

THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

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LUTHER W. THOMAS, Clerk
By *[Signature]* Deputy Clerk

GEORGE W. HIGH, SR., VIRGINIA C. HIGH,
ERIC L. HIGH, JENIQUE DRAKE HIGH,
GEORGE W. HIGH, JR., BEVERLEY HIGH,
GEORGIA HOME IMPROVEMENT CO., INC.,
HIGH-FIVE LTD. AND ALL AGGRIEVED
BLACK PARTIES,

PLAINTIFFS

v.

BARBARA BROWN (FBI AGENT), TERRY SOSBEE
(GIBI AGENT), WILLIAM SILINSKI (IRS AGENT)
SHELIA WHIPPLE (IRS AGENT), DAVID JONES
(IRS AGENT), UNKNOWN "NEGRO" FEMALE
(IRS AGENT), AND "THOSE FEDERAL AGENTS
WHO IT IS INDICATED BY THE RECORDS OF
THE UNITED STATES ATTORNEY PARTICIPATED
IN THE UNREASONABLE SEARCHES AND SEIZURES
AT THE HIGH'S RESIDENCE AND THE OFFICE OF
GEORGIA HOME IMPROVEMENT CO., INC., AND
HIGH-FIVE LTD., ON JULY 27, 1992"

DEFENDANTS

ca. 89-CV-1197

Case No. _____

BIVENS CIVIL ACTION

COMES NOW GEORGE W. HIGH, SR., the lead plaintiff, pursuant to Federal Rules of Civil Procedures and request monetary damages against the above named defendants who did conspire to deny a person equal protection and due process of law, as guaranteed by the fourteenth admendment of the United States Constitution. Said defendants also deprived plaintiffs of their civil rights as guaranteed by the fourth and fifth admendment of the United States Constitution.

STATEMENT OF JURISDICTION

Jurisdiction of the Court is invokled under the following:

28 U.S.C. § 1331
42 U.S.C. § 1985

BIVENS v SIX UNKNOWN FED. NARCOTICS AGENTS, 403 US 388, 29 L Ed 2d 619, 91 S Ct 1999 (1971)

CONSTITUTIONAL ADMENDMENTS

FORTH ADMENDMENT.....Unreasonable Search and Seizure
FIFTH ADMENDMENT.....Grand Jury and Double Jeopardy
FOURTEENTH ADMENDMENT.....Equal Protection & Due Process

PERSONAL JURISDICTION AND VENUE

28 USC § 1391 (e)(2) A civil action in which a defendant is an officer or employee of the United States or any agency thereof acting in his official capacity or under color of legal authority, or an agency of the United States, or the United States, may, except as otherwise provided by law, be brought in any judicial district in which....(2) a substancial part of the events or omissions giving rise to the claim occured, or a substancial part of the property that is the subject of the action is situated.

STATEMENT OF THE ISSUES

ISSUE I

On June 17, 1992, at app. 10:00 A.M, IRS agents David Jones, unknown black female, and William Silinski, acting under claim of federal authority entered the office of Georgia Home Improvement Co., Inc., and arrested VIRGINIA C. HIGH. The "armed agents"

manacled plaintiff in front of her husband (George High), her son (Eric L. High), and a client after searching her. The arrest was "done unlawfully, unreasonably and contrary to law", as guaranteed by the fourth admendment of the United States Constitution.

ISSUE II

On July 27, 1992, the defendants effected an unreasonable search and seizure at the residence of Eric L. High, and Jenique Drake High "without cause, consent or warrant". The defendants also exercuted an unreasonable search and seizure beyond the bounds and without valid warrant at the residence of George and Virginia High. The defendants violated the plaintiffs rights as guaranteed by the fourth admendment of the United States Constitution.

ISSUE III

On July 27, 1992, the defendants effected an unreasonable search and seizure at the office of Georgia Home Improvement Co., Inc., without a warrant and without probable cause. The defendants violated the plaintiffs right as guaranteed by the forth admendment of the United States Constitution.

ISSUE IV

William Silinski and Shelia Whipple went before the grand jury and "wilfully, knowingly and with malice" made false and fictitious statements to decive them into indicting George and Virginia High. The defendants violated the plaintiffs right against unjust indictment as guaranteed by the fifth admendment of the United States Constitution.

ISSUE V

Plaintiff was subjected for the same offense to be twice put in jeopardy of life and limb by the defendants, which deprived said plaintiff of rights guaranteed by the fifth admendment of the United States Constitution.

ISSUE VI

Plaintiffs were compelled by the defendants in a criminal case to be witnesses against themselves, in violation of the gurantee by the fifth admendment of the United States Constitution.

ISSUE VII

The defendants denied the plaintiffs of life, liberty, or property, without due process of law; as guaranteed by the fifth admendment of the United States Constitution.

ISSUE VIII

The plaintiffs (including GEORGIA HOME IMPROVEMENT CO, INC., AND HIGH-FIVE LTD.) asserts claim for conspiracy to deny a person equal protection of the laws and asserts action for damages for such conspiracy against all of the defendants and others who deprived said plaintiffs of their rights as guaranteed by the fourteenth admendment of the United States Constitution.

FACTUAL BACKGROUND

In late September 1990, IRS investigator Sheila Whipple called Kyle Henry and made an appointment to meet him for lunch. Now Kyle Henry had stated in the car business in 1984, and became a salesman sometimes thereafter. In 1987 he started working for Bambi leasing as a sub-contractor with his own clients and subsequently began to sell high dollar cars, i.e. Mercedes Benz, Porsches, Range Rovers and such. Shortly thereafter Kyle Henry left Bambi leasing and began brokering on his own, and he began to attract drug clients and doing a number of "all cash deals". In early 1990 Kyle Henry met Ladaris Patrick, and in a short period of time sold Patrick three cars for all cash. Kyle said under oath that he knew Patrick was a drug dealer at the second sale. Kyle also said that he had done eight (8) other cash deals before meeting Patrick.

On September 26, 1990, Sheila Whipple met Kyle Henry for lunch at Paces Deli (Cor. Peaces Ferry & Atlanta Rd.). Now Sheila Whipple is white and Kyle Henry is white, and contrary to IRS policy, she did not carry her weapon, nor did she read him his rights, and she met him alone. She said that the meeting lasted about 45 minutes and she did not feel like he had violated the law. She said that she could not remember having lunch, but she did prepare the form 8300. She also said under oath she did not inquire extensively about his background or how long he had been in the car business, and she said that she did not go back to "84", but did ask about his leaving Bambi and brokering on his own. She was asked if Kyle had told her that he had done eight other "all cash deals", and she said that she did not ask him about other cash transactions.

Ms. Whipple said that Kyle told her that he was not familiar with the 8300 forms and that she believed him. She was asked if she knew that the transaction she was investigating had to do with drug proceeds, and she said yes.

Kyle Henry said that he knew that Patrick was a drug dealer, and he visited him in Memphis and they attended sports events together. Kyle said that he had other drug clients. Kyle said that he had sold a Mercedes for Patrick and gave him a \$80,000 check and Patrick insisted on a number of smaller checks, and he (Kyle) assisted Patrick in getting smaller cashier checks. While on the witness stand, Kyle said that he and "Sheila" had lunch on their first meeting but he could not remember who paid for it. Ms. Whipple asked Kyle Henry to be an undercover agent and he agreed, and she told him to contact her whenever he was approached by any "Black" guys about buying cars. Kyle was later provided with a paid apartment, including utilities, and it was wired for sound, and he began recording "selective calls". Kyle Henry took an unusual amount of control of the sting operations.

On May 19, 1991, IRS agent Tris M. Lingam and her group manager, Don Merz went to Fort Richie, Maryland Army Base to talk to Sgt. Robert Ward about a suspicious form 8300 transaction. They were both armed, and they read him his rights, and they gave him no prior notice. Robert Ward is Black and Trish Lingam is white.

