

IN THE COURT OF COMMON PLEAS ALLEGHENY COUNTY, PENNSYLVANIA

William E. Blake,)
Plaintiff) FAMILY DIVISION
)
) No. FD 87-05377
)
v.)
)
Martha M. Blake,)
Defendant)
)
)
)

AFFIDAVIT OF WILLIAM E. BLAKE

WILLIAM E. BLAKE, being duly sworn, according to law, deposes and says that the following is a true and correct to the best of his knowledge, information and belief:

I believe that actual prejudice exists to a degree that the court lacks impartiality and it is impossible for me to receive fair treatment in the Family Court of Allegheny County. The court has formed an opinion, about me, to the extent that no amount of evidence will overcome the prejudicial attitude. I believe that a change in venue is warranted.

I have been deprived of my legal right and I believe that the fact that I have been outspoken about this treatment is the reason that the Family Court continues to harass me and treat me unfairly.

The most recent incident occurred when I sought a modification of my support payments but my support obligation was set at an outrageous amount which I cannot possibly pay. This was deliberately done by Hearing Officer Bingman in retaliation for my activities to improve the Family Court.

Pursuant to a final degree in divorce issued by Judge Lawrence Kaplan on July 13, 1989, the Defendants have conspired to defraud the plaintiff of his property and money. All of these actions were calculated to cause the plaintiff intentional harm and disgrace the authority of the legal system in violation of the plaintiff's legal right to a fair and impartial trial.

William E. Blake and Martha M. Blake were married on April 28, 1979. They have two minor children. Marla and Jodi, born on July 11, 1980 and May 2, 1983 who reside with their mother. A divorce was granted on July 13, 1989 by Judge Lawrence Kaplan after he confirmed the decision of the Master Martin Vinci.

William E. Blake filed for divorce in June 1987 after the wife had him thrown out of the house on a false PFA in order to gain control of the martial assets. From that time on her attorney Robert Garvin schemed with court officials, judges, attorneys, psychologists, real estate agents and brokers in order to gain control of the Defendants property and monies. By order of court dated May 20, 1987, the lower court removed the defendant from the martial residence valued over \$290,000.00. Martha Blake was permitted to live in the martial property and collect the rents from the martial rental properties in excess of \$55,000.00 per year. She refused to maintain the properties or make any montage payments, even though she was ordered to do so.

Martha M. Blake has also refused to comply with the custody/visitation order, dated May 20, 1987 and has concealed the children from William Blake. She has not allowed the visitation rights granted to William and threatens to call the police. She has been undergoing psychological counseling for the past three years and her family has a history of mental problems. She has also violated the fathers parental rights which will be another issue to be taken up by the courts.

As a result of Martha Blake's failure to pay the mortgages, the mortgage foreclosure proceedings were brought against four of the martial properties located at 361 W. Tarentum, 242 Center Street, 1513-1515 Linden St., (There is also a delinquent FHA loan on this property.) and 3169 Heinrich Farm Lane. This was not a worry, for Martha and her attorney were going to conspire with Howard Hanna, the Master, Judges, Barrister's, and the other principle litigants in this case to hide the facts within the enterprize. Wherefore Martha Blake would be able to escape any delinquent mortgages and live for free all while collecting all the rents from the martial rentals, outrageously high support payments, spending all the income on herself, then charge all the delinquencies to the Plaintiff William E. Blake and getting away with it while consiring with the Defendants. An equitable hearing was conducted by Master, Martin Vinci, who precluded William Blake from offering any evidence regarding the income of Martha M. Blake apparently upon the advice of Robert Garvin attorney for Martha. Robert Garvin had several ex-parte conference with Mr. Vinci before the Master's hearing was held without the presence of Mr. Blake **EXH A**

nor his counsel. The Master prohibited discovery in violation of Pa. R.C.P. 4011 and 4019 in complete contradiction of the Court order of June 23, 1988 even though he read the order. He sided with Mr. Garvin in violation of the law and the Pennsylvania Divorce Code 23 P.S. Sec 403(b). Robert Garvin knew in advance that conspiring with Martin Vinci that he would prevent the Plaintiff from having a fair and impartial trial as prescribed by due process of law. The Master recommended that Martha Blake receive over 90% of the martial property.

