

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 04-RB-2455 (BNB)

CHARLES H. CLEMENTS,
Plaintiff,

EXHIBIT #31

vs.

JANIS E. CHAPMAN, THOMAS C. "Doc" MILLER, and KATHERINE GRIER,
Defendants.

PLAINTIFF'S REPLY TO DEFENDANT THOMAS C. MILLER'S MOTION TO
DISMISS, AND PLAINTIFF'S MOTION TO DENY

Comes now Charles H. Clements, the Proper Person Injured, Plaintiff in pro se, and respectfully submits this PLAINTIFF'S REPLY TO DEFENDANT THOMAS C. MILLER'S MOTION TO DISMISS AND PLAINTIFF'S MOTION TO DENY and in support states as follows:

I. D.C. Colo. L. Civ. IL 7.1(a) Statement of Conferral

Any perceived futility in discussion with Defendant Miller or counsel may well have quite a lot to do with the necessary postures of defense that they must maintain, having to deal with the numbers of investigations, diverse criminal complaints and claims for damage to which Defendant Miller has exposed himself.

Additionally, Defendant Miller's introduction of some strawman requirement on a claim or cause of action that is missing from Plaintiff's Complaint, as well as the F.C.R.P., is no issue at all.

Defense Counsel's attempt to misconstrue Defendant Miller's actions as mere 'professional malpractice' is an attempt to mislead the Honorable Court and reflects Defendant Miller's long standing pattern of mendacity and active deceptions of the Courts as well as his clients. Plaintiff is prepared to offer proofs of such a pattern, all such proofs to be independent of Plaintiff's complaints at all. Plaintiff is only one of Defendant Miller's present Complainants, his pattern extending to numerous actions against numerous victims, and over a period of time, and multiple actions within that time.

Regarded in the light of Defendant Miller's testimony, given prior to the filing of the instant Motion to Dismiss, his assertions could well be construed as Fraud, as well as filing a knowingly false instrument to the Court, as well as failing to approach the Court in candor becoming an Officer of the Court, particularly whilst defending another Officer of the Court.

Whereas, as lately as 7 June, 2005, in Boulder County Court Case #04C1779, and prior to Defense Counsel Massaro's filing of Defendant Miller's instant Motion to Dismiss, Defendant Miller has been forced to acknowledge his deliberate deceptions as alleged by Plaintiff in this Original Complaint. That is to say that Defendant Miller had to admit, in open court, cross-examined under oath, that he had lied to and deliberately misled his Client, Steve D. Gartin, about the improper and illegal stipulation in the pertinent Probation Agreement.

Whereas it is, then, getting pretty undeniable that he was lying to me about it as well, as Plaintiff has alleged all along.

Additionally, it constitutes New Evidence. The transcript of the testimony has been ordered, and should be here in the due course of time to support Plaintiff's assertions and best belief.