

FILED 24 OCT '16 09:02 USDC-ORP

IN THE UNITED STATES COURT FOR THE
DISTRICT OF OREGON
PORTLAND DIVISION

UNITED STATES OF AMERICA)	
)	Case no. 3:16-cr-00051-BR-7
Plaintiff;)	AFFADAVIT OF SHAWNA COX
)	IN SUPPORT OF MOTION TO DISQUALIFY
Vs.)	JUDGE ANNA J. BROWN
Ammon Bundy, et al,)	
)	
Defendant.)	
)	
)	

I SHAWNA COX make this declaration on my own free will. If called and sworn to testify, I would testify as follows:

- I am over the age of 18.
- I am competent to testify with first-hand knowledge regarding the matters stated herein.
- I have filed a Motion & Memorandum to Disqualify the Honorable Judge Anna J. Brown in the **United States District Court for the District of Oregon-Portland Division, case #3:16-cr-00051-BR, Docket #1471.**
- I have read that motion and know of its contents and the same are true except as to this thing stated on information and belief, and as to those item's I believe them to be true also.
- This declaration is intended to be (*in paria materia*) support of that motion and to add more insight to why I believe Judge Anna J. Brown has demonstrated her extreme bias in this matter.
- I include more reasons that have directly affected me personally.

Judge Anna J. Brown showed her bias by gutting my defense!

1) **Out of the twenty-one witnesses, she struck nineteen witnesses!**

- 2) I also believe this declaration will further document why Judge Anna Brown has shown her bias toward me and the Co-Defendants and several of the attorneys in this matter.
- 3) She has refused to allow me to call witnesses including eyewitnesses in my defense. (See **Exhibit 1**, a true and correct list of witness I had ready to testify)

OBJECTION/SUSTANINED-OBJECTION/SUSTANINED-OBJECTION/SUSTAINED

- 4) Regarding the witnesses that I was able to call, she allowed the Government Prosecution to harass the witnesses, by making so many objections it was obnoxious.
- 5) Almost all the objections were sustained, without her even asking what the objection was.
- 6) This was a serious problem with all defense witnesses that the Government prosecutors did not want the Jury to hear.
- 7) Judge Anna Brown sustained hundreds of objections the prosecution raised, and sustained objections when there was no objection in the first place.
- 8) She was even caught on several occasions sustain objections that were not made; thus, sustaining her own un-spoken objections.

Judge Brown acted Like a Frustrated Inpatient Child!

- 9) Judge Anna Brown acted out like a frustrated child with facial and physical expressions at times throughout the entire trial.
 - a) Things like covering her face with her hands.
 - b) Peeking out between her hands on her face.
 - c) Rolling her eyes.
 - d) Gritting her teeth.
 - e) Rocking her head and torso side to side.
 - f) Voice was agitated and sharp.
 - g) **At one point, she blew up screaming "Stop, Stop, Stop!",** and cleared the Jury from the courtroom.

- h) Another instance was when Ammon Bundy's attorney Marcus Mumford was trying to get a point across Judge Brown jumped to her feet shouting "MOVE ON".

Court Watcher Caught Prosecution Coaching Witnesses!

- 10) The prosecution was caught coaching their witnesses in Judge Anna Brown's courtroom by a number of court watchers and witnesses.
- 11) On September 16th One woman (Ms. Deborah Sue Venetucci), a public witness (court watcher) in the courtroom, became so upset observing the witnesses being coached by people that would rotate, coming in and sit behind the Prosecutors that she approached a courtroom security guard (a woman) privately and quietly without any disruption and they went outside the courtroom.
- 12) When Ms. Venetucci, told the security officer what she was observing, she was told she could not re-enter the courtroom and to even come back in the courthouse.
- 13) Ms. Venetucci subsequently gave me (Shawna) a written statement, which I filed. (See Exhibit #02 a true and correct copy of Dkt. # 1305, is attached and incorporated herein by reference)
- 14) Later on Oct. 6, 2016 Ms. Venticci notarized her statement as an affidavit regarding what she observed. (See Exhibit # 03, a true and correct copy is attached and incorporated herein by reference)

WITNESS: Dr. Angus McIntosh, PHD, Director of Natural Resource Law & Policy Research for the Land and Water USA Foundation

- 15) Judge Anna J. Brown also blocked my expert, Dr. Angus McIntosh, regarding federal and state jurisdiction involving the federal lands.
- 16) Mr. McIntosh is the Director of Natural Resource Law & Policy Research for the Land and Water USA Foundation. He has given testimony before the States Legislature of Arizona,

New Mexico, Montana and Nevada on Water Rights, Range Management, and Federal Regulatory Impacts on Property Rights.

- 17) Dr. McIntosh, is a recognized authority regarding dual jurisdiction and ownership of federal parks and wildlife refuges. (See Exhibit # 04, a true and correct copy of Dr. McIntosh, Short Bio/Intro" is attached and incorporated herein by reference)
- 18) These issues go to jurisdiction, a highly contested issue and one going to the Courts jurisdiction to even hear the case in the first instance.
- 19) It was also critically important in relation to Ammon Bundy's the adverse possession to understand the old historical documents regarding land title.

