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From: **Tom Fairbanks** <thfairbanks@gmail.com>

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Subject: **News Release - More Prosecutorial Misconduct in Utah County**

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News Release - 6/8/2022

Barbie & Ken Cromar vs. Goliath IRS et al - Prosecutorial Misconduct in Utah County

Community Support Foundation / PO Box 139 / Logan, Utah 84323

We received word today that the 4th District Court in Provo, Utah County, State of Utah, has declined to receive the Amicus Curiae (Friend of the Court Brief) filed by the Community Support Foundation as authorized by Amendment I to the Constitution, in behalf of the Defendants otherwise known as "Barbie and Ken" Cromar.

Judge Christine Johnson, in controversion to Amendment I of the Constitution, the Utah State Bar Association Professional Rules of Conduct, and without a proper hearing, states: "The court declines to receive these documents as they have been filed by parties not licensed with the Utah State Bar."

The Friend of the Court Brief appealed to the court,

"In the interest of JUSTICE, and avoidance of potential charges of Malicious Prosecution, Abuse of Process, Misprision of Felony, this court would be well advised to acknowledge the fatal errors highlighted by the US Tax Court admissions and exonerate **Barbie & Ken** immediately and instead consider launching an investigation into what appears to us a **weapon-ization** of the powerful IRS machinery launched by fraudulent 'anonymous' claims of 'tax fraud' against the Cromars, by their political enemies from his years on the Cedar Hills City Council and after, wherein he led groups of Cedar Hills neighbors in researching and GRAMA requesting public records, and exposing the entrenched corruption surrounding misuse of taxpayer money, particularly with the ongoing failed Cedar Hills golf course. www.CedarHillsCitizens.org

Barbie and Ken Cromar happily accepted the IRS's rare admission of error, as it finally exonerated them of the original Complaint in US District Court that began November 22, 2017, and by extension, in this current case, the nonsensical attempt to incarcerate them for 15 years for "burglary" of their own home.

In the recent pre-trial hearing, Prosecutor Perkins said,

"...I revisited the requirements of Rule 16 Subsection A, in particular, and went through anything that, police reports and videos and things like that that might be directly related to this case. We've requested those items and are in the process of providing them to the Cromars now. That's, I think, going above and beyond what the Court order for discovery last year, but I'm doing that out of an abundance of caution to make sure that one complies with Rule 16 as it's been updated."

Seriously, providing discovery roughly twenty (20) days before trial is "an abundance of caution?" Especially when the Cromars have repeatedly requested audio feeds and video footage of Ken Cromar's two (2) arrests showing officer's reading Ken Cromar his Miranda Rights. Could this lengthy delay have anything to do with the fact that Ken Cromar was never read his rights?

During almost every court appearance and in most of their pleadings, the Cromars have argued repeatedly that they have been denied evidence and should not be charged with property crimes on a property that they still owned. They have repeatedly denied the validity of the federal foreclosure of their property they claim is protected under "Land Patent #392 part and parcel thereof." The Cromars appear to be correct because Land Patents are backed by 180 years of unanimous Supreme Court Decisions known as settled law, which can only be challenged by the United States Attorney General in a Constitutional Article III Court. (No one has challenged the Cromar's Land Patent) In fact a search of the Utah County records shows that the title of the Cromar's property is clouded and hence uninsurable. They have argued the court process that resulted in foreclosure, and argued the process of the public auction at which an improper buyer acquired the property. However, the most disturbing part of all of this illegal foreclosure and sheriff's sale was that it was allowed to take place while the Cromars had the matter under Appeal! [Tenth Circuit Court of Appeals - Denver]

In one of the court hearings Mr. Cromar stated,

"We've been waiting for two years and nine months to actually have a proper opportunity to defend ourselves and to protect our life, liberty and property. Our home has been stolen. Dumpsters are being filled with our property over the last few days and carted away. Our reputations and honor have been compromised. We have been vilified. Mr. Perkins is vilifying us right now. We have never harmed anybody. We have never threatened anybody. ... We have no idea about the comments that he's making and trying to connect to us with someone else. (Ammon & Ryan Bundy)...

Ironically this is all happening at the same time the national airwaves are filled with news reports of alleged prosecutorial misconduct and investigations into Satanic ritual sexual assaults in Utah County. Prosecutorial Misconduct that is 'grossly shocking and flagrant' in an effort to sway the public and the court through the use of gossip, rumor and innuendo is what lays at the heart of this case and the public's outcry in the Amicus Curiae

Utah County Attorney David Leavitt's hypocritical statement,

“One of the highest obligations for government is to acknowledge when the government gets it wrong,” is a **damning indictment** of his office and his personal lack of judicial oversight in the case against Barbie & Ken Cromar.

Even the court appointed, but unaccepted, public defender [Lisa Maxine Estrada] openly told the court,

“I believe there are some serious problems with moving forward with this case. One of the motions the state has filed is a motion to prevent re-litigation of the foreclosure process. And I’m concerned that that’s possibly going to be the major defense of the Cromars... This trial is not going to be a fair one... I just wanted to put that on record, your Honor, because I am very concerned for them. That they are facing a second-degree felony is the highest charge and that’s 1 to 15 years in prison. And from what I’ve seen this trial is going to be a disaster.”

Yet, sadly the court and prosecution continue forward in their relentless pursuit of the innocent Barbie & Ken Cromar, which causes many to question both the legitimacy of the case against Barbie & Ken and the coordinated criminal conspiracy behind the claims leveled against the Cromars.

The Community Support Foundation recognizes that *Amicus Curiae* is uncommon in these proceedings, but public opinion should play a significant role in the course of this case. We agree with the admissions by the Commissioner of the IRS and the Chief Judge of the US Tax Court, that the Cromars had no lawful tax claim against them from 1990 through 2020, which makes VOID all actions (orders and judgments) against *Barbie and Ken* by all courts including this one.

The Amicus Curiae concludes with, “Together, we stand to urge the Court to rule in favor of the Defendants, by moving to satisfy any claims, dismiss this case with prejudice, and facilitate a process that will restore them back to their home immediately, and reconfirm the belief that communities are bound together by a common unity in principles, such as the “*Principles of Good Business*”, and that “good conduct” is a mandatory requirement by the courts and community at large.” – ***Where there is smoke, there is fire!***

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See 3 attached PDFs :

- Cromar-FOTCB-Filed.pdf
- 2022 06 01 - PKC - RULING - NOTICE OF DOCUMENTS NOT RECEIVED BY THE COURT - case # 201402860 - rvd June 6 5.19pm via USPS.pdf
- 2022 06 01 - BAC - RULING - NOTICE OF DOCUMENTS NOT RECEIVED BY THE COURT - case # 201402868 - rvd June 6 5.19pm via USPS.pdf