In August or September 1991 (or thereabouts), IRS agent David Jones just walked into the office of High's Realty, Inc., at 6118 -D Covington Hwy. and asked to see Mr. or Mrs. High. Mrs. High came out shortly and he identified himself and said that he needed to get certain information pertaining to a client. Mrs. High told

him that she would not be able to give him the information but he could check with me. She brought him to my office and told me who he was and what he wanted, and she asked me to step outside, and when I did she told me that "he had a gun" and for me to be careful. I asked him for identification, which he produced, and I then asked him why did he come in our office armed, and he said that it was IRS policy that they always wore sidearms. I asked him if this was about some tax investigation of the person, and he said "no". He said that he had been told by the person that we would have certain records that he needed. I told him that I could not release any information without the persons consent. I called the person and got no answer and I then paged them and they did not return the page. He said that he would check back with us the next day because he would be back in the area. The client called later and said that it was O.K. to give David Jones what he had requested. David Jones came back the next day and began questioning Virginia about our record keeping, and how we kept tract of when people paid rent or other monies owed. Virginia asked him if he was investigating us and he assured her that we were not under any investigation. She gave him the information and he left. Sometimes later Virginia and I returned to the office from an appointment and David Jones was in the office talking to Eric High, and we spoke and he he asked if he could speak with one of us. I invited him into my office and asked him why he had not called, and he said that he was just in the area and dropped by. David Jones said that he understood that I had sold the client some lots in southwest Atlanta, and he also inquired about a second mortgage that I held on a piece of property on Memorial Dr.. I asked him "point-blank" if he was investigating us because it seemed like he was more interested in our business than the clients.

He again assured me that he was not investigating myself, my wife, or our business. and he said that if he was investigating us he would have to inform us of such. He told me that he needed some additional information and I told him to put everything that he wanted in writing and I could see that he was too pleased with handling things in that manner, and he said that he'll be back in touch with us and he left. David Jones was (and still is) "black".

On October 17, 1991, at about 9:00 A.M., Virginia and I were exiting our rear-entry garage when a car came around to the back of our house very fast and blocked us 1/2-way in/out of our garage. Two white men got out very fast and came to either side of our car and motioned for us to lower our windows and we complied. They identified themselves and said that they wanted to talk to us, and I told them that we were on our way to a very important appointment and would meet with them later. They agreed and gave us their card and asked us to call them when we returned. Virginia made mention of the fact that they had "guns" because their coats were opened when they were leaning down talking to us and we could see them. We found it very strange that they would drive around to the back of our house, because all of our visitors always came to the front entrance except family and expected friends. We returned around 11-12:00 and called them and they were in about 15 minutes, and they again drove around to the back of the house, opened the door to the screened porch, entered and knocked on the back door. I invited them into the breakfast room and we were seated. Virginia "immediately" asked them if they were still wearing their guns, and agt. Silinski said yes, and that it was a policy that they always wore firearms. Agt. Silinski was accompanied by agt. Michael Scamid, and he (agt. Silinski) said that he wanted to ask us some questions,

but first he wanted to read us our rights which he proceeded to do, and after which he began to ask us numerous questions. He had our tax returns for the years 1988 and 1989, and he asked about \$5,000 line item and Virginia told him that she had won that in Las Vegas. He also asked her about the properties that we had listed on the returns, and he asked other questions about our taxes. He asked if we borrowed any money and he asked if we kept any large sum of cash on hand. Most of the questions we did not answer, because my posture was that: when two armed white men invade our home unannounced, uninvited, and read us our rights.....Well, after about 2 hours of a lot of questions and a very few answers, Agt. Silinski left us a list of items that he wanted us to get to him, and Virginia had been taking notes all the while he was there.

Within a day or two after the "armed invasion", Virginia and I were in the office and I was at the fax or copy machine and she said "George" look who's coming across the parking lot, and I looked and it was David Jones. He came in and spoke and said that he had been very busy but he had finally got around to getting the list that we had requested. Only Virginia and I was in the office, and we told him that two IRS agents had been to our house and had read us our rights and asked us a lot of questions and gave us a list of items that they wanted. I asked him if he knew agt. Silinski and he said that he could not place him. I asked him if he was working with agt. Silinski and he said "no". I reminded him that he had assured us that we were not the subject of any investigation, and he again said that he was not investigating us, and was not aware of any investigation pertaining to us. He asked me if agt. what's-his-name specified any properties and I said yes, but we did not have the list with us. He asked me if I had the agents card and

I showed it to him, and he said that name did not "ring-a-bell", but there were hundred's of IRS agents in the Atlanta area. I looked over the list and gave him some of the items, but some of them we did not have in file and we had to get them from the bank, and he had to make another trip after Virginia called him later.

Within 2 weeks or so agt. Silinski called at the office and asked Virginia about the items that he had requested and she told him that IRS agt. David Jones had got some of the things that he requested, and he asked who was David Jones? Virginia said that he was an IRS agent that had been coming around for the last couple of months asking about a client, and agt. Silinski said that he was not working on any case with a David Jones, and he said that he was going out of town for two weeks and would get get back with her. Agt. Silinski called back when we were having a Christmas party for the agents and I told him that this was a very bad time and he said that he'll check back with us after christmas.

When we came back to the office after new year, the investigator from the Georgia Real Estate Commission came in and gave me a copy of a ruling informing me that the licenses of George W. High, Sr., and High's Realty, Inc., was revoked, effective January 8, 1992, and that we were to cease doing business immediately. and remove all real estate signs, cancell all listings, inform all agents to transfer and/or send their licenses to the Real Estate Commission. We ceased operations and closed High's Realty, Inc., office in late January, and Virginia High, Eric L. High, and George High, Jr. all transferred their license to Real Estate Portfolio, who was located on Snapfinger Woods Dr.

Agt. Silinski paged one day and I called him back, and he asked me about those items that he had requested and I told him that I had personally gave some of those items to IRS agt. David Jones, and I wanted to know "wahat was going on? He said that: "I am not working on any case with any David Jones", and he said, Mr. High are you or Mrs. High going to give me the things that I requested and I said "no". Virginia was not with me at that time and I later told her what had transpired between agt. Silinski and myself, and that it was time that we got an attorney.

Virginia or I called att. Robert Burroughs and he referred us to Att. C. Michael Abbott. Virginia called Michael Abbott and he told us to come to his office and bring \$5,000. We went to his office explained the situation and he said that he knew agt. Silinski and he would call him right now. Michael Abbott called agt. Silinski and asked him if Virginia or I was the target of any investigation, and agt. Silinski said "I can't say". Michale Abbott said that he would talk to agt. Silinski later and let him know that he was representing us, and he should not call us again. Att. Abbott asked for the \$5,000 and Virginia took out her checkbook and began to write a check and he said that he wanted "cash". Virginia told him that she would write him a check and we would cash it for him, which she did. Agt. Silinski did not call us again.

In March/April 1992, Alex Turner who had been the FBI case agent since 1987 was terminated, and Barbara Brown became the case agent. Alex Turner is "black" and Brabara Brown is "white", and with the change, all of the governments investigators were white i.e. U.S. Attorney Joe D. Whitley, ASAU Allen Moye, IRS agents William Siliski and Shelia Whipple and FBI agent Barbara Brown.

On June 8, 1992, Kyle Henry and his lawyer negotiated a contract with the IRS (William Silinski & Sheila Whipple), that could pay him up to a million dollars, and the U.S. Attorneys made a contract with him to receive 25% of everything that they seize e.g. cars, trucks, houses, money and ect. Before the ink dried Agt. Silinski seized a number of properties, and took \$12,000 from Virginia's bank account, and later "waylaid" an insurance check for \$15,000.

