

(Typed from a hand written letter)

Daniel Brewington 3210 B

(On or around March 17, 2011)

Dear D.C.L.E.C. Officials,

My Name is Dan Brewington and I am being held in the Dearborn County Law Enforcement Center for several indictments which include three (3) counts of Intimidation, Perjury, and Attempt to Commit Obstruction of Justice. Judge Sally Blankenship set my bond in the amount of a \$500,000 surety and \$100,000 cash bond. Judge Blankenship's Order Setting Bail stated, "The State provided evidence that the Defendant has a history of not following Court orders and a general disdain for the authority of the Court and the legal system." I must respectfully disagree with Judge Blankenship's contention that I have a general disdain for the authority of the court and the legal system. I have a tremendous amount of respect for the authority of the Court and the legal system; it's just that I have a tremendous amount of disdain for the abuse of power by government officials.

The Inmate Handbook for The Dearborn County Law Enforcement Center states, "No member of the jail staff had anything to do with you being incarcerated in this facility and until you are legally discharged, it is our task to insure that you live in an orderly fashion in accordance with the rules of this facility." I fully acknowledge that no member of the jail staff is responsible for my incarceration. My incarceration is a result of Prosecutor Aaron Negangard using the County Special Crimes Unit and the Dearborn County Criminal Justice System to restrict my First Amendment free speech. Rather than allow individuals to take proper civil action against me for any alleged defamation/libel, Prosecutor Negangard has elected to misuse the criminal court system and the Dearborn County Law Enforcement Center as a means to stifle my constitutionally protected free speech. As Prosecutor Negangard has involved the D.C.L.E.C. in the matter, I will be working to hold the D.C.L.E.C. to the same high level of accountability that Dearborn County expects from me.

Officials at the D.C.L.E.C. have probably realized that I do not present a \$600,000 risk to society. Prosecutor Negangard's strategy has been to present bogus restraining orders against me and then use language from my divorce proceedings to make the argument that I would not follow the conditions of the no contact orders.[see attached] What prosecutor Negangard is neglecting to tell people is that Dr. Edward J. Connor recommended that I be able to exercise normal parenting time with my three and five year old daughters despite the findings in Judge Blankenship's March 11, 2011 Order Setting Bail. Prosecutor Negangard and Judge Blankenship found my behavior in my divorce to be dangerous to society; yet Judge Humphrey's expert, Dr. Edward J. Connor, opined that my alleged behavior did not present a danger to my children, their mother, or anyone else, and that I was capable of caring for my children at least three days a week.

To put it bluntly, I am being held in the D.C.L.E.C. because I've exercised my right to free speech. I have never illegally threatened or harassed anyone and my (non) criminal record fully demonstrates this. If people like Dr. Connor and Judge Humphrey felt that I harassed them or posed some kind of physical threat to them or their families, they would have filed protective orders long ago. If I would have made an illegal threat to James Humphrey, Heidi Humphrey, and/or Ed Connor, Negangard's 17 month Special Crimes Unit Investigation would have been unnecessary as Negangard could have sought charges in October 2009. That's when then SCU Detective Mike Kreinhop wanted to get "my side of the story". A threat is a threat; there is no "other side" of the story.

Unfortunately the Dearborn County Law Enforcement Center has a legal interest in the matter as well. While it is true that the D.C.L.E.C. had nothing to do with the events leading to my incarceration, the D.C.L.E.C. has played a role in obstructing my ability to meet with my Cincinnati, Ohio lawyer in the D.C.L.E.C. On the evening of March 11, 2011, the D.C.L.E.C. prohibited my lawyer, Robert G. Kelly, from meeting with me in the D.C.L.E.C. because Mr. Kelly was not licensed to practice law in the State of Indiana. Though it is true that Indiana law requires lawyers to be admitted in the state in order to practice in the state, United States Code offers expectations to out-of-state attorneys. United States Code allows out-of-state lawyers to represent clients in "foreign" federal courts in matters concerning civil rights violations/torts. As Mr. Kelly testified in Judge Blankenship's court that he was representing me in an Ohio case and was filing a federal lawsuit on the current situation, the D.C.L.E.C. is actively working to obstruct my ability to pursue federal action against Dearborn County officials while Aaron Negangard tries to prosecute me on behalf of Dearborn County. On March 17, 2011, Judge Blankenship recused herself from my case stating, "To avoid the appearance of bias or prejudice, no judicial officer in Dearborn County is able to hear this matter". If no judicial officer in Dearborn County can hear the matter, then how can Negangard expect the Dearborn County Prosecutor's Office to prosecute the matter? If the Prosecutor's Office prosecutes the case on behalf of Judge Humphrey then the Prosecutor's Office would be unable to prosecute future cases before Judge Humphrey's court.