Subsequently Martha Blake's attorney, Robert J. Garvin, inadvertently disclosed that he met privately with Mr. Martin Vinci, Esquire (Master for equitable distribution) and two Judges, Lawrence Kaplan, and W.Terrance O'Brien, to discuss the case without William Blake being present nor represented by counsel violating the Plaintiff's rights to due process under the law of the Constitution of the United States and the Constitution of Pennsylvania.

Judge Lawrence Kaplan ignored the fact that Martha Blake was in contempt of court for not paying the martial expences and denied a petition to find Martha Blake in contempt of court of a previous order that he himself signed. This was done while Mr. Garvin read the previous order to Judge Kaplan

laughed and made cute little jesters to the Judge.

Judge Kaplan ordered the sale of the real property so that Martha M. Blake and Robert Garvin would be able to dispose of William Blake's money and property in a direct refusal to uphold the Constitution and Laws of the United States. He also ordered that Martha Blake receive a commission from the sale, in addition to her equitable share through her employer, Howard Hanna Inc. Through manipulation of the expences of the Sale, Martha Blake and her Attorney Robert J. Garvin conspired with the other employees of Howard Hanna Inc., and Gary Stout (Court Administrator of the Family Division Court of Allegheny County Pennsylvania who took a fee acting as a free agent while working for the court on court time) in order to hide the fact that they charged excessive commissions, fees, and failed to disclose. They also ignored previous court orders that would have affected the outcome of the distribution stealing an amount in excess of \$200.00.00 from the plaintiff. Through the manipulation of the expences of the sale, William Blake would receive less than the equitable distribution order indicated.

By Order of Court of November 20, 1990, Judge Lawrence Kaplan appointed Gary Stout, Esquire, as a master, to

represent and sell William Blake's property owned prior to the marriage. Alas, as part of the enterprize he was allowed to work as court administrator and also collect a fee in addition to his regular duties. This way Judge Kaplan knew he could control the outcome of the sale. Although not authorized by law to do so, Mr. Stout conspired with Martha Blake and Robert J. Garvin and gave them approval to "lock out" William Blake from his residence at 1513 Linden Street, leaving him homeless.

William Blake appealed the order to the Superior Court, and on April 2, 1990, he petitioned the lower court to stay the sale of the real estate pending the appeal. The lower court refused to act to protect William Blake's interest in the properties, pending the Superior Court Appeal. The Plaintiff was not given adequate opportunity to defend his property rights under the Divorce Code Sec 401 (f). Judge Kaplan conspired and acted on the whims of Martha Blake's arrogant attorney in spite of the law and denied the stay.

The properties were sold on June 7th and June 20th 1990, of which the defendants conspired to keep certain closing documents from the Plaintiff in order to hide the

fact they took additional funds not entitled to them. After several request to Gary Stout, Fred Thompson, and Howard Hanna, they finally submitted these documents on July 5, 1990 a month from the first sale which gave them enough time to disperse of all the monies. If it was never questioned they would have never turned these documents over to the Plaintiff because they were trying to hide the facts and they knew what they had done. There was also two Allegheny County sheriffs present at the closing of June 20th, 1990, in order to intimidate, humiliate, and disgrace the Plaintiff in the presence of third parties. This gave the impression that the Plaintiff was vicious so that the other parties would believe that the Defendants were doing no wrong. This scheme was contrived by the enterprize with malice to conspire against the already injured Plaintiff for more leverage to do more damage. These were all carefully conceived programs, premeditated schemes to cheat, thief, and gain unfair economic and competitive advantage and benefit.

