

IN THE UNITED STATES DISTRICT COURT

For the District of Southern Ohio
Southern Ohio District - Cincinnati, Ohio

In Re Bardes (1:21-cv-598)

Petitioner:

David Andrew BARDES, as a taxpayer,

Respondent:

The UNITED STATES of America, Executive Branch

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) Extraordinary
) Writ of
) Mandamus
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Extraordinary Writ of Mandamus

A. Legal Basis Of This Extraordinary Writ Of Mandamus

1. A dangerous situation has developed as a result of not enforcing our nation's laws against murder and torture in regards to George W. BUSH, Dick Cheney, and a finite group of CIA officers. This problem has ballooned over the past twenty years to the point our nation's sovereignty has been lost to foreign nations whom agree to keep secrets in return for power and control over the UNITED STATES just to protect George W. BUSH from our laws and the laws of the International Criminal Court (ICC). The ICC has opened their war crimes investigation into the use of George W. BUSH's "Cold Cell Torture" or "Induced Hypothermia" to brutally torture to death multiple innocent victims.

2. Three Presidents and a dozen CEO's have now been compromised protecting George W. BUSH from our laws. As I state below in the Facts of the Case, along with the website log evidence in Exhibit A, this pathetic mess that George W. BUSH has created, can only be

remedied by court order directing the Executive Branch to enforce our well established laws against murder and torture. While prosecuting and executing a past President for repeated brutal murder is profound, the fact remains no one is above the law. As Justice Amy Coney Barrett recently said "it's not my job to decide cases based on the outcome I want." Please issue an order directing the Executive Branch to charge and prosecute George W. BUSH for murder and torture as our laws and Constitution require.

B. Facts of the Case

3. In 2006, I was falsely accused of not paying my child support and thrown in jail until the judge signed an order striking the falsely reported arrears. During the first three days I was locked inside a punishment holding cell called an "intensive management" cell. These cells are engineered to be made very cold, such the inmate shivers in the cold until they cooperate. I suffered from violent shivering and intense prolonged pain until I lost consciousness from hypothermia.

4. After leaving jail, I started doing research on these cold punishment holding cells, and discovered a dozen inmates whom died from hypothermia in these cells. Alarmed as you can imagine, I sought the assistance of lawyers. But each of the lawyers could not help me because every federal judge instantly dismissed torture lawsuits to protect George W. BUSH, Dick Cheney, and the few CIA torture agents from being sued and executed for repeatedly torturing to death innocent victims in their war on terror. The federal courts cited torture as "too hot of a topic" to address at the time.

5. Undeterred, I taught myself the law, and in 2008 filed my own federal civil rights lawsuit. The lawsuit was instantly dismissed. I filed objections and won, the case rolled into discovery for two years before ultimately being dismissed. The chief district judge wrote a complicated 50-page

order claiming that being brutally tortured almost to death was not a violation of the Constitution. Subsequently, the US Supreme Court denied my petition asking the question "Is being brutally tortured almost to death a violation of the Constitution?" The year was 2011.

6. This constant instant dismissal of torture lawsuits had a grave secondary effect, as it gave the green light to jails and prisons that torture was on. Inmates were brutally tortured to death all over our nation, mostly with hypothermic torture/murder. With all lawsuits then dismissed running immunity over murder each time. This became known as the TortureGate Corruption Scandal. The US Supreme Court eventually voted to end the TortureGate Scandal upon my second petition before the court with the same one Constitutional question five years later, in April of 2016. I sued the four federal judges who dismissed my first two lawsuits. Until then, the TortureGate Scandal was the law of the land.

7. Through no fault of my own, and without any prior knowledge, I found myself in a proxy battle with George W. BUSH, Dick Cheney, and the CIA. Because I had no idea at the time, they also used hypothermic torture to murder two innocent victims. George W. BUSH self titled this "enhanced interrogation" technique "Cold Cell torture" or "Induced Hypothermia" in his now infamous torture memo's legalizing this brutal form of murder. Jesus Christ was tortured to death naked with hypothermic torture to give you a baseline as to the amount of prolonged physical pain.

8. So, I ran into George W. BUSH twice as far as the law is concerned. First, I became a domestic cold cell torture victim due to the resulting effect on jails and prisons from decades of torture lawsuit dismissals just to protect George W. BUSH from the law, and then a second time, when all my lawsuits were dismissed just to protect George W. BUSH from the law.

9. My second federal lawsuit was dismissed citing hypothermic torture was a conspiracy theory

and did not exist. In 2014, the US Senate published their report on CIA torture graphically detailing the brutal and horrid use of hypothermic torture, including ice baths like Hitler, to murder two innocent victims. One was murdered because he resisted, according to the report. Hypothermic torture became public knowledge. No longer a secret.

10. In 2016, armed with the US Senate report on torture, along with the evidence of a dozen domestic inmates tortured to death with hypothermic torture, my third federal lawsuit sued the four federal judges who dismissed the first two lawsuits. On the morning of April 15, 2016, SCOTUSblog reported the supreme court canceled their scheduled conference case voting day to spend the entire day working on one important case behind closed doors. The court was not to be disturbed for the whole day. All the cases to have been voted upon that day were rescheduled for the next conference date. All except mine. My petition was the only one denied that day.

11. But hours later, a federal judge in Seattle did not dismiss the cold cell torture lawsuit against the two CIA doctors of death, whom were subsequently forced to settle the lawsuit the day before trial was to begin. The supreme court justices had voted that day to end the corruption of dismissing torture lawsuits. The TortureGate Corruption Scandal had ended.

12. Inmates no longer died from hypothermia, not when the sheriff could be sued. Since then, torture lawsuits have no longer been instantly dismissed just to protect George W. BUSH from the law.

13. But problems compounded from there. Because the UNITED STATES did not charge and prosecute George W. BUSH for torture and murder, the International Criminal Court (ICC) obtained jurisdiction to do so. When China busted their own citizen and President of Interpol Meng Hongwei with accepting \$2.1 million dollars in bribes from George W. BUSH for the judges of the ICC to thwart their voting on opening their war crimes investigation into torture in

Afghanistan, China sentenced Hongwei to thirteen years in prison. Hongwei did not appeal the ruling.

14. But China agreed to not go public with embarrassing revelations about George W. BUSH's crimes. According to the website log evidence in Exhibit A, China took advantage of the weak position to get an advantage in power and control by agreeing to keep secrets. This is safe ground for those corrupt, but voids the sovereignty of the underlying nation. You have new masters.

C. Conclusion

15. This is the natural result from not charging and prosecuting George W. BUSH and his group of bad actors for murder and torture. How can our CIA do CIA things when they owe their jobs and liberty to a foreign nation? Please issue an order for the Executive Branch to charge and prosecute said bad actors for murder and torture, forthwith, please, thank you.

D. Tolling Statues

16. As the website log evidence in Exhibit A reveals, my injuries are ongoing. The retaliation from George W. BUSH as a result of my lawsuits ending the TortureGate Scandal has been severe. Testimony and evidence will prove this to a degree satisfactory to the court's rules and the law.

E. Jurisdiction

17. A taxpayer suing the UNITED STATES gives this court jurisdiction. An Extraordinary Writ of Mandamus is permitted by the federal court's rules. I hereby incorporate all the case law, cite every rule and practice, and make every legal argument that could ever be made. The urgency of this matter is such nothing could be more important for the sovereignty and continuation of our great nation.

Respectfully submitted this day 20 of September, 2021,

x

David Andrew Bardes, *Pro Se*

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