In the US District Court of California – Writ Habeas Corpus § 2241

|  |  |
| --- | --- |
| Todd Giffen,  Petitioner,  Vs.  USA, President Barack Obama, Secretary of Defense Chuck Hagel, US Department of Justice, US Attorney General Eric Holder Jr., Federal Bureau of Investigation, FBI Director James Comey, Director of National Intelligence James R. Clapper, US Secretary of Homeland Security Jeh Johnson, US Department of Homeland Security, US Department of Defense, US Department of the Army, US Department of the Navy, US Department of the Air Force, NSA Director Michael S. Rogers, National Security Agency, CIA Director John O. Brennan, Central Intelligence Agency, Defense Intelligence Agency, Defense Advanced Research Projects Agency, National Reconnaissance Office, National Geospatial-Intelligence Agency, Defense Advanced Research Projects Agency, Defense Logistics Agency, Missile Defense Agency, Defense Threat Reduction Agency, Pentagon Force Protection Agency, State of Oregon Attorney General Ellen Rosenblum, Oregon Governor John Kitzhaber, State of California Attorney General Kamala Harris, and California Governor Jerry Brown.  Respondents. | No.  Notice of Appeal |

Notice of Appeal

I am appealing the decision to dismiss my petition and to discount my request for reconsideration made by Judge Lawrence and Judge Boone. I believe I stated a valid claim, and that is all that is necessary for granting a writ of habeas corpus. I have also demonstrated constitutional rights violations. Due process was violated, and faulty logic used by the judges who decided this case, dismissing my claims without any proof or any investigation of the matters baselessly claiming my claims were frivolous without checking into any alleged matter or holding any hearing and they refused to appoint counsel to help the case several times.

As I filed this Habeas Corpus petition under 28 USC § 2241, I am noting the rules for appeal for this case here in the Notice of Appeal. The rules for appeal of Habeas Corpus, claim under 28 USC § 2253 that, I have a right to review of this case by the US District 9 Court of Appeals section 2253 (a). Barring mistakes by the judges, you’ll see that this case is not a case arising from a process in State court (c)(1)(A), and is not filed under section 2255, so it is not a final judgment under section 2255 (c)(1)(B). Therefore, no certificate of appealability is necessary ensuring my right to appeal without restriction under 2253 (a). Furthermore this appeal is filed timely within the 60 days allotted for cases against the United States and it’s actors, being filed both within the 60 days from the judgment dismissing the petition and 60 days before a decision was made on the final motion requesting reconsideration of the dismissal of the case (Title II Rule 4).. With the Judgment to adopt the findings of Judge Boone to Dismiss by Judge Lawrence 12/10/2014 I filed a Motion for reconsideration of that order and judgment 12/24/2014 including new exhibits and evidence to discredit the abusive decision by the judges. I wish the Appeals court to review that filing. In that filing, is a briefing from my Oregon State court appointed attorney Jed Peterson, arguing that I stated a valid claim for a similar Habeas Corpus case in the Oregon court system (case currently pending). Jed Peterson lists the conditions in the briefing that he believes I stated a valid claim for Habeas Corpus relief based on my targeting by the government and having been tortured in the community by the government, continuously hit by the military with an electromagnetic wave Signals Intelligence radar/satellite weapons device illegally, stalked and placed under illegal surveillance, abused by local cops and officials, that the Oregon Appeals court should over turn the lower court decision and order the case to be heard by the trial court with a full hearing to be granted (this is our expected outcome). This is precisely what I expect of the US District 9 Court of Appeals, I expect them to side in my favor that I did not file a frivolous case and that I stated a valid claim and have suffered a substantial denial of constitutional rights. The US District 9 Court of Appeals should provide even more relief like hearing the entire case themselves, appointing counsel to represent the Petitioner, and ordering protection of the petitioner on an emergency basis due to risk of assassination, murder, and ongoing torture and injuries being inflicted by the United States onto the Petitioner. The government continues to hit me with an illegal military weapon, and is currently illegally spying on me, and intends for me to die in custody.

DATED:

Todd Giffen

3921 Weston Way

Modesto, CA 95356

503-967-5202

[case@oregonstatehospital.net/](mailto:case@oregonstatehospital.net/)

<http://www.oregonstatehospital.net/>