I am having difficulties discerning whether Prosecutor Negangard brought this case against me out of arrogance, ignorance, or both. My writings on the internet are protected by the First Amendment. With that being said, as my divorce case was in Ripley Circuit Court, any alleged witness intimidation during the course of a Ripley County trial would fall under the jurisdiction of Ripley County. Judge Humphrey would also fall under the jurisdiction of Ripley County as he was acting as a Ripley County Judge. If James Humphrey is alleging to be criminally intimidated as a private Dearborn County citizen, Humphrey loses his absolute immunity. If Heidi Humphrey is alleging that she was a victim of a criminal act on, or around, August 1, 2009, Judge Humphrey terminated my parenting time and obstructed my ability to have a hearing on the approval of a mental health evaluator while knowing that his wife was seeking criminal action against me at the same time.

Negangard has portrayed me as a dangerous, sinister, and undesirable character. I am nothing of the sort. I am a kind and caring person who enjoys helping people. Less than two days after arriving on wing 4 East of the D.C.L.E.C., I began helping a man who had been refused medical treatment. The man had suffered a shoulder injury and the D.C.L.E.C. denied him medical treatment. After I helped the man prepare a letter, the D.C.L.E.C. immediately provided a doctor and x-rays for his shoulder injury. It appears that the only reason the man received proper medical treatment was because officials at the D.C.L.E.C. were concerned about the incident being publicized. In fact, one c/o threatened retaliation if his name appeared on the internet in connection with the D.C.L.E.C.'s negligent medical practices.

Unfortunately some officials portray me as a "trouble maker." Rather than commend me for fighting for the medical rights of an inmate, officials chastise me because I somehow made them look bad. I can assure you that I do not create problems; I help solve problems. Inconvenience and fear of liability are not valid reasons for neglecting human rights. Many more people have come to me with questions and concerns, who need help with their individual situations. Many of them are afraid to push for proper medical treatment because they are afraid of retaliatory measures and/or harsher sentencing. Others simply give up because the D.C.L.E.C. doesn't seem to provide proper medical services unless there is a risk of public exposure.

I have always been a "glass half full" person who tries to turn lemons into lemonade. If Dearborn County wants to keep me incarcerated because the county doesn't believe in the First Amendment of The United States Constitution, I am going to continue my quasi-investigation of the Dearborn County Justice System and I am going to continue helping voices to be heard. I am also going to keep forwarding information to the "outside" world so they have a better understanding of what goes on in the D.C.L.E.C. I am also having a friend contact Eric "The Bulldog" Deters of 700WLW to set up an in-jail interview via telephone so I can share my story from the inside and I might even go on with Willie Cunningham. Eric Deters has voiced public support of my situation and is appalled by the conduct of Dearborn County.

I want to thank you for your time and I want you to be aware that I am going to continue to fight for the rights of my fellow inmates during the course of my stay at the Dearborn County Law Enforcement Center. As Judge Blankenship set my bond at \$600,000 the only way I will be exiting the D.C.L.E.C. is by a 'not guilty' jury verdict, federal intervention, or the dismissal of all charges. Please note that I will not be plea bargaining on any issues relating to my First Amendment Rights. I would rather serve time in jail than to forfeit a right that so many people have fought and died to protect.

Please feel free to contact me with any question or concerns. I would be more than happy to meet with D.C.L.E.C. officials to share my notes that will be posted on the internet. Thank you again for your time.

