Affidavit in support of accepting my tardy appeal.

My name is Todd Giffen, and I filed a Writ of Habeas Corpus with the Marion County Circuit Court in October 2013 case no 13c23175. The case was dismissed without the trial court holding an “evidentiary” hearing or assigning an attorney on December 17th, 2013. I received my copy of this notice in the mail sometime around Christmas, and I had notice by the court of this a few days before this date because I checked in by phone. The clerk I spoke to at the Marion County Court told me that I had no right to appeal it, and I was instructed by a court later that day to send a letter of “reconsideration” to the Presiding Judge of the court, Judge Rhoades. The purpose of the reconsideration was that Geyer improperly dismissed it, even though the Appeals courts have held that people in custody release programs from jail are eligible for Habeas Corpus (my charges remain pending, and I am in custody release program; Geyer says I am not eligible for Habeas Corpus because I was released from custody in November, which isn’t true). I include his response to this letter which came in the mail about 1/14/2014. In it, Judge Rhoades refused to reconsider my case or intervene on the false dismissal of the case. I consulted with an attorney named Jason Weber who said this was true, who handles the appeals of Habeas Corpus cases for the Public Defense Services. I knew the dismissal to be improper, and nothing was done about the civil rights violations or abuses I was experiencing from the state or federal government/military, leaving me without resolve or protection.

One of the reasons I filed my Habeas Corpus in the first place was because of being set up and attacked by the military, and am under illegal remote surveillance that lets them track me wherever I go; the injuries they have deliberately inflicted onto me, have caused severe brain and muscle damage. The injuries have been done to deliberately incapacitate /me, using a directed energy weapon (see my original Appeal filed 1/17/2014, in which I document several whistleblowers including Dr. Robert Duncan a DOD/CIA/US DOJ weapons/surveillance architect who invented most of these weapons and says the government is abusing his work and a US Investigative Services employee and an NSA whistleblower named Russell Tice who came forward and provided information on these weapons systems. The USIS employee believes I to be the target of government psych/weapons experimentation.

I contacted the Appeals Court office to inquiry about Appeal in December, and I asked about how to file my appeal. I specifically told the clerk I spoke to my situation, and asked if forms were available, or since I had a right to counsel for Habeas Corpus, if any attorney’s were available to assist me as an indigent petitioner. She informed me there were no forms, and no attorney’s who could help me. I found out both of things were false, after I finally got my self typed appeal set up and sent in 1/17/2014 (I filed my appeal after I received the response from Judge Rhoades that he would not be assisting me). I consider the appeal to have been filed timely, and I could not have made it any quicker due to circumstances and lack of time and resources. I literally have been impeded by others on doing many things, including filing my appeal.

The court received my appeal and according to them, it did not quite meet the format necessary for appeal, and sent me a form to fill out in its place 1/21/2014. I received it by 1/26/2014, filled it out, and sent it to you 1/29/2014 certified mail, which is what you see today.

I called the courts 1/29/2014 to verify the process, and they informed me, that maybe you could check the first filing and consider my issues and an exception though no guarantees could be granted.

I also have the certificate showing the mailing of the appeal was filed 1/17/2014, if need be furnished. My original filing is being kept in a file by the court, according to the Records Section.

I humbly request the court to accept my petition, and apologize for the difficulties here. If the court accepts my appeal, we can appoint counsel Jason Weber who I’ve already spoken to and we can handle this matter.

I truly need my Habeas Corpus to go through, because it was valid and unfairly dismissed by judge Geyer; I was also unfairly charged a sum of $252 as the case was dismissed with a judgment against me “with prejudice”. All the rules say I am still eligible for the Habeas Corpus however, and the Appeals court has previously delt with cases like this before, saying that the reason for this particular dismissal was not correct. I am also at risk for losing life and limb, and this case is the only way I can get protection from the abuses I am experiencing.

Thanks,

Todd Giffen

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