On June 17, 1992, Virginia and I was in the office of Georgia Home Improvement Co., Inc., and Eric High and a client was leaving, and when they got to the parking lot they saw David Jones, a negro female and William Silinski looking at Virginia's car. David Jones spoke to Eric (as they had seen each other on numerous occasions) and asked "where is Mrs. High"? Eric said she is in the office, and David Jones asked Eric to show him the office. Eric brought them to the office and at that point David Jones and the negro female rushed in the office and he (David Jones) said "Freeze" and don't nobody move, or something to that effect, He had his hand on his gun and so did the female. The female told Virginia to "get against the wall, or put your hands on the wall", and she began to search Virginia and told her to take her rings off and she took a comb from Virginia's hair. As the negro female was handcuffing Virginia Agent Silinski came and stood in front of my desk and watched me as David Jones had been standing at the side of my desk. Agt. Silinski and the negro female left together with Virginia handcuffed between them, and David Jones kept me "covered" until they got outside and he left. Now a few months earlier at the office of High's Realty, Inc., David Jones could not place Agt. Silinski and said he was not

working on any case with him, and agt. Silinski had told me and Virginia on more than one occasion that: "I am not working on any case with any David Jones".

Virginia was indicted that day and we posted a \$100,000 bond and she was released. We went to Michael Abbotts office the next day and he said that the government wanted Virginia to cooperate with them because they were interested in some people we had sold some houses to. We did not understand much about what was going on, and Michael Abbott began to explain what cooperating entailed, and Virginia said that she was not pleading guilty to anything because she had not comitted any crime. Michael Abbott said that he could talk to the prosecutor (Allen Moye) and get things worked out, and he felt certain that she would not go to prison if she pled guilty and cooperated. Virginia took a firm and decisive stand and said that she would not pled guilty or cooperate under any circumstances. Michael Abbott told Virginia that if she did not cooperate that there would be another indictment and I would be included.

On July 9, 1992, Just like Michael Abbott said, there was another indictment and I was included along with Virginia and three black males [see] Dist. Ct. Docket No. 1:92-CR-182 (superseding). The prosecutor had "turned up the heat". I posted a \$100,000 bond and went home, as I had not been arrested, but they called our lawyer Michael Abbott and told him that I would be indicted and I shoule be at the federal courthouse that morning. Now why agt. Silinski did not afford Virginia that came courtesy, I do not know, but it is well documented that Michael Abbott had been representing "us" at least 3-4 months before Virginia was arrested. Virginia and I

made application to the Court to be appointed lawyers, because the IRS (agt. Silinski) had seized some properties and took \$12,000 from Virginia's bank account, and later "they" seized a \$15,000 insurance check, so they made certain that we would not be able to hire "real lawyers" to mount a good defense.

On July 27, 1992, at about 6:00 A.M. Virginia and I heard knocking at the front and back door, doorbells ringing, and people hollering "open the door, we have a search warrant". I went downstairs and opened the front door, and then opened the back door because there were numerous agents there also, and I would estimate that there were 20+ agents at our residence, and they were all armed. Agt. Silinski said: Mr. High we have a search warrant and I want to where do you keep your guns? I told him and as they started upstairs, I said that Mrs. High is not dressed and he told Ms. Whipple and the negro female who arrested Virginia to go upstairs with Mrs. High. Virginia and I came down later and they instructed us both to sit in the family room. Terry Sosbee (GBI) began "snooping" around the family room, and the other agents started opening doors, and they tried one door and it was locked, and the agt. asked, "whats in there", and I said thats the lower leve and that our son Eric High and his wife Jenique rented the apartment there. He called agt. Silinski, and he said Oh! this house has a basement? I told him that the entrance was outside and it was a seperate apartment. He said that he had a search warrant to search the "whole house". They kept knocking on the door until Eric or his wife opened it, and they told them that they would have to come upstairs while they searched the apartment, and they also made Eric and Jenique sit in the family-room along with Virginia and myself. As previously stated, the

apartment had a separate outside entrance, 2 bedrooms, a full bath, fireplace, laundry room, living/dining room sink cabinets, refrigerator and it was completely furnished with their furnishings. Silinski called me to the Master bedroom and asked me to open the safe or he would take it with him, and I complied. At about 6:30 he told me that I need to accompany some agents to the office because they had a search warrant there also, and he assured me that if I did not open the door they would "kick-it-in". Shelia Whipple followed me to the office and when we got there, there were already 4-5 agents already there, and when I opened the door the search began. I went in the back office and sat at my desk. I heard Shelia Whipple tell someone that this was the office of High Realty, and I spoke up and said that this was the office of Georgia Home Improvement Co., Inc., and she either didn't hear me or she ignored me, so I got up from my desk and went to the reception area where she was and told her that this was Georgis Home Improvement Co., Inc., HIGH-FIVE Ltd, and Bal, Inc., and she could go to the management office right down the hall and see whos office this is. I asked her if they did not see the sign on the door saying "Georgia Home Improvement Co. Inc.. I told her that High's Realty, Inc., had been out of business for over 6 months and had never been at this location. She asked me to please have a seat and they knew what they were doing. They continued going thru files, and they brought in numerous boxes and started seizing files. About 1:00 P.M. (or thereabouts) agt. Silinski, the negro female, and some other agts. came over and agt. Silinski told Shelia Whipple that they had finished searching the house. AGt. Silinski started going thru files, and I told him that if the warrant was for High's Realty, Inc., that he was at the wrong place.

I told agt. Silinski that this was the office of Georgia Home Improvement Co., Inc., HIGH-FIVE Ltd, and Bal, Inc., and he just went about his business of "searching and seizing". They took three computers belonging to Georgia Home Improvement Co., Inc., HIGH-FIVE Ltd, and Bal, Inc.. They took files from all of the cooperations, they seized all the cooperate checkbooks, cancelled checks, every computer disk in the office, stock certificates, personnell files. They seized every address book, every appointment book, all business tax returns, "all personnal tax returns beloing to Eric High's client's and he is a CPA. They took the appointment book showing every visit that David Jones had made and the list of items that we had given him. They took the list of items that Silinski had requested on his "invasion" on October 17, 1991. In retrospect, we did confirm that David Jones and agt. Silinski requested some of the same items. Virginia and I had been real estate investors since 1971, and the seized every first and second mortgage that we held, and every mortgage that all of the cooperations held, They seized all of the closing statements in the office and at home. They even seized the \$5,000 check that we paid Michael Abbott in early 1992. They took the copy of the ruling from the real estate commission revolking the license of High's Realty, Inc., and George W. High, on January 8, 1992, so its no way they could say that they thought that office was High's Realty, Inc.. They took all the hundred's of leases on the various properties owned and managed by HIGH-FIVE Ltd. After agt. Silinski and his "raiding paRTY" left, there was little evidence that Georgia Home Improvement Co. Inc., HIGH-FIVE Ltd., and Bal, Inc., ever existed, and soon thereafter we moved our office to our home. They seized at least 30 boxes of files.

They finished searching and seizing at the office about 5:00 P.M.. I went home and asked Virginia what did they take and she said the agents made her, Eric and Jenique stay in the family room during the entire search, so they were able to see what they were seizing. They said the agents were taking boxes out the front door, through the garage, and they took the items from Eric and Jenique's residence through the outside entrance. They were all trying to do an inventory, but she knew they took all the credit cards, all address books, all appointment books, a computer belonging to Eric High, every computer disk in the house. They took numerous files and records from Eric and Jenique High's residence. They took copies of the first and second indictment. They seized my briefcase containing my "legal firearm", numerous credit cards, appointment book and address book.

