



## **C. FACTS OF THE CASE**

### **Background**

3. In 2004, I was falsely accused of not paying my child support, and thrown in jail, until a judge signed an order striking the falsely reported arrears. The problem was the first three days in jail, I was locked in an "intensive management" holding cell. These small holding cells are engineered to be made very cold, such the inmate painfully shivers in the cold until they comply.

I suffered unspeakable pain for three days of violent shivering until I lost consciousness, falling into hypothermic coma. The jail's doctor mistakenly declared me dead, when I obviously was not.

4. When I got out of jail, I started doing research on these punishment holding cells. I discovered a dozen inmates who died from hypothermia in these cold cells.

5. Alarmed as you can imagine, I sought the assistance of lawyers. But each of the lawyers said they could not help me, because every federal judge instantly dismissed every torture lawsuit to protect George W. BUSH, Dick CHENEY, and the small number of CIA officers from prosecution for torture. The federal courts cited torture as "too hot" of a topic to address at the time. This became known as the TortureGate Scandal.

6. What I did not know at the time, was George W. BUSH used this same "Cold Cell" torture to brutally torture to death two innocent victims after the attacks of 9/11. The infamous BUSH torture memos titled this "enhanced interrogation" technique "Cold Cell" torture. It was actually murder.

7. But decades of this instant lawsuit dismissal had a grave secondary effect on our jails and prisons, as it gave the green light that torture was on, with all lawsuits instantly dismissed. To which I fell victim both ways.

8. Undeterred, I taught myself the law, and in 2008, I filed a federal civil rights lawsuit. The

case was instantly dismissed. I filed objections and won; the case rolled into discovery before being ultimately dismissed. The judge wrote a complicated fifty-page order that near death hypothermic torture was not a violation of the Constitution.

9. I appealed the case and lost, then my petition to the US Supreme Court was denied. My one Constitutional question was "Is near-death hypothermic torture a violation of the Constitution?" The year was 2011.

10. I chronicled all of my research on Cold Cell torture at my website "ColdCellTorture.com" (today ColdCellTorture.org.) I tracked the inmate deaths, the CIA and FBI use of cold cell murder, with reports and maps of Cold Cell torture use. The only website visitors were the government types coming from government IP networks. As an advanced computer programmer, I was able to track and identify the website visitors. I kept accurate and detail annotated website traffic logs.

11. Through no fault of my own, I found myself in a proxy battle with George W. BUSH, Dick CHENEY, and the small group of CIA torturers.

12. I waited two years and filed a second federal civil rights lawsuit, but it was instantly dismissed. I decided to not appeal that case. What I needed was more evidence, as Cold Cell torture was a well-guarded and much denied secret.

13. The break came on December 9, 2014, when the US Senate published their report on CIA torture. Which provided in too graphic of detail, the brutal hypothermic murders of two innocent Muslims with Cold Cell torture. Making front page news, Cold Cell torture became public knowledge, no longer a secret.

14. Armed with this evidence along with the continued deaths of domestic Cold Cell torture deaths, I filed a third federal civil rights lawsuit. But this time, I sued the four federal judges who

dismissed my first two cases. The reaction was swift. That night two men appeared out of the dark on my front porch in the middle of the night. I did not answer the door and my dog scared them away.

15. The lawsuit was dismissed with the speed of lightening. My petition to the US Supreme Court asked the same but modified question "Is being brutally tortured to death with hypothermic torture a violation of the Constitution?" The blood from all of the inmates killed with Cold Cell torture since my first petition was denied, dripped on the hands of the justices.

16. On February 13, 2016, Justice Antonin Gregory Scalia died in his sleep while on a hunting ranch in way west Texas. It was reported in the news that Justice Scalia left his federal security detail back in Houston and travelled to the ranch without them. The hunting trip was hosted by a 400-year-old private hunting fraternity to welcome their newest member.

17. But the only way Justice Scalia's security detail would agree to leave him, which they are sworn never to do, was if there were already too many other federal officers on the plane and on the ground at the ranch. As from the Secret Service details of George W. BUSH and Dick CHENEY. George W. BUSH had planned the elaborate caper to secure Justice Scalia's key tie vote against my petition, which had just been docketed by the court.

18. With only eight (8) remaining justices, it was enough to bring an end to the TortureGate Corruption Scandal. On the morning of the conference vote on my petition, April 15, 2016, the Supreme Court canceled their regular conference day to work on one important case. All the cases to be voted on that day were moved to the next conference date. All except for my petition. My petition was the only one denied that day.