Robert Garvin, Judge Kaplan, Gary Stout, and Martha Blake were fully aware that previous court orders were not adhered too and conspired to hide the fact with an unlawful

conduct, fraud and corruption to acquire the properties and monies of William Blake. The following persons comprise the enterprize: Judge Kaplan, Gary Stout, Robert J. Garvin, Firm of Goldberg and Kamin (Sam Kamin a long time friend of Judge Kaplan and several administrative personal in the City of Pittsburgh, an eminent domain attorney who collected funds for clients referred to by city personnel), Martha M. Blake (long time friend of Sam Kamin), Howard Hanna, (Friend and business associate of Sam Kamin), Fred Thompson (Supervisor of Martha Blake who works for Howard Hanna) and Joan M. Callery (Employee of Barristers Inc. a Division of Howard Hanna) Also, as honorable mention Spencer Hershberger (President of Barristers Inc. and also a member of the Law Firm of Pietragallo, Bosick & Gordan the Attorneys for Howard Hanna in this case). The above named persons is the enterprize who have received both directly and indirectly the monies of the Plaintiff in the form of excessive commissions, unnecessary court cost, and other related cost by forcing cases to drag out for years, by forcing parties to appeal such decisions and all as a direct result of their refusal to uphold the Constitution and the laws of the

United States and protect all its citizens. These people should be more severely punished because of their position in society. They are to be the keepers of the law but have used it to steal. This enterprize has formed a union to protect the individuals or individuals of the wrongful acts of the enterprize and to exonerate them in any way they can. The purpose of the enterprize is to extort by means of fraud, deceit, trickery, lack of disclosure, or other illegal means to deprive the Plaintiff of his monies and properties and to obtain monies for themselves and for the enterprize known as the Allegheny County Court Family Division in order to ensure their jobs and to abstain monies directly for themselves.

Gary Stout Court Administrator for the Allegheny County Court of Common Pleas Family Division also received a payment of \$300.00 as Master of the real estate proceedings and the courts representative for William E. Blake, but never kept Mr. Blake informed of any of the proceedings as a matter of convince. He knew if he did not inform Mr. Blake that he could conspire with Robert Garvin to steal Mr. Blake's property with Judge Kaplan's approval. Gary Stout was conveniently appointed by Judge Kaplan and

signed all the deeds connected with the real estate transfer without the consideration of William Blake. Gary Stout tried to hide the attachments from the sale of William Blake's property because he knew that they were erroneous and that the sale of William's property was a complete fraud committed by the enterprize.

HONORABLE JUDGE LAWRENCE KAPLAN - Judge Kaplan is the "king pin" of the enterprize. His criminal conduct did not involve momentary lapses in judgement but carefully conceived programs, premeditated schemes, to cheat, thieve and gain unfair economic and competitive advantage and benefit. Judge Kaplan betrayed his trust as a Judge of the Allegheny County Court Family Division through conspiracy and fraudulent conduct with the Defendants. Judge Kaplan has presided over the plaintiff's divorce proceedings since May 20, 1987. On May 11, 1987, Judge Kaplan entered an order which had the sole purpose of unlawfully removing the Plaintiff from his home while the order, on its face, purpose to protect the Plaintiff's property rights from 1987 to June 1990. In fact, the order was a pretext for taking property, without due process of law. Judge Kaplan refused to enforce the order and allowed Martha Blake and her attorney Robert Garvin to

steal the Plaintiff's property using the order as a means of excluding the Plaintiff from protecting his interest. He sided with Robert Garvin in contradiction to a Order of Court that he originally signed in order to provide protection to Martha Blake and her Attorney. Judge Kaplan and Attorney Garvin met privately and conspired to unlawfully take the Plaintiff's property. On information and belief, Plaintiff alleges that they met on numerous other occasions for this unlawful purpose.

On August 29, 1989 Judge Kaplan was presented with a letter for the Plaintiff with a listing regarding a prior bill from Attorney Robert Garvin which indicated that Robert Garvin had a conference with Judge Kaplan without the Plaintiff nor his Attorney being present. At that time Judge Kaplan was asked to recuse and in contradiction to the law he refused because he knew if he recused he would no longer have control over any of the proceedings. He also laughed and was not able to explain the circumstances. **ExH. A.**

The Supreme Court of the United States reaffirmed the federal Due Process principles that no judge can be a judge in his own case or be permitted to try cases where he has an interest in the outcome.