Virginia called Michael Abbott and told him about the search and seizure and he was not at all surprised, and told us to come down to his office. We went to his office within a few days, and Michael told us that we needed to start cooperating now. Now Michael Abbott was representing Virginia and I because we had paid him \$5,000, and the court had not appointed us lawyers at that time. Michael Abbott represented me at the indictment and arraignment, at which time I pled not guilty. Michael Abbott said that they now have proof after the search and seizure, and they have more than enough evidence for conviction. We told him that the search was illegal because High's realty, Inc., had been out of business over six months and had never been at that location. He told us that he was a Assistant U.S. Attorney and prosecutor for a number of years, and that they had probable cause for the search and seizure, so forget about the illegal search and seizure. We also told him that they searched

Eric and Jenique High's residence which they rented from us, without without a warrant and the agents seized a number of items. He told us those issues are losers. Virginia asked him about filing a claim for the \$12,000 they seized from her checking account, and he said that would not be worth fooling with. He told us that we had no choice but to cooperate. I was present at that meeting and every time we visited his office up until I was appointed an attorney.

On August 10, 1992, The Court appointed William A. Morrison to represent me, and sometimes thereafter Bill Morrison called me and told me to come to his office. When I arrived at his office, the first words that he uttered were: "You need to start cooperating now because the evidence is overwhelming". He told me that he had been an assistant United States Attorney and prosecutor, and he use to work with Allen Moye and he would get with him and get me a "good deal". He said that Allen Moye wanted Virginia and I to come down to his office and go over all of the records, files and all of the evidence that they seized, and cooperate with the government and he said that he could assure me that I would only get a short sentence at the Atlanta Camp, and that Virginia would not go to prison if I "made a deal right now". I told Bill "no thanks" and that we were innocent and would not be pleading guilty to anything, and that was my first and final answer on the matter. He told me not to try to play hardball because Allen Moye don't lose no drug cases. I told him how they searched Georgia Home Improvement Co., Inc., and the warrant was for High' s Realty, Inc., and also how they searched Eric and His wife's residence that they rented from us without a warrant. He said those arguments "wont hold water", and to let him handle the law, and for us to start cooperating now.

He told me that if Virginia and I did not cooperate now that the stakes would get much higher and the deal would not be as nice then. I told him that I would not pled guilty or cooperate under any circumstances. Bill Morrison assured me that there would be another indictment, and he said: I gurantee you that y'all will cooperate.

On December 17, 1992 (just like Bill said), there was another indictment which included my self, Virginia and 13 other persons. The prosecutor had really "upped the ante" and charged Virginia and I on count #1, the drug conspiracy. The prosecutor had also charged me with counts 3 and 9 (firearm counts).

After the third indictment Bill called and told me to come to his office. Upon my arrival he said George "boy" you aint got a prayer, and it was as if he was happy and he had a "smirk" on his face. He said these are some very serious charges, and you and Virginia could go to prison for the rest of y'all's life. Bill told me that the stakes had got much higher like he had warned me about. He said that Allen Moye was still willing to make a "sweet deal" which would entail me pleding guilty and being sentenced to 25 years and to cooperate and to tell everything that I know, and to persuade Virginia to do likewise, and I could get a 5k-1 and maybe a rule 35, and he said maybe , just maybe (no promises, he said), Virginia may not have to go to prison. I told him how David Jones and Bill Silinski had tricked us with David Jones getting information from us and saying that he was not investigating us, and that he could not place agt. Silinski, and how agt. Silinski said that he was not working on any case with any David Jones, and a few months later they came to our officer together and arrested Virginia on June 17. I told him how they had searched Georgia Home Improvement Co., Inc.,

when the warrant was for High's Realty, Inc., when in fact High's Realty had their licenses revoked and ceased operations on January 8, 1992. He asked me if I had records of the visits David Jones made and I said they seized them, and he said it was just my word against Bill Silinski, and who do I think the jury would believe. He told me if they believed there was evidence of a crime at that office, they had probable cause to search. I told him that they had charged me with two false firearm charges, because all my rights were restored when I got out of prison in 1962, and also my rights to possess firearms. And I told him that I was not a convicted felon. At that point Bill Morrison became "irate" because I had really "pushed the wrong button", and he stood up and started hollering and said: Do you think that the FBI, ATF, DEA, IRS, and the U.S. Attorney's office is a "bunch of idiots", and would do something so "stupid" as to search your house, and your briefcase and find a legal firearm and carry it before the grand jury and get a false indictment? Do you think they would be so "incompetent" as to get an affidavit for a search warrant and not check to see whose office it is? He said that it is no way that David Jones and Bill Silinski would be a party to any wrongdoing, and that David Jones would have certainly read you and Virginia y'all's rights just like Bill Silinski did if he was a party to any criminal investigation. I told him that I maintained all of the above i.e. false firearm charges, that I was not a convicted felon, The search and seizure was without a warrant at the alleged office of High's Realty, and the residence of Eric and his wife, and the residence of George & Virginia High. And that our rights were violated by Bill Silinski and David Jones.

He told me that if any rights had been restored, they only applied to the State of Colorado and would have no effect on Federal Law, and that I was a convicted felon under federal law, and I can just forget about the searches and seizures being unconstitutional. Bill reminded me that he was a former federal prosecutor, and a practicing attorney, and my defense lawyer and it was no way that he would tell me anything wrong because he was going to fight for my rights "until the final blow is struck". He assured me that it was no way that we would be acquitted if we went to court and we well may get "life". Bill told me to discuss the matter with Virginia and get back with him and maybe we could "cut-a-deal". When I got home I discussed with Virginia how I had been offered a deal to pled guilty and get 25 years and how she may not have to go to prison, and if we cooperated I could get a sentence reduction. Virginia said: Aint no way" we will pled guilty or make any deal because we are innocent, and if we go to prison "so be it". We never vacillated and remained steadfast until this day.

In early 1993, Michael Abbott called Virginia to come to his office, and this was not long after the above "very heated meeting" that I had with Bill Morrison. I went with Virginia to the appointment, but I waited in the restaurant on the mezzanine floor of the building. The meeting lasted for a long time and afterwhich, she told me that he said pretty much what Bill Morrison had told me at the meeting that we had. Michael Abbott had told her that it would be "suicide" to take this case to trial because it was "cut and dried", and he told her that she had no choice but to cooperate because the evidence was "overwhelming", and that when (not if) she was found guilty (which she would be), that she would get considerably

more time. He told her that if she went to trial that he could assure her that she would get at least 25 years and possibly life after being found guilty. Virginia said that he asked her if I was telling her to not to cooperate, and if I was, and she listened to me she was going to prison for a very long time. He told her not to not bring me to his office again.

Within a few days Michael Abbott called Virginia with another "trick-up-his-sleeve", and he told her that he had a very good idea that could well work in our favor, and he proceeded to tell her about the polygraph exam and how he may be able to get the results entered into evidence to prove our innocence. Virginia told him that she would discuss it with me and get back with him. That same day Bill Morrison called me about the same thing and it was "verbatim" to what Michael Abbott had discussed with Virginia earlier. I told him I would think it over and get back with him. Virginia nor I had never taken a polygraph exam and did not know the pros and cons of it, but we agreed that if it could help us, "we were for it". Virginia called Michael Abbott within a day or two and told him that we had agreed to take the polygraph and he could set the appointment. He told her that it would cost \$500 each, and that he'll get in touch with Bill Morrison and he'll be there also. We went to Michael Abbotts office for the appointment and Bill Morrison arriver shortly. Virginia took the test first and the examiner told her that she had failed miserably, which proved that she was guilty. I took the test and he said that I was being deceptive, and not at all truthful. At that point the examiner became the interrogator and told me that I should cooperate and tell the truth and I could help myself and my wife and that prison is not a nice place. He told me that I should

make a deal which would assure me of a much lighter sentence. He told me how I should just get it all off my chest and confess to everything, and he told me how proud my wife would be for keeping her out of prison. I told him that I had no confession to make to him or anyone else and for him to just leave me alone. I know then that the polygraph was just a "scam" to get us to cooperate.

