

**From:** arodjrlaw@aol.com,

**To:** bizettea@legis.la.gov,

**Subject:** Public Comment for presentation to the Louisiana Senate Select Committee on State Police Oversight.

**Date:** Sun, Jan 23, 2022 2:45 pm

Madame: Pursuant to the provisions of Senate Rule 13.79, the following written statements of fact are respectfully submitted for presentation to and consideration by the Louisiana Senate Select Committee on State Police Oversight. Please include my statements of fact in the record of the Committee's public hearing scheduled for Monday, January 24, 2022.

Each of my statements is declared to be true and correct under penalty of perjury pursuant to the provisions of 28 United States Code, Section 1746.

I will appear in person to give testimony before the Committee at some later date if Committee Members should desire me to do so.

(1) Like Ronald Greene, I was the victim of "a criminal use of force incident" perpetrated by "F Troop," the main difference between my case and Mr. Greene's case being that I survived the encounter.

(2) The incident occurred in the aftermath of Hurricane KATRINA at 5 minutes after midnight on Tuesday morning, September 20, 2005, at my home at 6034 St. Charles Avenue in New Orleans, 70118, when I was wrongfully abducted from my property by an F Troop detail which included a State Trooper named "John Nelson."

(3) The facts of my abduction and the unlawful use of force incident appear more fully in a short video (14 minutes, 24 seconds), which is available at:

[www.youtube.com/watch?v=tt1lgUNKBMQ](http://www.youtube.com/watch?v=tt1lgUNKBMQ)

See also an Essay entitled: "Police State Comes to New Orleans," which is available at:

[http://www.tulanelink.com/stories/o'dwyer\\_10a.htm](http://www.tulanelink.com/stories/o'dwyer_10a.htm)

(For the record, I do NOT expect the foregoing "links" to be read into the record. That the "links" are accessible via E-mail is sufficient).

4) My civil rights litigation against "law enforcement" was summarily "tossed in the gutter" by a three-Judge Panel of the United States Court of Appeals for the Fifth Circuit in Case Number 08-30052, without affording me the privilege of oral argument and without reference to arguments advanced in my Briefs, on the basis of something called "qualified immunity." One will be unable to find anything written in the Federal or State Constitutions referencing "qualified immunity."

(5) I aver, upon information and belief, that the criminal gangland-style "hit" that was executed against me by "F Troop" at 5 minutes after midnight on September 20, 2005, had been ordered and orchestrated by a former Chief Justice of the Louisiana Supreme Court, by her Chief Disciplinary Counsel, and by the former Attorney General of the State of Louisiana, who acted through his Chief, Criminal Division, among others.

(6) Even while my civil rights litigation and other legal proceedings remained viable, I was systematically DENIED the right to conduct any and all meaningful discovery by obtaining the testimony of witnesses under oath, so they could be subjected to cross-examination. I also was DENIED the ability to access documentary and electronic evidence in the form of written documents and telephone, smart phone and computer and laptop records, which would have included analysis and forensic examination of hard drives for deleted information.

**AROD EXHIBIT NO. 1**



(7) When a so-called "deposition" of Trooper John Nelson was taken in a related proceeding by a perjury suborner named Fred McGaha, who at the time was an Assistant District Attorney in the Office of the Ouachita Parish District Attorney's Office (another Monroe, La. and "F Troop" connection), Nelson committed perjury, aided and abetted by McGaha.

(8) Trooper Nelson's perjury and the absurdity and ridiculousness of the denial of the right to any meaningful discovery is, perhaps, best exemplified by the following statements "on the record" to United States Magistrate Judge Alma Chasez in my civil rights litigation by Michael Keller of the Louisiana Department of Justice:

"MR. KELLER: Allegedly John Nelson, and I know he was there. And the problem is that there are no records showing who was with him, and he can't remember who was with him. He had a State Trooper with him, and he doesn't remember who else was on the scene by name ... there was no formal roll call. They just -- the only way to find out who he was riding with is basically to ask every trooper in the State if they were there that night." Record Document No. 346, page 5, lines 13-23, in Civil Action No. 06-7280 on the docket of the United States District Court for the Eastern District of Louisiana, which is available on PACER.

(9) At the time Keller made those misrepresentations, which I aver constituted "fraud upon the Court," Keller was an Assistant Attorney General for the State of Louisiana and representing: "... the State of Louisiana, the State of Louisiana through the Louisiana Department of Public Safety and Corrections, the State of Louisiana through the Louisiana Department of Public Safety and Corrections, Office of State Police, Troopers John Nelson and Christopher Ivy (sic)." Record Document No. 346, page 3, lines 13-18, C. A. No. 06-7280, E. D. La.

(10) My quoting of Keller's misrepresentations does not constitute an exclusive enumeration of examples of Trooper Nelson's perjury.

(11) Individuals within the Louisiana State Police who have willfully failed to investigate my formal complaints of criminal misconduct, who have obstructed justice by "covering up" what was done to me on September 20, 2005, and who have wilfully failed to discipline Trooper Nelson and other miscreants within the ranks of the Louisiana Department of Public Safety and Corrections, include the following:

Colonel Henry Whitehorn  
Colonel Mike Edmonson  
Colonel Kevin Reeves  
Lt. Colonel Charles Dupuy  
Lt. Colonel Mike Noel  
Major Kathy Flinchum  
Assistant Secretary Faye Morrison (Office of Legal Counsel)  
among many others

Declared to be true and correct under penalty of perjury pursuant to the provisions of 28 United States Code, Section 1746, this 23rd day of January, 2022. Ashton R. O'Dwyer, Jr., 2829 Timmons Lane, Unit 143, Houston, Texas 77027, telephone: (504) 812-9185.