Dr. Neil Rosenblum and Judge Kaplan conspired to ruin families by accepting payments from Attorney Garvin to write false reports to Attorney Garvin in order to unlawfully misconstrue the facts and take the children away from a good and decent parent. Dr. Rosenblum's report was unlawfully put into the court record even though the plaintiff has not met Dr. Rosenblum. Dr. Rosenblum deliberately falsified records in order to control the outcome. Judge Kaplan knowingly permitted the falsification of the court records as part of the enterprise. Judge Kaplan in conspiracy and harmony of the enterprise deliberately avoided fact finding to coerce the outcome of the case in gross abuse of discretion and due process not permitting the Plaintiff to testify and giving the Plaintiff the appearance of a criminal or a child abuser.

Neil Rosenblum is a good friend of Judge Kaplan and was never court appointed except behind closed doors or under the table. On November 14, 1988, Mr. Garvin has met with Judge Kaplan for 2.2 Hours without the Plaintiff or his attorney being present and agreed with Judge Kaplan to violate the Plaintiff's civil rights. November 15, 1988, Judge Kaplan sanctioned the Plaintiff for continuing the case, again

protecting the enterprize and depriving the plaintiff of due process. Judge Kaplan knowingly permitted Robert Garvin to lie under oath many times. On February 14th 1990 Robert Garvin has lied about his attorney fees who is being sued in civil court for his outrageous actions. ^{ENB} Judge Kaplan was prejudice during that proceeding and approved Robert Garvin's laughing and lying while on the witness stand and then sanctioned the Plaintiff for attorney fees in defiance of his authority and Code of Judicial Conduct Cannon 3(c)(1)(a). On March 23, 1990 Judge Kaplan issued an order to the prothonotary to white out any language of under duress on the deeds of the martial property because the plaintiff was forced to sign them or face jail while the plaintiff's case was under appeal. Judge Kaplan conspired with the other members of the enterprize to sell the plaintiff's property in order to destroy him leaving the plaintiff without redress, money and to discriminate and restrict the due process rights of the plaintiff.

Rather than allowing for due process, Judge Kaplan uses his position to coerce litigants.

Judge Kaplan had an obligation to review the recommendations of the Master Martin Vinci for equitable distribution and

denied the exceptions of William Blake in violation of the of the Divorce Code by agreeing with the Master. He knew there were ex-parte conferences between Mr. Vinci and Mr. Garvin but refused to protect the plaintiff rights and protected the enterprize instead. Judge Kaplan knew that the Master prohibited testimony form the June 23, 1988 Order of court (which was an illegal sanction the plaintiff was forced to sign) in contradiction to that order and in contradiction to the Pennsylvania Divorce Code 23 P.S. Section 403 (b). There were several attempts to correct the situtation but Judge Kaplan would hear nothing of them. Judge Kaplan also knew of the ex-parte conferences that were held between Robert Garvin Judge Terrance O'Brien: (who signed the June 23, 1988 Order of Court after he had several ex-parte conferences with Robert Garvin) and Martin Vinci the Master who presided over the equitable distribution but failed to recognize any impropriety or do any thing about it. The Judicial Inquiry **ETC** and Review Board was notified but were grossly negligent in their duties and failed to respond to the improprieties. Judge Kaplan appointed Gary Stout (Allegheny County Court of Common Pleas Family Division Court Administrator) as Master to sign the listing agreements and the deed of the martial