19. But hours later, a federal judge in Seattle did not dismiss a Cold Cell torture victim's civil rights lawsuit against the two CIA torture doctors, brought by the ACLU. Despite repeated

attempts by President Obama, the judge moved the case to trial. The CIA were forced to settle the case the day before trial was to begin.

20. In what shocked not just the legal community, but the whole world, torture lawsuits were no longer dismissed. The justices had voted that day to end TortureGate. As I subsequently wrote in my book, I lost my lawsuit, but God won.

### **The Interim Period**

21. By this time, George W. BUSH was not happy with me, and I posed a serious threat, as he feared prosecution for torture and murder.

22. Living in a failed wedding resort in Brevard, North Carolina, George W. BUSH recruited and moved a CIA agent into the cabin next to mine. She was my age, recently divorced, from Jacksonville, Florida, had a black dog just like mine, and went by the name of "Karen Thomas." Being celibate, I rebuked her efforts to befriend me. I had no way of proving she worked for the CIA, so I tried an experiment.

23. I placed an anonymous note in her mailbox, stating I knew who she worked for and was willing to help out the CIA torture doctors in their torture lawsuit from the ACLU. The next day I received in the mail, a form letter from Attorney General Loretta Lynch, saying she received my letter and would respond in due time. It was her way of smoking out just what kind of help I was willing to offer. I did not respond, and "Karen" quickly broke her lease, packed her bags and left, never to be seen again.

24. At the time, I was on Social Security disability from a broken hip, and I suspected George W. BUSH was behind my benefits being suddenly revoked.

25. I decided to write a book about my torture and TortureGate. I wrote a letter to George W. BUSH's publisher at Crown Publishing shopping interest in the corruption of George W. BUSH.

Tina Constable gave my letter to George W. BUSH which infuriated him, based on what happened next.

26. George W. BUSH contacted Social Security to turn my disability benefits back on, as a way to back me down. But Social Security told him they could not, as I had not reapplied for them claiming disability. George W. BUSH ordered Social Security to reinstate my benefits regardless.

27. The next day I received a letter from Social Security, not saying I had been found to be disabled again, but rather stated "We can start paying you..." Enclosed was a check for nine thousand dollars for back payments.

28. In April of 2017, I wrote and published my book anyway, titled "Unspeakable Pain" (available on Amazon.) George W. BUSH responded by having my Social Security disability benefits abruptly cut off again. Permanently.

29. George W. BUSH ordered Google to remove my website from it first place search result position. Google obliged. I wrote a blistering email to CEO Larry PAGE, saying not to give into torture and crimes of murder. I know Larry received my email, as my website was immediately placed back into Google's first place search result position.

30. But shortly thereafter, a large number of CEO's were looped into George W. BUSH's capers. But instead of being righteous, they joined the mob, joined the racket. And they all visited my website, giving me their identities. The most frequent visitors were Bill GATES, Larry PAGE, and Tim COOK. But also, the CEO's from CISCO, FACEBOOK, AMAZON, ORACLE, GODADDY, and Warren BUFFETT in Nebraska. The world at the top is a small one.

31. I kept highly accurate annotated website traffic logs, not knowing what such would reveal, but they all kept visiting my website, so something had to materialize. The CEO's all visited from clearly identifiable corporate IP addresses, making no efforts to hide.

32. As the website log evidence in Exhibit A reveals, many deep searches for visitors to my websites were made in the NSA Super Data Center databases in Salt Lake City, Utah. George W. BUSH kept close watch over everything I posted, along with who visited.

33. For some time, George W. BUSH tried to recruit shills to pay me off with money, but when those efforts fell short, George W. BUSH ordered a nationwide FBI investigation to try to dig up dirt on me. To prosecute me into submission. As the website log evidence reveals, the FBI went out to my friends to interview and try to entrap me into wrongdoing. The seven-month long investigation revealed nothing to use against me, and the FBI stopped visiting the website.

34. I contacted the International Criminal Court (ICC) via email about prosecuting George W. BUSH, offering my book about Cold Cell torture as evidence. As rumors were spreading that the ICC might open an investigation in BUSH war crimes in Afghanistan. The ICC only has jurisdiction when the host country fails to prosecute the war criminal. A slate of ICC judges was to vote on opening the investigation.