WITNESS: Todd Bethell, CFM, MBA

- 20) Judge Anna J. Brown struck the testimony of Mr. Todd Bethell, a 12-year Navy Veteran and the owner/operator of FAST Scanning. Mr. Bethell was an expert at scanning old historical documents and volunteered his document imaging and processing services after hearing Ammon Bundy talk about the Hammonds situation and the discovery of extensive documents at the refuge and off the refuge, indicating possible corruption and abuse of power. FAST Scanning specialized in facility and land records primarily for government institutions. (See Exhibit # 05, a true and correct copy Fact Scanning Business Flyer attached and incorporated herein by reference)
- 21) After meeting with and discussing the project with me (Shawna Cox, the records manager) and LaVoy Finicum, he was allowed to set up and begin scanning in the main office.
- 22) He was a pertinent eye witness testimony and video recordings of important events pertaining to Shawna Cox, David Fry, Sean and Sandy Anderson, including FBI recklessness and provocation regarding the arrival of Navy Seals. At 1:30 am Todd abandoned his equipment and drove out at the first invitation from the FBI to leave the refuge.

23) Todd Bethell's testimony particularly important in regard to Ammon Bundy's recorded call for experts and the subsequent document preservation effort, both on and off the refuge, could have had a significant impact on the Jury regarding the intent of the protestors.

WITNESS: Gary Hunt, Retired Land Surveyor

24) Judge Anna J. Brown also struck expert witness Gary Hunt, a retired Land Surveyor, who believed in the cause, volunteered his services in helping Ammon Bundy verify the reading maps and surveys of boundaries of the refuge and help also to scrutinize records, i.e. documents, pictures, maps that were obtained or being shared by local people living in Harney County with the protestors evaluate them with regard to his area of expertise, i.e. land boundary and title.

25) Mr. Hunt was also present at the Refuge prior to January 26th, went to the Refuge upon hearing of the shooting of LaVoy Finicum, and can testify to the atmosphere at the Refuge when the occupants received word of the shooting.

26) Mr. Hunt was also present at the western entrance to the Refuge (blockaded road) from that evening until the next morning, and can testify to the circumstances regarding the press and their treatment upon leaving the area.

Mr. Hunt is also a member of the press (Outpost of Freedom, established February 1993), and conducted interviews with residents of Burns and the surrounding area.

WITNESS: Burns Fire Chief Chris Briels

27) Judge Anna Brown blocked my witness, Burns Fire Chief Chris Briels, a member of the community for over 20 years, regarding a meeting he had with Commissioner/Judge Stephen Grasty regarding several points:

a) Mr. Briels observed men appearing to be protestors at the National Guard Armory that were later determined to be FBI agents.

- b) Concerned that they may be up to no good, he followed them and subsequently discovered the vehicles driven by the protestors turned out to be, registered to the FBI.
 - c) A Commissioner/Judge Stephen Grasty of Burns Oregon requested a meeting with Mr. Briels and when he informed Commission Grasty, what he found he was told to keep his mouth shut and stand down.
 - d) There was a heated disagreement and as a result, Mr. Briels resigned his position as Fire Chief.
 - e) Many locals were tired of the way the local ranchers were being treated and in complete support of the protestors.
 - f) Commissioner/Judge Grasty was later called, as a rebuttal witness for the government and his statement was allowed where Mr. Briels statement was blocked in a naked display of bias.
- 28) Judge Anna J. Brown, clearly showed her bias by refusing Mr. Briels to be examined regarding the results of the meeting with Commissioner/Judge Grasty however later allowed the prosecution to call Commissioner/Judge Grasty and he was allowed to testify regarding his version of the meeting.

WITNESS: James O'Hagan-Mediator-Peace Keeper

- 29) Additionally, Judge Anna Brown blocked eye witness James O'Hagan's testimony that he observed while he was in Burns and at the Malheur.
- 30) He visited Harney County and documented his conversations and suggestions about how to resolve the situation in a civil manner.
- 31) My witness James O'Hagan submitted his findings to the various public officials in Harney County during the occupation.
- 32) Judge Brown prevented all of his exculpatory testimony regarding the overreaction and over reach of law enforcement and documented the evidence he found in his investigation.

33) Mr. O'Hagan's who was an on-sight investigator and could have had a substantial impact for the defense and Judge Anna J. Brown arbitrarily struck his statement from even being heard by the Jury.

34) I believe we are getting the same form of justice the Hammonds got: No Justice!! Before judges who were biased and favored the prosecution.

35) I think this is the way the Queen and her subjects are keeping their slaves (the producers of our gross national products) in line.

I declare under the penalty of perjury under the laws of the State of Oregon the forgoing is true and correct.

Dated this 23rd day of October, 2016.

/s/Shawna Cox

Shawna Cox

In Pro Propria Persona, Sui Juris

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A handwritten signature in black ink, appearing to read 'Shawna Cox', is written over a horizontal line.