property as William Blake's representative. He knew that by appointing Gary Stout that he would be able to control the sale of the properties and be able to steal William Blake's money knowing that they could protect one another. Gary Stout is an employee of the court and he served as a "Master" for a fee while being paid by Allegheny County. Judge Kaplan knew this would be in violation of rule 1910.12 but didn't care how he administered the law as long as he protected the enterprize. He also knows that typically a judge can be immune from almost any kind of outrageous action in disregard of the Plaintiff's due process rights. Judge Kaplan has violated the Code of Judicial Conduct; Cannon 1,2,3,5. Judge Kaplan also associates himself privately with a select group of attorneys. Judge Kaplan routinely violates due process by having a day to day contact with attorneys and doing favors, instead of obeying the rules to govern the Court. He has participated in developing money making schemes to defraud innocent people. Judge Kaplan knows his actions are unlawful. Judge Kaplan violates Section 841 of the Rules of Judicial Conduct where as no Judge of the said court shall receive compensation for official services rendered other

than the salary fix by this act. Judge Kaplan as a member of the Allegheny County Court refused to recognize the improper conduct of Robert Garvin and refuse to suspend him from further appearance in the court in violation of the Rules of Judicial Procedures Section 649. It is a fundamental principle of our legal system that judges should perform their duties impartially, free of personal bias or interest. Litigants and the public have a right to a court free from the shadow of unfitness. It is the right of every citizen to be tried by impartial judges, as impartial as the lot of humanity will admit. Presumptions in regard to public officials honesty of purpose and good faith in performance of acts in their official capacity do not afford any greater protection to public officials facing criminal charges than is afforded under the presumption of innocence common to all accused. Judge Kaplan has demonstrated violations of the Plaintiff's civil rights and that the conspiracy of the defendants and the meeting of the minds in the enterprise. Judge Kaplan is part of an enterprise affecting interstate commerce, that the other defendants were employed or associated with the enterprise, that the defendants

participated, either directly or indirectly, in the conduct of a affairs of the enterprise and that defendants participated through a pattern of racketeering activity, which comprises of at least two predicated acts and the plaintiff has suffered irreparable harm due to the defendants predicated acts. Judge Kaplan's conduct under the state law can be fairly characterized as intentional, unjustified, futile, and offensive to human dignity and violates victims constitutional_due process. Judge Kaplans allegation of qualified immunity does not bar actions for declaratory or injunctive relief. The evidence is clear that Judge Kaplan is part of the enterprize known as the Allegheny County Court of Common Pleas. The officials in the government, judges et al., as part of the enterprise conduct secretive meetings to prevent a plaintiff from discerning a violation of Plaintiff's rights. Judge Kaplan's personal involvement of defendants within the enterprise in plaintiff's complaint alleges constitutional deprivation. Judge Kaplan conspired with others to commit a series of predicate acts for a period of over three years in an attempt to maintain an interest in and control the Plaintiff's outcome of his case.

Judge Kaplan also conspired with Attorney Robert Garvin in rate fixing of Mr. Garvin's Attorney fees. Judge Kaplan approved of Robert Garvin to mis-represent the facts while laughing on the witness stand. It's part of the record of the February 14, 1990 hearing held before Judge Kaplan. Judge Kaplan violated legal principals that were "clearly established" at that time.

Judge Kaplan and Robert Garvin had a relationship outside the courtroom. Judge Kaplan gave complete discretion to the attorney and has contact with other attorneys to override the rights of litigants. Judge Kaplan misused his authority in order to "unlawfully appropriate commissions from the sale of the Plaintiff's property in a conspiracy with Robert Garvin. Judge Kaplan also conspired to extort excessive support payments from Plaintiff in conspiracy with Robert Garvin while they participated in hiding the actual income of Martha Blake.

Allegheny county court does not properly supervise its employees or has any standards of ethics. Allegheny County Courts does not protect people from fraudulent schemes and allows open corruption by its employees. The Allegheny Court

of Common Pleas is the employer of the Gary Stout. Gary Stout uses the court for their own private gain. Gary Stout received economic advantage from the favoritism of Judge Kaplan. It is alleged that Robert Garvin and the Firm of Goldberg and Kamin participated in favoritism to Judge Kaplan and Gary Stout in return for the Court's favoritism. Gary Stout used the Allegheny County Court and its authority to aid Robert Garvin and or the firm of Goldberg and Kamin to steal the Plaintiff's monies and property through a fraudulent real estate transaction in violation of Title 18, 1901.

