to be deprived of my liberty as punishment for
7 alleged criminal conduct only to the extent
8 authorized by The Connecticut Legislator. He over
9 exceed his sentencing authority, when he did that.
10 It is my contention that these sentences for
11 Interfering, Connecticut General Statute 53a-167a and
12 the prejudicial surprising untimely now, State's
13 nonexistent and mean to specify, nonexistent Felony
14 Assault, Connecticut General Statutes 53a-
15 167(c)(a)(1). See transcript 4/17/14, page 9 and 10.
16 So, if you go to 9 and 10, The State concedes --
17 okay, 9 and 10 concedes that there was no injury to
18 no Officer. I'll start on page 9 at line 22. And
19 here this is The Prosecutor now speaking, and here we
20 have a very serious charge of Assault on a Police
21 Officer, which carries a 10 year sentence. But, the
22 injury here was almost nonexistent. It's an issue of
23 pain, which is the threshold for the element of the
24 Statute. So, now, he's conceded right there, that's
25 the threshold -- that's the threshold.-- okay, of one
26 of the elements. Okay. But, we're not suggesting --
27 I'm going to go on, 20 -- this is line 27, but we're

1 not suggesting it was anything more than that with
2 Trooper Barrows. He was kicked. He indicated, he
3 was taking a back and it hurt, but, it was nothing
4 more than that. So, taking that in isolation, it's
5 not a case that merits a lengthy jail sentence. Them
6 are The Prosecutors spoken words at sentencing; to
7 that charge that I was unlawfully convicted and I
8 will tell you why in a little bit further in my
9 argument here. Okay. They're not only inappropriate
10 disproportionate. But, both sentences are null and
11 void or must be merged for the purposes of
12 punishment.

13 In addition, there's no competent arguable
14 jurisdiction for any subsequent prosecution on the
15 enhancements of alleged committing crimes on release,
16 under Connecticut General Statute 53a-40b. There's
17 no competent arguable jurisdiction because I was
18 never put to plea after I was convicted on the
19 Interfering and the Assault on the Police Officer
20 that happened at -- at one trial. I was never put to
21 plea after that, to even go to -- to subsequent
22 prosecution, which is the second trial on the Part B.
23 I never entered into that contract because I never
24 gave a plea on that. Okay. Clearly, illegal
25 imposition of cumulative punishments for all offenses
26 was contrary to the Federal and this State's
27 Constitutional Law, and to the double jeopardy clause

1 of the 5th Amendment.

2 More importantly here, where as in this case,
3 the Trial Court has exceeded its own authority in
4 imposing multiple punishments not authorized by our
5 Legislature. It violates yes, not only a specific
6 guaranty against double jeopardy, but it also
7 violates the Constitutional Principles of Separation
8 of Powers in the manner that trenches particularly on
9 this privateer and his liberty, individual liberty..

10 So, I direct you to at this point to see Waylon
11 versus The U.S. 455US 684, again Waylon vs. U.S.
12 455US 684. Now, the principles in Waylon
13 specifically state, give me the guaranteed through
14 the 14th Amendment that the facts and circumstances
15 of the 1st trial -- facts and circumstances that
16 convicted me on the Interfering Charge, and the
17 Assault Charge, cannot now be brought over on the
18 enhancement penalty phase -- or enhancement trial in
19 the Part B, because it's a subsequent prosecution.
20 Therefore it violates the double jeopardy right
21 there. So, the issue is not just alone that I
22 committed these of -- allegedly committed these
23 offenses, while on released on bond that's not the
24 only element of -- to -- that you can use to convict
25 me there. You still have to rely on the facts and
26 circumstances of the -- conviction of the Assault and
27 Interfering, which again you cannot now, because I've

1 already been tried and convicted at that trial, you
2 cannot bring them facts and circumstances back over
3 here now and convict me in a subsequent prosecution
4 of the enhancement penalty because that's double
5 jeopardy. I've already been tried and -- on them
6 facts and circumstances once. You can't now use them
7 again and then go over here and use them again, and
8 go over there and use them again, that's against the
9 law. And the rule of law on that is on my side.

10 Notably, Courts may not proscribe - hold on I
11 want to touch upon something else here, before I go
12 there. Nah, I'm going to move on. All right.