Very Truly Yours,

Dan Brewington

Please note that any retaliatory action against me will be subject to civil whistle blower action.
Thank you in advance for your continued support.

STATE OF INDIANA
COUNTY OF DEARBORN
STATE OF INDIANA
-VS-
DANIEL BREWINGTON
C/O SHERIFF

FILED

: SS.

: MAR 11 2011

IN THE DEARBORN SUPERIOR COURT II

Atchley? Weems
Cause No. 15D02-1103-FD-0084
CLERK OF DEARBORN CIRCUIT COURT

ORDER SETTING BAIL

The Court finds the nature of the indictments brought by the Grand Jury which include three (3) counts of Intimidation, Perjury, and Attempt to Commit Obstruction of Justice are such that there exists a threat to community and/or individual safety.

The State provided evidence that the Defendant has a history of not following Court orders and a general disdain for the authority of the Court and the legal system.

Further the Court of Appeals decision in Daniel Brewington vs. Melissa Brewington issued July 20, 2010, presented into evidence by the State of Indiana affirmed the Trial Court's decision in the matter and noted that the findings of the Trial Court were each supported by the record and included that the psychiatric test results of Daniel Brewington indicate that he has a "degree of psychological disturbance that is concerning and does not lend itself to proper parenting" and that the custodial evaluation stated that Daniel Brewington's writings are similar to those of who have committed crimes against their families and that Daniel Brewington had in the past shoved his wife and blocked her car to prevent her from leaving and had admitted to posting on the face book, in the dissolution proceedings, that "this is like playing with gas and fire, and anyone who has seen me with gas and fire know that I am quite the accomplished pyromaniac" and based on these findings and the evidence presented, the Court finds that the Defendant poses a significant risk to community safety and is unlikely to follow the conditions of bond as to the no contact orders and sets the bond in an

15D02-1103-FD-00084, 2 Pgs
03/11/2011 Id: 0000164404
ORDER SETTING BAIL

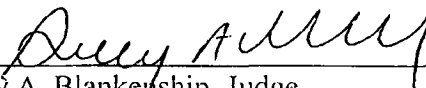


amount of a \$500,000 SURETY AND \$100,000 CASH BOND and all other conditions of bond to remain in full force and effect.

The posting of cash bail is subject to the following conditions:

- 1.) The bail shall be posted in the name of the defendant;
- 2.) The bail shall be considered a personal asset of the defendant; and
- 3.) The bail shall be available for payment of court costs, fines, restitution, and necessary attorney fees should a finding of guilt be made.
- 4.) Bail is subject to revocation and the defendant shall be rearrested upon failure to appear in court when ordered or commission of a criminal act before the time of trial, or violation of any other conditions of bail.

So **O R D E R E D** this March 11, 2011, at Lawrenceburg, Indiana.



Sally A. Blankenship, Judge
DEARBORN SUPERIOR COURT II

cc: Prosecutor
Defendant
Sheriff

4E

STATE OF INDIANA : IN THE DEARBORN SUPERIOR COURT II
 : ss.
 COUNTY OF DEARBORN :
 STATE OF INDIANA :
 -VS- : CAUSE NO. 15D02-1103-FD-008
 DANIEL BREWINGTON :

FILED

MAR 17 2011

Philip D. Watson
 CLERK OF DEARBORN CIRCUIT COURT

REQUEST FOR APPOINTMENT OF SPECIAL JUDGE
BY THE INDIANA SUPREME COURT

I, Sally A. Blankenship, am the judge of the Dearborn Superior Court II, and hereby disqualify myself from presiding in the above captioned matter because the alleged victim in this case is the sitting judge of the Dearborn Circuit Court. To avoid the appearance of bias or prejudice, no judicial officer in Dearborn County is able to hear this matter. Under the particular circumstance of this case, pursuant to Ind. Criminal Rule 13(D)(2), I respectfully request the appointment of a special judge by the Indiana Supreme Court.

Sally A. Blankenship

 SALLY A. BLANKENSHIP, JUDGE
 DEARBORN SUPERIOR COURT II

cc: Prosecutor
 Defendant - DCLEC
 John Watson
 Clerk of the Indiana Supreme Court