This group of individuals that are associate in fact which the enterprise is often described as is the Family Division Court of Common Pleas, Allegheny County, including numerous officers, attorneys who practice before the court, and other professional utilized by the courts. As the result of the refusal to take preventative or corrective measures the agents which comprises of the enterprise have receive directly and indirectly monies in the form of unnecessary corrupt cost by forcing cases to drag out for years and to by forcing parties to appeal such decisions and all by the

direct result of their refusal to uphold the constitution and the laws of the United States and protect all its citizens and not a select few. The County of Allegheny is responsible for the injustice of collecting the improper high support awards. Instead of the intent being incentive for enforcement, it has become incentive for abuse. The Child Support Amendments of 1984 and The Family Support Act of 1988 authorize the states to formulate guidelines in order to collect matching federal funds, under 42 U.S.C. 658. The Federal Office of Child Support Enforcement has interpreted Section 667 to require the state guidelines to have specific numeric amounts of child support awards. This is contrary to the Congressional intent in mandating the child support guidelines. It is also beyond the delegated authority of the County. Additionally, Section 667 now requires that state child support guidelines must be binding upon state court judges and create a rebuttable presumption that the guidelines are the current amounts to be awarded. That requirement changes the burden of proof and is in violation

of the Fifth and Fourteenth Amendment to the U.S. Constitution. More importantly, Section 658 (42 U.S.C 658) creates the avenue for the state courts to directly benefit. In support enforcement the courts and the County of Allegheny do directly benefit from the amount of the child support orders. Compensation is based on the amount of support it collects. An enterprise entering a scheme injecting a personal interest, financial or otherwise, into the adjudicative process, may bring irrelevant or impermissible factors in the decision making process and raises serious constitutional questions. Courts have an incentive for entering higher support awards because unjustifiably large support obligations increase federal funding to the court and the County. The enterprise is highly sophisticated and diversified which annually drains millions of dollars from the economy by various pattern of unlawful conduct including the illegal use of force, fraud, and corruption. Supervising officials may be personally involve in constitutional deprivation by failing to remedy the situation after learning it. The Plaintiff was deprived of federal rights pursuant to official policy or custom. The violations to the plaintiff stems from the actions or decisions of persons responsible for making policy and the pattern of conduct of series of acts from of

which reasonable person could infer a pattern of the enterprise or policy.

Allegheny County is negligent in supervising its employees. Allegheny County allows its employees to be used to further fraudulent practices.

GARY STOUT - used the court system for his own personal gain. Gary Stout conspired with Robert Garvin and Judge Kaplan to steal the plaintiff's property and monies. Gary Stout was purposely appointed as master of the plaintiff's equitable property settlement as a representative of William Blake but actually he was a representative of the enterprise to control the sales of the properties and to steal the monies of William Blake. Mr. Stout had knowledge of as being a court administrator, how to use the court to deprive plaintiff of his constitutional rights and to hid behind and abuse his position. Gary Stout was in violation of Rules of Court, 1910.12 for a serious conflict of interest. Gary Stout collected a separate fee as to represent William Blake as a independent attorney at the at the sales of plaintiff's property. Gary Stout worked in strict confidence with Robert Garvin and Judge Kaplan to promote a fraudulent real estate transaction. Gary Stout who

was suppose to be the representative of William Blake, did not advise the Plaintiff William Blake of any transactions or discussion occurring between Judge Kaplan and Robert Garvin, representatives of Howard Hanna and or the law firm of Goldberg and Kamin. Previously to Gary Stout coming into a meeting just to sign the property sale as ordered by Judge Kaplan. these arrangements were made via collusion with Judge Kaplan, Robert Garvin, representatives of Howard Hanna, and representative from Barristers Inc. which is the law firm of Pietragallo and Bosick and Gordan, and several Allegheny County sheriff's to intimidate. Gary Stout had relationship outside of the court room with Judge Kaplan. The defendants were all part of scheme to defraud plaintiff of his property, money, and due process of law. The enterprise held meetings in order for conspire and a plan of action (meeting of the minds) as to harass, intimidate and deprive plaintiff of his constitutional law and rights under the United State and Pennsylvania Constitution with malice of forethought which are nothing less willful bad faith on their part. Gary Stout withheld documents pertaining to the sale of property and refused to disclose information to plaintiff due to collusion