13 Notably Courts may not prescribe greater
14 punishments then the Legislature intended. Now, I'm
15 going to direct you to Missouri versus Hunter, 459
16 U.S. 359. Also Brown versus Ohio 432 U.S. 161. In
17 accordance with these principles routed in common
18 law, evident in this case, along with Constitutional
19 Juris Prudence see, Ex parte Lange (18 Wall.) 163.
20 We presume -- these are fundamental principles now,
21 we presume that where two Statutory Provisions
22 describe the same offense, the Legislature does not
23 intend to impose two punishments for that offense.

24 Also, see Ball versus U.S. 470 U.S. 856. Now
25 again, where two Statutory Provisions describe the
26 same offense you may want to try to argue with me,
27 Your Honor, that the enhancement is -- is not the

1 same offense, which -- the term not same offense,
2 cannot be categorized that way in this situation
3 because of the fact that, the prosecution now in
4 relying on that conviction for them enhancements, is
5 relying on the fact and circumstances that happened
6 in the first trial on the -- to enhance -- to give me
7 a conviction for enhancement, it's not just alone
8 "NEVER SAID," that I can committed offenses, while on -- out on
9 release. They still have to rely on them prior
10 convictions. And the facts and circumstances, Your
11 Honor, of them prior convictions; that's the
12 threshold of one of the elements, to that crime, or
13 that alleged crime.

14 All right. Oh but, more subsequent
15 applicability found set forth in Bell verses U.S. 349
16 U.S. 82 and 82, is a question wholly different from
17 Ex Parte versus Lange -- I mean Ex Parte Lange, in
18 that proper units into which Statutory Offenses is to
19 be divided. Okay. That's a -- a wholly different
20 question in that proper units into which Statutory
21 Offenses is to be divided. Yes, again as in this
22 case -- yeah -- as in this case when convicted of two
23 offenses with the same continuing episode of alleged
24 criminal conduct, the Court applied the traditional
25 rule of lenity and held Petitioner particionanor can only be
26 punished for a single offense.

27 So, now I'm going to go back to that same

1 Constitutional Required Principles set forth by your
2 predecessors. Okay. So, now I've been spending all
3 this time citing you the Federal Statute, the Federal
4 Laws, and the Federal Case Laws, but look here, this
5 is insistent law of the case conformity to the
6 Constitutional required principles set forth by your
7 predecessors of Connecticut Supreme Court holding in
8 Lubesky versus Bronson found at 213 ^{Conn.} CT 97. I'm sure
9 you all are familiar with that case. Making proper
10 subject of the vacature approach that must provide
11 emergency relief to me, rights now with absolutely no
12 further suffering ^{of} an actual injury.

13 **VERY TELLING!!!** I'm going to talk about the **BLOCKBURGER** block -- but in the
14 review. I don't know how far you're going to let me
15 get on this, but --

16 Now in effect with my limited appeal here, in
17 the scope of the panel of two Judges in front of me,
18 here affords this opportunity for standard
19 Blockburger versus US 284, US 299 or -- or now the
20 more appropriate broader set of principles extended
21 by invoking US Supreme President at Illinois versus
22 Vital 477 US 410. As is in again -- as in this case,
23 and found under successive prosecution cases which is
24 a broader scope then the limited principles of the
25 Blockburger Review. Nevertheless, by either standard
26 of application here, anyway you want to slice it if
27 you want to call it apples, you want to call it

1 manipulating my accurate record because now, when you
2 go and you read them pages, you're going to see where
3 it's transcribed and then what I have done is -- what
4 I had actually said was not transcribed, but I had
5 made notations and put the correct spellings and the
6 correct pronunciations of my articulation. Now, look
7 at it both and I understand it's certified by the --
8 the Court Reporter, but you're going to see it makes
9 absolutely no sense in some very peculiar --
10 peculiarly -- peculiar places. And it makes a hell
11 of a lot more sense with my written words there. So,
12 just take your time and look at that, and see what
13 makes more sense to you, Your Honor.

