

overcome the presumption of honesty and integrity accorded to the trial judge [Judge Helen Toor].” Exhibit 3 at 4.

The Respondent continues to fail to demonstrate the veracity of his allegations against any judge in the present instance, yet he continues to repeat them, despite the ruling of the Vermont Supreme Court to the contrary. The Respondent’s motion to reargue *Brown v. Backus* was denied by the Vermont Supreme Court. Exhibit 4.

In the present matter, there is nothing substantive in the Respondent’s *Second Supplemental Motion to Dismiss* that had not already been raised in his first *Motion to Dismiss* or previous filings (or decided by the Vermont Supreme Court). The Respondent appears to believe that this proceeding is the appropriate forum for him to continue to (once again) relitigate *Brown v. State*, Docket No. 473-5-15 Cncv and *Brown v. Backus*, Docket No. 441-5-19 Cncv. It is not.

In his *Second Supplemental Motion to Dismiss* the Respondent has also expanded the list of entities that he believes has wronged him. Now the Respondent has stated that he (and his client) have been “libeled and slandered in our reputations by the PRB, Bar Counsel, Disciplinary Counsel, the Vermont Judicial System, Office of Attorney General, and Vermont Law Enforcement.” The *Petition of Misconduct* in the above captioned case quotes a decision from Judge Samuel Hoar in *Brown v. State*, Docket No. 473-5-15 Cncv that states in part:

Plaintiff has attempted to swamp the court with a wave of filings, well beyond those allowed or contemplated by the Rules of Civil Procedure....Plaintiff had a jury trial and lost; she filed post-trial

motions and lost; and she filed an appeal and lost. Three strikes ought to have been enough; there is no good reason to afford the Plaintiff a fourth.

The Respondent appears to be deploying the same strategy in the present matter. As each successive attempt of the Respondent, in multiple venues, fails because the proffered arguments are not legally defensible or supported by the record, his *ad hominem* attacks expand. Now the Respondent alleges that he has been wronged by the PRB and the entire Vermont Judicial System as a whole.

Along the path of his various proceedings, the Respondent has had far more than the proverbial three strikes generously allotted by Judge Hoar. Unfortunately the Respondent appears to be playing by an entirely separate rulebook or more troublingly, has decided to ignore the rules completely or perhaps most troubling of all, fails to comprehend the rules.

WHEREFORE, the Respondent's Motion should be **DENIED**, and all filings of the Respondent should be considered in any proceeding regarding appropriate sanctions in this matter.

Dated at Burlington, Vermont, this 29th day of September, 2020.



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