35. I then had website visits from Interpol in France, which did not make sense until China busted their own citizen and president of Interpol with accepting \$2.1 million dollars in bribes for the ICC judges to vote against the pending investigation into BUSH war crimes. China sentenced Meng Hongwei to thirteen years in prison, and Hongwei did not appeal the sentence. This is when China began visiting the website every day. China had to make the decision to bust George W. BUSH with highly embarrassing revelations, or agree to keep secrets in return for power and control over the United States.

36. George W. BUSH recruited Bill GATES to negotiate with China, as GATES is revered as a god like figure in China. As the website log evidence in Exhibit A reveals, dozens of meetings took place over a two-week period before China agreed to keep secrets. This was good news for

those corrupt, but bad for our nation, as power and control, and sovereignty was ceded to China. How can our CIA do CIA things when they own their jobs and liberty to China?

37. The panel of twisted ICC judges voted to NOT open the BUSH war crimes investigation, but reversed themselves a year later under a new panel of judges, to OPEN the investigation, so the corruption of George W. BUSH and Bill GATES worked for a time. Yet China retained their power and control regardless.

38. As a former Registered Representative with the Security and Exchange Commission (SEC,) I had surviving duties to full disclosure. I compiled reports with the website log evidence and mailed to a dozen stock analysts around the county. Shortly thereafter, I had website visits between the analysts and the CEO's. Just what the CEO's told the analysts, I am not privy. But nothing seemed to happen.

39. In late 2019, Larry PAGE suddenly resigned as CEO, citing no real reason other than time to go, which let me know why. Then Bill GATES suddenly resigned from his corporate positions, citing need to focus on his foundation. But distancing themselves from their public companies, did not stop them from continuing to use their corporate tools to monitor me.

40. Based on website traffic, George W. BUSH resumed efforts to recruit skills to pay me off with money. But none volunteered. Having exhausted all efforts to back me down, George W. BUSH, Dick CHENEY, the CIA, and the CEO's made the decision to take drastic action. To cause me serious bodily harm, even death. I had run out of options to protect myself.

### **The Period of Retaliation**

41. After the website traffic revealed efforts to recruit killers nearby me, on May 29, 2019, I fled Brevard, North Carolina for northern Michigan. To a town I spent my summers growing up.

42. The horrors that resulted are so severe that I hesitate to describe at this point, lest I run the

risk of being prejudiced by the courts. Testimony and evidence will need to be produced during discovery; such my testimony alone will not be needed. I am confident the evidence will be produced to the satisfaction of the courts, based on the rules of evidence.

43. The horrors focused on two time periods. the first being five (5) months long (5/29/2019-10/29/2019,) the second being 90-days long (4/1/2021-7/2/2021.) Each ended in extended hospital stays of eighteen (18) days and five (5) days respectively. The reckless infliction of emotional distress took it's toll.

44. During the first period of horrors, I lost ownership of "ColdCellTorture.com" and "DavidBardes.com" to George W. BUSH. George W. BUSH put up a website in French selling Nike sneakers. Today China owns these domains. I subsequently reposted the website at "ColdCellTorture.org."

45. Despite the horrors, I survived. Enough so, on September 20, 2021, I filed a federal Mandamus lawsuit (1:21-cv-598) in Cincinnati, Ohio. Calling for our governmental officials to enforce our well-established laws against torture and murder. Within days I had a website visit meeting between someone deep inside the courthouse on an iPhone on Cincinnati Bell, and the CIA. I figured the magistrate judge had been twisted by George W. BUSH.

46. The next day Magistrate Karen L. Litovitz's report recommended immediate dismissal claiming bad faith if I tried to appeal. I filed objections, but then District Judge Robert R. Cole was twisted next, and on December 21, 2021, he dismissed the case. The greatest threat to justice is not injustice, rather those whom do the injustice.

47. I then filed my appeal (22-3063.) As of this writing, George W. BUSH is still trying to twist the appeals court judges.

48. Federal Magistrate Karen L. Litovitz and Federal District Judge Robert R. Cole will be later

named as John and Jane Doe defendants, and enjoined to this cause of action.

49. Such is the progress of one man's efforts to do the right thing, to fulfill my civic duty, my duty to my country and to our laws. I am now suing my oppressors directly for the reckless infliction of emotional distress, among other things.

50. I hereby incorporate the website log evidence found in Exhibit A into the body of this complaint.

**D. JURY DEMAND AND RELIEF SOUGHT**

51. I hereby demand trial by jury seeking \$17 billion dollars in compensatory damages, and triple that amount in extraordinary damages as seen fit by the jury.

Respectfully submitted this day \_\_26\_\_ of May, 2022,

x \_\_\_\_\_  
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