14 So, moving on. So upon stage set assistance,
15 in and collusion with the lit -- denied Counsel right to
16 appointment -- oh here we go, my first equivalent
17 plea at bar is shown in miscondec -- misconducted
18 practice of law from the bench by improper judicial
19 Baldini contractional ^{"NEVER"} ~~no~~ not guilty entry at 6/6/11,
20 page one through five. Now that's on the original --
21 on the original drafted insufficient information.
22 So, I think what I need to do, is I need to
23 articulate this at this point, so I don't get lost in
24 transit here. Right, see Exhibit one as well. So,
25 Exhibit one -- all right, so anyways, I want to
26 direct your attention to Exhibit five because right
27 after Judge Baldini -- entry of a not guilty plea at.

1 6/6/11, page one through five, also see Exhibit one,
2 while deliberately assisting the State's clearly
3 corrupted exonerating evidence organized in ^{Im}
4 "IMPROPRIETIES" proprieties at 6/6/11 page six through eight -- see
5 Exhibit five, as well. So, I guess that's in 6/6.

6 Now, I want to touch upon fatal variance. I'm
7 going to give you the definition here. Is a variance
8 in information tending to mislead the Defendant as it
9 did in this case, in making a defense or one
10 preventing a plea of former jeopardy, which both
11 indisputably are found in this case, and a variance
12 occurs when facts proved at trial are different from
13 those alleged in the information? However, variance
14 constitutes grounds for reversing a conviction only
15 as in this case, when it affects the Defendant's
16 substantial rights. Yes, here when variance deprives
17 the Defendant of sufficient pacific information to
18 prepare for that defense, and to be protected against
19 surprise at trial. And prevents him from exerting
20 his Constitutional protection against the double
21 jeopardy. See US versus George, CA MASS 752 F 2nd
22 749. It must once again ^{as} ask, is here be misleading
23 or serve so as to substantially and yes, materium --
24 materially mislead the adverse party, which it did.

25 JUDGE HADDEN: Mr. Young, you've been addressing
26 The Court for an hour, the panel has reminded you
27 repeatedly that this panel has jurisdiction only over

1 the sentence, and our review is whether or not, the
2 sentence is disproportionate or inappropriate. Much
3 of what you have argued, as again, as I have pointed
4 out to you previously has to do with issues that may
5 be raised on appeal. They have to do with issues
6 that may be raised in a Habeas Petition. But none of
7 what you're arguing has anything to do with the issue
8 of disproportionate or inappropriate sentence.

9 So, again, I'm going to re-direct you to the
10 issue before this Court. Much of the law that you
11 cite is quite correct, but it is not relevant to the
12 issue before this panel. Please address your
13 comments solely to the issue of the sentence that was
14 imposed in your case

15 THE DEFENDANT: All right. Lastly then, briefly
16 the point at to appoint a hand in none of the foregoing mentioned
17 filings has information file and says the State complied with any
18 general principles of form nor contents or rules of
19 pleading to be sufficient at law. So, obviously bad
20 for the doubleness and null and void for repugnancy
21 and duplicity.

22 Then we have trial Court KK overly exceeding
23 Sentencing sentence and authority in spite with violation
24 definition of terms under contract. Now, I'm going
25 to direct you to see, 9/17/19, transcript page 81
26 through 90, which I'm going to articulate myself
27 because I think this will hit the nail right on the

1 head for you.

2 JUDGE WILLIAMS: Sir, while you search for that
3 you keep referencing KK, as an abbreviation for Judge
4 Kwak, where does that come from?

5 THE DEFENDANT: Kwak. KK. Now, there was a --
6 a -- another trial that I had back in the 90's with
7 Judge Klaczak. So, KK is Judge Klaczak as well as,
8 Judge Kwak, is where I came up with that scenario.

9 But, it's all part of the broader -- broader
10 part of the conspiracy.

11 JUDGE WILLIAMS: I regret having to have asked.
12 Go ahead you can conclude.

13 THE DEFENDANT: Okay, I submit to you the word
14 intent means to be instated after Michael A.
15 Young II -- hold on here --

16 Okay, I'm just going to start here. I don't
17 know it don't make any sense right now, but it will
18 probably come to me. To submit to you the word, the
19 word intent needs to be stated after Michael Young
20 II, -- second Michael A. Young or somewhere to that
21 affect. It isn't there. So, he never claims that I
22 intended to do that in drafting that -- that Statute.
23 What Statute was that? Oh, here we are. No it
24 wasn't that.