After the test was over Bill Morrison and Michael met with the examiner for about 15 minutes, and then the examiner left and Michael Abbott called Virginia and myself into his office, and there was just the four of us there; Bill Morrison, Michael Abbott, Virginia and myself. They told us that the test proved that we were guilty so we had no choice but to cooperate. They said that Allen Moye wanted us to come down to his office and go over all the records and evidence that they seized, and tell them everything that they wanted to know, and he (Allen Moye) would recommend a lesser sentence because the government was interested in some of the people that we sold houses to. Bill Morrison said that they did not want to put Virginia in prison because they knew that she was not a drug dealer. Virginia and I "emphatically" and in no uncertain terms told them that we would not pled guilty, and that we would not cooperate, and that we were going to trial. I also told both of them while we were all together, that I was not a convicted felon and that all my rights had been restored including my rights to possess firearms. I told him that the 2 firearm charges was unjust. I told them that the search and seizure at the alleged office of High's realty, Eric and Jeniques residence, and at our house was unreasonable and unjust. I told him that Bill Silinski and David Jones had violated our rights. I asked them to investigate the firearm charges, and High's realty being out of business six+ months prior to the search and seizure.

Bill Morrison said that all of the charges were correct and if the government bring an indictment it is true and they don't frame peoples. Our trial began in September of 1993, and before it was over, the government called 74+ witnesses, and Michael Abbott and Bill Morrison called none. The prosecutor waved my legal firearm before the jury on no less that four occasions, and Terry Sosbee (GBI Agent) testified about the firearm, and how he searched my briefcase. Marty Spiegelman testified about selling me the firearm. Luis Valez (BATF) testified about test-firing my firearm after having it given to him by William Silinski. Virginia and I was found guilty and sentenced to 97 months and we self surrendered on March 28, 1994, and have been incarcerated since unjustly.

ISSUE I

On June 17, 1992, at app: 10:00 A.M., IRS agents David Jones, Unknown negro female, and William Silinski, acting under claim of federal authority entered the office of Georgia Home Improvement, Co., INC., and arrested Virginia C. High. The "armed agents" manacled plaintiff in front of her husband (George High), her son (Eric L. High), and a client after searching her. The arrest was "done unlawfully, unreasonable and contrary to law", as guranteed by the fourth admendment of the United States Constitution.

ARGUMENT

The arrest of VIRGINIA C. HIGH on June 17, 1992, was nothing less than the abuse of authority, by "rogue agents" within the IRS, because Agt. Silinski had not been at all successful in his "racist" intimidation and constant harassment of George and Virginia High since that "armed invasion" by him and his cohort on October 17, 1992, to acquire the much needed information that he had "demanded". However his surrogate, David Jones did "Hoodwink" the High's in getting some information "under false pretense", and on at least one occasion he even "stole" some information while Mrs. High was making copies. Agt. Silinski was "infuriated" because he was not accustomed to dealing with intelligent "people of color", who knew their rights. Agt. Silinski only brought the two "negro agents" with him to arrest Mrs. High, to: (1) give credibility to his campaign of "Racial Profiling and Selective Prosecution" and (2) to allow said agents to effect the arrest with "Gestapo Like Tactics" unreasonably, and contrary to law, to make an example of Mrs. High so she would be more conducive to "cooperating", but that was not to be so, and (3) Mrs. High was pushed against the wall, searched and manacled in in front of her husband, Son, and a client by the armed agents with their hands on their guns, to send a message that "they were the law".

Agent's Silinski's reason for arresting Mrs. High are "obvious", because just a week before on June 8, 1992, He, Shelia Whipple, (as representatives of the IRS), and the United States Attorneys office i.e. Joe D. Whitley and Allen Moye, and Kyle Henry, and his lawyer, with (no doubt) FBI Agent Barbara Brown, had all conspired together and made a "unholy" agreement just among "white folks" to

give Kyle Henry a million dollars by the IRS, and 25% of all they seize from the United States Attorney's Office, for his assistance in the "framing" of George and Virginia High and other "black defendants". William A. Morrison and Michael Abbott joined the "conspiracy" later, and so did a number of others.

It was the objective of agt. Silinski in arresting Mrs. High, to elicit a guilty plea and cooperation, which would eliminate her day in court. As aforementioned, Michael Abbott was paid \$5,000 in early 1992 to represent Virginia and I, and agt. Silinski was well aware of that, and as a matter of fact Att. Abbott had told us on more than one occasion that he had spoken with him, so it is quite obviously that the arrest was done "contrary to law", and agt. Silinsky could have simply issued a summon, or he could have simply picked up the phone and called Michael Abbott, like he (or someone) did when I was indicted, and said have George High in Court tomorrow at _____ A.M., because he will be indicted, and I was there. Agt. Silinski demonstrated "Deliberate and Depraved Indifference" toward the rights of Virginia C. High against being unjustly arrested as guaranteed by the fourth admendment of the United States Constitution.

ISSUE II

On July 27, 1992, the defendants effected an unreasonable search and seizure at the residence of Eric L. High and Jenique Drake High "without cause, consent or warrant". The defendants also exercised an unreasonable search and seizure beyond the bounds and without valid warrant at the residence of George and Virginia High. The defendants violated the plaintiffs rights as guaranteed by the fourth admendment of the United States Constitution.

ARGUMENT

At app: 6:00 A.M. On July 27, 1992, Eric and Jenique High heard loud knocking and hollowing at their door, with people saying "open this door, and open it now". Eric was in the shower and his wife was in bed, so he rushed to open the door $\frac{1}{2}$ dressed, and there were about 8-10 "white men" standing there, and he nor his wife resisted because it had only been six weeks since he had witnessed his mother being pushed against the wall, searched, arrested, handcuffed and "manhandled" by Agt. Silinski and the female, while David Jones held him and his father "at bay", with his hand on his gun, and all of the agents were armed, and those were no fond memories. Now Eric High found himself face to face with the "perpetrator", in the person of agt. Silinski, and he and all of the 8-10 agents were armed and he (agt. Silinski) told Eric and Jenique High to go upstairs to the family room because they were going to search their residence. The agents produced no warrant nor indicated that they had one, and the agents nither asked nor was granted consent to search. The search lasted about about 6 hours, and the agents seized hundred's of files beloinging to his clients, because Eric High is a CPA. They seized all of Eric High's tax files belonging to various clients. They seized his computer and every computer disk in the residence. They seized credit cards, address books, appointment books, and checkbooks belonging to Eric and Jenique High. The agents did not leave an inventory list of the items that they seized from the residence of Eric and Jenique High, but they did leave the place "in shambles" and they broke a marbel chess set, wasted foodstuff on the carpet, and left Mrs. Jenique High's "Lingerie" all over the bedroom floor. The agents never returned one single item to Eric or Jenique High that was seized. Eric High lost in excess of \$100,000

in accounts receivables, not to mention 40-50 clients, because the agents seized his computer, all disks and all files, in violation of the fourth admendment's command against unreasonable searches and seizures, by federal agent's acting under color of authority.