with Robert Garvin as to masquerade the excessive fees and commissions from sale of property and legal fees. Howard Hanna and Robert Garvin collected double fees and Gary Stout was in collusion as to hid the fact that hid the action and intent of these people. In reality Gary Stout was responsible to look out for the best interest of William Blake as his representative but actually supported the enterprise as to economical better the enterprise as to steal his monies and property in collusion with Howard Hanna, Barristers Inc., Robert Garvin, Martha Blake, and et. al. Under permissive statutory provisions a person may be entitle to maintain a action to recover action arising from a conspiracy affecting his civil rights.

A combination of persons to accomplish an unlawful purpose, or a unlawful purpose unlawfully is a conspiracy.

A civil conspiracy is a combination of two or more person by concerted actions to accomplished an unlawful purpose or accomplish some purpose not in it self unlawful by unlawful means.

Gary Stout is in violation of obstruction justice of offense

of intimidation of victim 18 Pa. C.S.A. section 4952(a)(b)(2), by having two Allegheny County Sheriffs at the closing ceremonies of the property settlement. The Sheriffs were use to prevent plaintiff form objecting to the fraudulent actions of the defendants. A person commits a offense if with the intent to or with the knowledge that his conduct will obstruct, impede, impair, prevent or interfere with criminal justice. He intimidates or attempts to intimidates any witness or victim to: refrain from informing or reporting to any law enforcement officer, prosecuting official, or judge concerning any information, document or thing relating to the commission of a crime. The public needs to be protected from the defendants. It is a well recognized principle that under the federal constitution that all persons have the right to be govern by general rules, since the equality of right, privilege, compacities and not the granting of special privileges is the aim of the law. Equal protection of the laws of a state is extended to persons within its jurisdictions, within the meaning of the 14th Admemdant of the United States Constitution when its

courts are open to them on the some condition as to others in like circumstance with like rules of evidence and modes of procedures, for the security of their persons and property, the prevention and redress of wrongs, and the enforcement of contracts.

Gary Stout conspired to extort William Blake's property and money. Extortion is a well known common law crime and designates a crime committed by a officer of the law who, undercover or cover of his office, unlawfully and corruptly takes any money or thing of value that is not due to him or more than that is due or before it is due. When this issue was addressed before Judge Kaplan it was denied or ignored. Gary Stout conspired with Robert Garvin to take excessive fees, monies, and property of the plaintiff in excess of two hundred thousand dollars. Eventhough he was aware that the transaction was fraudulent, he assisted in the unlawful taking of the Plaintiff's funds. He obstructed the Plaintiff's right to a proper distribution. The court and the employees in Allegheny County expects to

get what they want because they all have got political connections. The material claimed in this affidavit is information and facts establishing the claim that Plaintiff William E. Blake has been abused in courts of Allegheny County and will always be abused in the future. To allow the disobedient attorneys, judges, and court of Allegheny County to continue hearing cases would be a gross infraction of William Blake's right to a fair and un-prejudiced trial. All the above mentioned parties have acted in bad faith which have impeded certain due process rights.

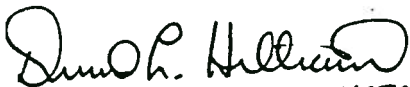
Respectfully submitted



William E. Blake,
335 Jefferson St. Apt. B
Brookville, Pa. 15825

Dated: February 7, 1991

SWORN BEFORE ME THIS 7TH DAY
OF FEBRUARY, 1991



NOTARY PUBLIC

Notarial Seal
Donald Louis Hilliard, Notary Public
Brookville Borough, Jefferson County
My Commission Expires April 6, 1992

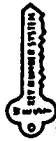
Member, Pennsylvania Association of Notaries

icles were (9) The fact the appellant had physical possession of the vehicles at the time of the normal operation of the vehicles. No security agreement, written or oral, giving his a legal right to the vehicles existed. For the sake of argument, even categorizing appellant as a bailee of the vehicles does not alter that finding. Even if the collateral is deemed to have possession from the time bailee is notified of the secured party's interest. A sheriff's levy is adequate notice of a secured party's interest. Appellee's perfected security interests prevail over any interest appellant may have had in the vehicles.