25 I'm going to go to count two here. You're not
26 going to let me argue that. I got to get to the
27 definitions and the terms of these contracts here.

1 So --

2 JUDGE HADDEN: And you said, this is your
3 summation, Sir, this is your conclusion?

4 THE DEFENDANT: No, this is not my conclusion,
5 this is just lastly of what I want to argue because I
6 understand he keeps saying that I'm not within the
7 scope, but this is directly --

8 JUDGE HADDEN: He keeps trying to impress that
9 upon you.

10 THE DEFENDANT: -- this is directly within the
11 scope of the contract drafted by The State's
12 Attorney's Office.

13 JUDGE HADDEN: Please finish, Sir, go ahead.

14 THE DEFENDANT: But, I'm a little bit
15 discombobulated.

16 JUDGE HADDEN: Well, I think that's clear for
17 the past hour.

18 THE DEFENDANT: Well, no, no, no. He said
19 everything allowed --

20 JUDGE HADDEN: Go ahead, Sir.

21 THE DEFENDANT: What I said was correct.

22 JUDGE HADDEN: Go ahead, Sir.

23 THE DEFENDANT: Yeah, that's what I thought.

24 JUDGE HADDEN: He said your law that you cited
25 did not apply to the scope of this hearing. But
26 carry on.

27 THE DEFENDANT: Well it does because there's no

1 activity. And twenty-eight criminal convictions.
2 It's all lined out -- outlined in the Sentencing
3 Transcript, but Mr. Young had a significant criminal
4 record, consistent with the facts of this case, for
5 assaultive behavior and interfering with Officers.

6 He has shown noncompliance in the past with
7 Court Orders, with Probation Orders and --

8 THE DEFENDANT: Objection, Your Honor.

9 JUDGE HADDEN: Sir -- Sir --

10 THE DEFENDANT: Objection.

11 JUDGE HADDEN: We'll listen to you in a moment.

"NOT
BROWN"

12 ATTY. BROWN: And taking that into account the
13 State would argue that Judge Kwak's sentence is
14 appropriate and proportionate. There's a twenty-two
15 year maximum exposure in this case, Judge Kwak
16 sentenced Mr. Young to twelve years to serve portion,
17 with a period of Special Parole after.

18 I believe Mr. Young made a brief argument about
19 penalizing him for going to trial. That certainly
20 wasn't the case given the fact that he could have
21 gotten an even higher sentence than Judge Kwak opted
22 not to and that, again any issues with the PSI, were
23 brought up prior to the Sentencing being started by
24 Attorney Joy on behalf of Mr. Young. Mr. Young opted
25 not to make a statement at sentencing, which is his
26 right, but was given the opportunity to do so.

27 Based on all of those, I would ask Your Honors

1 to find that the Sentence is appropriate and
2 proportionate.

3 JUDGE HADDEN: All right. Mr. Young, you wanted
4 to say something?

5 THE DEFENDANT: Yes, I move to strike everything
6 she has to say because number one you never put her
7 under oath, under penalty of perjury. And number two
8 a lot of what she has stated is again, inaccurate
9 manipulating the accurate record.

10 JUDGE HADDEN: All right. Your objection is
11 noted.

12 All right. Thank you very much, Sir. You will
13 receive a written decision from the Panel.

14 THE DEFENDANT: Peace out.

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NO: T19-CR11-99206-S	: SUPERIOR COURT
STATE OF CONNECTICUT	: G.A. #9
V.	: AT MIDDLETOWN, CONNECTICUT
MICHAEL A. YOUNG	: NOVEMBER 26, 2019

C E R T I F I C A T I O N

I hereby certify the foregoing pages are a true and correct transcription of the audio recording of the above referenced case, heard in Superior Court, G.A. #9, Middletown, Connecticut, before the Honorable, Brian T. Fischer, Judge, on the 26th day of November, 2019.

Dated this 10th day of December, 2019, in Middletown, Connecticut.



Jean R. Patrizzi
Court Recording Monitor