The search and seizure exercuted at the residence of Goerge and Virginia High on July 27, 1992, by agt. Silinsky, Shelia Whipple, The "negro female", Terry Sosbee, and about 20 other federal agents, was for the sole purpose of securing evidence to justify the million-dollar-deal that the IRS had struck with Kyle Henry, and also the 25% contract that the U.S.Attorneys office had also made with him, before Mrs. High was arrested, before the first indictment, and before they had any "hard evidence". As stated on the stand by Terry Sosbee: They arrived at the High's house very early; about 6:00 A.M., and he was assigned to search the family room and Mrs. High, Mr. High were seated and he began to search and found the briefcaes. It was before 6:30 A.M. when he found the briefcase and opened it and saw the firearm, and he said that he labled it and the briefcase. I left at 6:30 going to the office to accompany some agents, and he had the briefcase in his possession. All of the agents were armed and they tore the house apart and took pretty much what they wanted, because they were white and they were the federal authoraties. They took every address book, every check book, every appointment book, every business card, every credit card, and agt. Silinski took my briefcase containing the firearm. They seized every phone bill, utility bill, cell phone bill and they took every personel and business file in the house. Agt. Silinski seized all of the items so we would not be able to defend ourselves at trial. Because George, Virginia, Eric, and Jenique High were black, there was no

safety for their rights having been invaded by the officers of the government, professing to act in its name. As citizens of the United States, the High's had the absolute right to be free from unreasonable searches and seizures carried out by virtue of federal authority as guaranteed by the fourth admendment.

ISSUE III

On July 27, 1992, the defendants effected an unreasonable search and seizure at the office of Georgia Home Improvement CO., Inc., without a warrant and without probable cause. The defendants violated the plaintiffs rights as guranteed by the fourth admendment of the United States Constitution.

ARGUMENT

Shelia Whipple, William Silinski, the "negro" female and about 10-12 agents that were in the office at one time or another during the course of the search that lasted from 6:30 A.M. until about 5:00 P.M., all knew or should have known that that was not the office of Highs Realty, as "alleged" in the search warrant. High's Realty, Inc., and George W. High, Sr., had their license revoked by the Georgia Real Estate Commission on January 8, 1992 [see enc. final order before the Georgia Real Estate Commission]. High's Realty, Inc., address was 6118-D Covington Hwy., and the search was conducted at 5026 Snapfinger Woods Dr. Suite 108. The agents demonstrated "outrageous and atrocious" conduct under the guise of conducting a valid search and seizure. Because George and Virginia High would not barter, capitulate, negotiate or cooperate, the government set out to "frame" them by any and all means necessary. They seized at

least 30 cases of files belonging to Georgia Home Improvement, Co., Inc., HIGH-FIVE Ltd., and Eric High. That was the office of Georgia Home Improvement Co., Inc., who shared office space with HIGH-FIVE Ltd., and Eric High, and that's why he was there when Virginia High was arrested. The agents seized all of the files belonging to Eric High, and all his clients business and personal tax returns, his business checkbook and appointment book. They seized every lease on the various properties owned by HIGH-FIVE Ltd, and they took every deed on the 140 units of apartments owned by HIGH-FIVE Ltd., George High, and other cooperative owners known as "Lakewood Village", and that can be verified at the record room in Fulton County Courthouse. They took all of the first and second mortgages held by George High, Virginia C. High, Eric High, HIGH-FIVE Ltd. and Georgia Home Improvement, Co. Inc., George and Virginia High had been commercial, multi-family and residential property investors since 1971, and we had owned hundred's of properties since that time, and from the time this investigation started in 1987, George High, Virginia High, HIGH-FIVE Ltd., Georgia Home Improvement Co., Inc., and Eric High, has lost a combined total in excess of seven millions dollars, and Agt. Silinski and Shelia Whipple must "Accept Responsibility" for a goodly portion of that amount. The Fulton and Dekalb County Courthouse us will "bare us out". They even took numerous checks made out to George, Virginia, or one of the corporations. Agt. Silinski brought a few files back to our home on March 24, 1994, clearly 20 months after the above search and seizure, and 3 days before Virginia and George left to self-surrender to federal prison. (March 27, 1994). After agt. Silinski and Shelia Whipple and the other federal agents,

claiming to act under federal authority, left, there was little (if any) evidence that Georgia Home Improvement Co., Inc., and HIGH-FIVE Ltd. ever existed, and we soon moved our office to our home. All of the agents conducted the search and seizure "without a warrant and without probable cause". A violation of the fourth admendment's command against unreasonable searches and seizures, by federal agent's acting under color of federal authority, give rise to a federal cause of action for damages consequent upons the agent's unconstitutional conduct. The defendants violated the plaintiffs rights as guranteed by the fourth admendment of the United States Constitution.

ISSUE IV

William Silinski and Shelia Whipple went before the grand jury and "wilfully, knowingly and with malice" made false and fictitious statements to deceive them into indicting George and Virginia High. The defendants violated the plaintiffs right against unjust indictment as guranteed by the fifth admendment of the United States Constitution.

ARGUMENT

On December 17, 1992, after 5 months of rummaging thru a mountain of unreasonable seized evidence from the residence of Eric and Jenique High, George and Virginia High, and the office of Georgia Home Improvement Co., Inc., HIGH-FIVE Ltd. and Eric High, the government secured the third indictment charging George and Virginia High on count # 1 (the drug conspiracy count). I was also charged with count # 3, false statement in acquiring firearm and count # 9, Convicted felon in possession of a firearm. Now Agt. Silinski and

Shelia Whipple were the "origin and author" of those false and fictitious charges, as they were the seizing agents on all three of the searches and seizures, and they certainly had a vested interest in the outcome of those charges before the grand jury, because their "careers" were on the line, as they had made a contract with Kyle Henry for a "million dollars", and they had not been successful in forcing George and Virginia High to pled guilty and cooperate. Agt. Silinski, Shelia Whipple and Allen Moye all conspired to use any/all means to "frame" the High's, and they all made perjured statements to the grand jury, and the prosecutor (Allen Moye) allowed perjured testimony to stand uncorrected on more than one occasion. Agt. Silinski and Shelia Whipple told the grand jury that the evidence was from the search and seizure conducted at High Realty office, which they knew to be a lie because there was no High Realty. They told the grand jury that some of the evidence was from the residence of the High's and was the result of a search warrant, which was a lie, as most of the evidence seized from the Highs was from the residence of Eric and Jenique High, and they had no warrant. They told the grand jury that I was a convicted felon, and they all knew that was a lie. They "hoodwinked" the grand jury in indicting George High on the two firearm counts when they knew that my rights had been restored in 1962. They did not have one piece of evidence that would have "legally" warranted Virginia and George High being indicted on count # 1, count # 3, or count # 9, as all of those charges was without merit. "ultimate power corrupts", and Allen Moye and William Silinski became "loose cannons", and Bill Morrison joined the conspiracy at that time, as Michael Abbott had been on board from "day one". The indictment was "fatally defective", and

the defendants violated the plaintiffs rights against unjust indictment as guaranteed by the fifth admendment of the United States Constitution.

ISSUE V

Plaintiff was subjected for the same offense to be twice put in jeopardy of life and limb by the defendants, which deprived said plaintiff of rights as guaranteed by the fifth admendment of the United States Constitution.

ARGUMENT

George High was indicted on 18 USC § 922 (a)(6), (count 3) false statement in acquiring a firearm. Question 8(b) on form 4473 states: Have you been convicted in any court of a crime punishable by imprisonment for a term exceeding one year, "Note"... A Yes answer is not required if you have had your civil rights restored. [see] U.S. v Sanders, 844 F. Supp. 1407. I was tried and Sentenced to 60 months.

George High was indicted on 18 USC § 922 (g)(1), (count 9) Convicted felon in possession of a firearm. High did not have a predicate crime punishable for a term exceeding one year, as defined by 18 USC § 921 (a)(20), as my rights had been restored and my possession of a firearm did not violate the law, I was tried, convicted, and sentenced to 97 months.

[see enc.] copy of indictment and firearm charges. As is noted, those charges were in Colorado in 1960, and High was released from prison in 1962. U.S. v Hall 20 F. 3rd 1066, Colorado, like many States, restores various Civil Rights, such as the right to

vote, sit on a jury, and hold public office to convicted felons once they complete their sentence. My right to possess firearms were also restored. [see] Beecham v. U.S., No. 93-455.5/16/94, Justice O'Conner delivered the opinion of the Court in part: "Any conviction which has been expunged, or set aside or for which a person has been pardoned or has had civil rights restored shall not be considered a conviction". Plaintiff was subjected for the same offense to be twice put in jeopardy by all of the defendants, which deprived plaintiffs of rights as guaranteed by the fifth admendment of the United States Constitution.

ISSUE VI

Plaintiffs were compelled by the defendants in a criminal case to be witnesses against themselves, in violation of the gurantee by the fifth admendment of the United States Constitution.

ARGUMENT

Agt. Silinski had "insisted" that we cooperate from day one (10/17/91), and he never let up, and on March 24, 1994, the day that he brought some files back to our house, he gave me his card with the "back line number" on it and told me to give him a call, and we could work something out. Agt. Silinski call us numerous times for the information that he had requested, and he even had his "surrogate" David Jones stoop so low as to "steal" some information. Michael Abbott who we paid \$5,000 to get things strightened out, did everything to get us to be witness against ourselves i.e. promise us a minimum of twenty five years (maybe life) if we went to trial, and he and Bill Morrison even had us take a "sham" polygraph exam by some clown with a notebook computer and "ink-jet" printer that did

not work properly, and he (the examiner) even tried to get us to cooperate and get everything off our chest. We paid him \$1,000 and he promised to give us the results, and that was in early-mid 1993 and Mrs. High wrote Michael Abbott last month for the "upteenth time" about the results, all to no avail, because I suspect he's in "Rehab", (the examiner). Bill Morrison has even wrote me no less that 5 letters about a 5K-1, cooperating, of someone that the governeemt is interested in, and in one case he sent me an article about Mrs. High that appeared in the legal paper in Atlanta. I have given all of this information to Bill Morrison, Michael Abbott, filed nomerous motions in the Court, and every motion that Virginia and George High filed was denied, and most without a hearing. Bill Morrison and Michael Abbott was on the other team from the beginning until this day, and it was all racist as we were black and they all just assumed that all blacks are stupid and don't know their rights so we'll just frame them like we have been doing for so many years. The plaintiffs (George and Virginia High) were compelled by the defendants to be witnesses against themselves in a criminal case in violations of the gurantee of the fifth admendment of the United States Constitution.

ISSUE VII

The defendants deprived the plaintiffs of life, liberty, or property, without due process of law; as guranteed by the fifth admendment of the United States Constitution.

ARGUMENT

PERSUANT TO 21 USC § 853 and 18 USC § 982, The IRS, acting under the claim of federal authority seized in excess of one million two hundred thousand dollars (we say more) in real estate, and the court issued the final judgement of forfeiture under motion by the United States of America as to George and Virginia High, after the "fradulant conviction" without due process of law. Agt. Silinski and Shelia Whipple was well aware that they acted with "reckless disregard" of the constitution rights of George and Virginia High, when they "set the wheels in motion" to frame the High's on the unreasonable seized evidence, the false firearm charges, and their perjured testimony before the grand jury, which was a direct cause of the High's being found guilty by a "naive petite jury", and being deprived of liberty, and property without due process of law. All of the defendants and Michael Abbott, Bill Morrison, Allen Moye and Joe D. Whitley deprived the plaintiffs of life, liberty or property without due process of law; as guranteed by the fifth admendment of the United States Constitution.

ISSUE VIII

The plaintiffs (including GEORGIA HOME IMPROVEMENT CO., INC., and HIGH-FIVE LTD.), asserts claim for conspiracy to deny a person equal protection of the laws, and asserts action for damage for such conspiracy against all of the defendants and others who deprived said plaintiffs of the rights as guranteed by the fourteenth admendment of the United States Constitution.

ARGUMENT

Plaintiffs assert claim of conspiracy to deny a person equal protection and due process of law as set out in the fourteenth admendment of the United States Constitution, and in conjunction with 42 USC § 1985 (2) and (3).

In vol. 1, page 7 and 8 of the trial transcript; The U.S. Prosecutor (Allen Moye), in his opening statement before the jury says that: "A conspiracy is simply a corrupt agreement of at least two or more individuals to do something which the law forbid". He futher says: In carrying out the conspiracy, members of the conspiracy proformed different functions, each of which was significant to the achivement of the objective of the conspiracy. The plaintiffs concur 100% with that definition and I'm certain that his co-conspirators will also agree, because "by his own words shall a man be condemned".

The conspiracy began sometimes prior to September of 1990, and there was a consensus among the "faction" that no whites will be targeted, charged, indicted or tried, but shall be rewarded hansomely for their assistance in denying blacks "equal protection and due process of law". When Shelia Whipple met Kyle Henry (a white boy in his early 20's) at the paces deli on September 26, 1990, over a "chummie meal" (that she could not remember), she was not concerned that he had sold 11 cars to drug dealers for all cash, and it did not bother her that he had not filled out one 8300 form, and that he had laundred hundred's of thousand's in cash, and she belived him when he said he was not familiar with the 8300 form, notwithstanding the fact that he had been in the car business since 1984. Shelia Whipple never asked him if he had used, stored, or sold drugs?

She did not inquire as to how long he had been in the car business, nor about the pleasure trips he had taken at the expense of people he knew to be in the drug business. Shelia Whipple did not carry her firearm to that lunch, she did not read him his rights, and she afforded him the courtesy of making an appointment, and she did not bring another agent with her. Shelia Whipple knew that they were both white and that was all that counted. On May 19, 1990 when IRS agents Patricia Lingam (who is white) and Don Merz her group manager went to see Sgt. Robert to discuss a (1) suspicious 8300 transaction, they were both armed, they made no appointment with him, and they read him his rights. Now Robert Ward was (still is) black, and had sold 5-6 cars to people that he did not know to be drug dealers.

On October 17, 1991, IRS agents William Silinski and Michael Scamid drove around to the back of our house, opened the door to the screen porch, entered and knocked on the back door, and upon being invited in agt. Silinski read us our rights. They were both white and very "hostile" and demanded certain records under the guise of some tax investigation. The above incidents would certainly warrant close scrutiny under "selective prosecution".

In March/April 1992, Alex Turner, who had been the FBI case agent since 1987 was terminated, because he was "black", and he was replaced with Barbara Brown who just so happened to be white, and with her joining the conspiracy they were all white i.e. U.S. Attorney Joe D. Whitley, Prosecutor Allen Moye, IRS agents William Silinski, Shelia Whipple and Kyle Henry. Alex Turner was not "in the loop" and he was left in charge of the "garbage detail" along with Charles Boyd and Walter Wilson (trash collector).

On May 30, 1992, the government through the FBI compensated Walter

Milson \$300.00. Now Walter Wilson was working for a trash collection company, and starting in Mid 1990, he was approached about when he pick up the trash at 740 Greenwood Ln., to bring it to Alex Turner (FBI), or Charles Boyd (GBI), who would meet him somewhere on his rout. Walter Wilson picked up the trash for two years at that address, which was the residence of David Wallace. He (Walter Wilson) was paid \$150.00 on December 7, 1990, by Alex Turner, and the \$300.00 on May 30, 1992. Let me back-up for a few lines and say that Alex Turner was known for being "stingy" with the tax-payers money, and on one occasion Kyle Henry "pressed" Alex Turner for some funds, and Alex Turner gave hin \$200.00 and he (Kyle Henry) left in a huff and contacted his handles (Shelia Whipple and agt. Silinski), and told them how he had been insulted by the black FBI agent, and they agreed, along with Allen Moye and Joe D. Whitley that he would have to go because he would not agree to give Kyle Henry the "Big-Dollars". Walter Wilson, Charles Boyd and Alex Turner was all black. Walter Wilson was picking up the trash twice a week from 1990 until at least 1992, and a garbage collector only makes minimum wages, and no one told Walter Wilson that on November 30, 1991 that the David Wallace whos house he had been picking up the trash and placing it in special bags, and putting it under the "little scout truck's bed", had shot Bruce Low at his mothers house, and in front of his mother, Sims Jinks, Gary Roundsville and another witness, and carried him out on Panola Rd. and "finished him off" and then tried to burn him up. Now IRS agents William Silinski, Shelia Whipple, Joe D. Whitley, Allen Moy and others had no probelum with Walter Wilson putting his life in "harms way", unknowingly for \$450.00 compensation, because after all he was just a black, and so what if he get killed or injured.

On June 8, 1992, The conspiracy began in earnest because agt. Silinski had not been successful in his campaign of intimidation and harassment of the High's and they all agreed that they needed to "turn-up-the-heat". Joe D. Whitney, Allen Moye, William Silinski, Shelia Whipple, Barbara Brown (no doubt), Kyle Henry and his lawyer all conspired to deny George and Virginia High, and other blacks the equal protection of the laws, and due process of laws as set out in the fourteenth admendment, and in conjunction with 42 USC § 1985 (2) and (3). That meeting was in fact tantamount to a corrupt agreement of at least two or more individuals to do something which the law forbid, and incarrying the conspiracy, members of the conspiracy proformed different functions, each of which was significant to the achivement of the objective of the conspiracy. Our investigation (the plaintiffs) began on October 17, 1991, and is still "ongoing" as George and Virginia High "languish" in prison because of unjust conviction, false imprisonment, and the victimss of "Framing" by all of the above and Michael Abbott and William Morrison and others.

As futher proof that the conspiracy by the government was racial profiling and selective prosecution, and only blacks were "targeted", we only need to look at Count # 1 where the High's were charged along with Sims Jinks and other blacks, and that was the drug count. The government said that we knew they were drug dealers. Plaintiffs were also charged along with Sims Jinks on counts 14, 15, and count 20 which was the sale of 426 Peyton Rd. by Virginia High to Sims Jinks. and the government Convicted us on those charges, and they convinced the jury that we knew the house was purchased with drug proceeds, on or about June 19, 1990.

While the government agents were conspiring on June 8, 1992. at the federal Courthouse, Sims Jinks was closing a loan to borrow \$100,000.00 from BENEFICIAL MORTGAGAGE COMPANY OF GEORGIA, also on June 8, 1992. The details are as followed... The same SimsJinks who witnessed David Wallace Kill Bruce Low on November 30, 1991, was caught in a sting operation trying to buy drugs from a DEA agent in Marietta in April/May 1992, which "ironically" was about the same time that Alex Turner got the shaft, he (Sims Jinks) was arrested, "cut-a-deal" to start cooperating and was released. Sims Jinks made two application and BENEFICIAL pulled two credit reports from the burea, or so said Margret Panther on the witness stand under oath. She said the credit reports were just fine and she confirmed that she analyzed the credit reports "looked fine", and they ordered an apprisial and title search. Her records reflected that Sims Jinks was owner of CENTURY COLLISION for four years. Ms. Panther had been employed with BENEFICIAL for 7 years and had been the "Manager of the loan office in Stone Mountain for 2 years. Our investigation ARRIVED AT DIFFERENT CONCLUSIONS from the government. The govern-ment convinced the jury that because George and Virginia went to correct a mis-spelling on the deed, that we were the "villians", and were found guilty of those, chrges. BENEFICIAL MORTGAGE COM-PANY OF GEORGIA is no nickle and dime operation if they could lend a drug dealer \$100,000.00. How could George and Virginia High be expect to know that Sims Jinks was a drug dealer, if BENEFICIAL, took two applications and pulled two credit reports, and ran a title and an apprisial, and they said that everything was fine, notwith-standing the fact that the house had been seized by the government, and the closing attorney failed to pick that up. Because Magaret

Panther was white and the closing attorney was white, and with all of their available resources of BENEFICIAL, they still failed to discover that Sims Jinks was a drug dealer, but because we were black we should have known. Our investigation still continue and all of the aforementioned charges are predicated on:

UNITED STATES OF AMERICA v. George W. High, Sr. DC DKT NO. 1:92-00182 1-cr-4

UNITED STATES OF AMERICA v. Virginia C. High DC DKT NO. 1:92-00182 1-cr-5.

The Plaintiffs (including GEORGIA HOME IMPROVEMENT CO., INC., and HIGH-FIVE LTD.), asserts claim for conspiracy to deny a person equal protection and due process of laws, and assert damage for such conspiracy against all of the defendants, and others who deprived said plaintiffs of their rights as guranteed by the fourteenth admendment on the United States Constitution.

DAMAGES REQUESTED

COMPENSATORY DAMAGES

WILLIAM SILINSKI.....	\$10,000,000.00
SHELIA WHIPPLE.....	\$10,000,000.00
BARBARA BROWN.....	\$5,000,000.00
DAVID JONES.....	\$5,000,000.00
TERRY SOSBEE.....	\$5,000,000.00
UNKNOWN "NEGRO" FEMALE.....	\$5,000,000.00
OTHER UNKNOWN DEFENDANTS WHO PARTICIPATED IN THE UNREASONABLE SEARCH AND SEIZURE AT THE HIGH'S RESIDENCE AND THE OFFICE OF GEORGIA HOME IMPROVEMENT CO., INC.,	\$2,000,000.00 (each)

PUNITIVE DAMAGES from Terry Sosbee

NEGLIGENCE.....\$5,000,000.00
LOSS OF LIBERTY.....\$10,000,000.00
HUMILATION & EMBARRASSMENT.....\$5,000,000.00
EMOTION DISTRESS.....\$5,000,000.00
IRREPARABLE INJURY.....\$10,000,000.00
SPECULATIVE DAMAGES.....\$10,000,000.00

PUNITIVE DAMAGES from unknown "negro" female

NEGLIGENCE.....\$5,000,000.00
LOSS OF LIBERTY.....\$10,000,000.00
HUMILATION & EMBARRASSMENT.....\$10,000,000.00
MENTAL ANGUISH.....\$5,000,000.00
EMOTION DISTRESS.....\$5,000,000.00
IRREPARABLE INJURY.....\$25,000,000.00
SPECULATIVE DAMAGES.....\$10,000,000.00

PUNITIVE DAMAGES from other unknown defendants who participated in the unreasonable search and seizure at the High's residence and the office of Georgia Home Improvement Co., Inc.,

NEGLIGENCE.....\$2,000,000.00 each
LOSS OF LIBERTY.....\$3,000,000.00 each
IRREPARABLE INJURY.....\$5,000,000.00 each

DEMAND FOR JURY TRIAL

The Plaintiffs request a jury trial, because the evidence is "clearly" established on the records, and a jury trial would be necessary to bring forth witness who handled the administrative proceedings related to the plaintiffs criminal case from which this

civil action derived. Plaintiffs further prays for a jury trial, triable by a jury of the Court, and the aboved named defendants, and other federal agents and citizens can be deposed by the plaintiffs in the interest of justice.

RESERVATION OF RIGHT TO AMEND


As our investigation continue, said plaintiffs reserves their right to amend this complaint and seek damages for any additional vindictive tort committed by the defendants, or any federal official affiliated with the related cause herein, including the Federal Bureau of Prisons.

I GEORGE W. HIGH, SR., the lead plaintiff hereby declare under the penalty of perjury that the aforementioned complaint is true and correct to the best of my knowledge.

CERTIFICATE OF SERVICE

Wherefore, and pursuant to Federal Rules of Civil Procedure, Rule 4(a)(b)(1) and (2), a true and correct copy of the following: Summons and Bivens Civil Action has been forwarded to the Clerk of the Court at the United States District Court, 2211 United States Courthouse, 75 Spring Street, S.W., Atlanta, Georgia 30303 on this 10th day of May, 1999.

Respectfully Submitted


George W. High, Sr.