Based on the foregoing discussion, we affirm the trial court's findings there was insufficient evidence to establish a result-trust between Echelberger and appellant and Echelberger had sufficient rights in the collateral to which CTC's security interest could attach.

Judgment affirmed.

BECK, J., concurs in the result.



William E. Blake, Appellant,

v.
Robert J. Garvin,

Superior Court of Pennsylvania.

Submitted Jan. 22, 1991.

Filed April 3, 1991.

Husband sued attorney who represented wife in prior divorce proceeding, alleging that attorney had presented false information in connection with legal fees that arose during the divorce proceeding, for which fees husband was liable. The Court of Common Pleas, Allegheny County, Civil Division, No. GD 90-8265, Friedman, J.,

dismissed the complaint, and husband appealed. The Superior Court, No. 01575 PGH 90, Hoffmann, J., held that the doctrine of collateral estoppel barred husband's action.

Affirmed.

1. Judgment ← 720

Doctrine of collateral estoppel prevents question of law or issue of fact that has been litigated and adjudicated finally in court of competent jurisdiction from being relitigated in subsequent suit.

2. Divorce ← 255

Doctrine of collateral estoppel barred husband's action against attorney who represented husband's wife in prior divorce action; husband had full and fair opportunity in divorce action to raise identical question being raised in immediate action, i.e., whether counsel's estimate of his fees was based on fraudulent billing practices, and because husband did not appeal order in divorce proceeding requiring him to pay counsel fees, that order was conclusive for purposes of collateral estoppel.

William E. Blake, pro se.

Samuel P. Kamin, Pittsburgh, for appellant.

Before ROWLEY, President Judge, and DEL SOLE and HOFFMAN, JJ.

HOFFMAN, Judge:

This pro se appeal is from a July 30, 1990 order granting appellee's preliminary objections and dismissing appellant's complaint. Appellant challenges the propriety of the trial court's grant of the preliminary objections. We affirm.

Appellant and his former spouse, Martha M. Blake, were divorced on July 13, 1989. During the pendency of the divorce litigation,

- 1. Appellant's complaint alleged in pertinent part:
3. On or about November 20, 1989, [appellant] was ordered by the Court to pay counsel fees to [appellee], who represented [appellant's] former wife in connection with a divorce.

response to appellant's amended complaint, appellee refilled his original preliminary objections. On July 30, 1990, the trial court, finding that appellant's suit was "a collateral attack on the Family Division Order," entered an order granting appellee's preliminary objections and dismissing appellant's complaint. This timely appeal followed.

Appellant contends that the trial court erred in granting appellee's preliminary objections and dismissing his complaint. This contention can be summarily dismissed.

(1) It is well-settled that the doctrine of collateral estoppel prevents a question of law or an issue of fact that has been litigated and adjudicated finally in a court of competent jurisdiction from being relitigated in a subsequent suit. See, e.g., *Mellon Bank v. Refsky*, 369 Pa.Super. 583, 592, 535 A.2d 1090, 1093 (1987).

(2) Here, the record reveals that appellant was ordered to pay \$1,082.00 in counsel fees and costs following a February 14, 1990 hearing concerning, *inter alia*, Mrs. Blake's entitlement to counsel fees and the amount thereof. See Order, February 15, 1990; Appellee's Supp. R.R. at 10-72. Appellant, the person against whom the doctrine is asserted, had a full and fair opportunity in the prior action to raise the identical question being raised in this appeal—i.e., whether counsel's estimate of his fees were based on fraudulent billing practices.

- [appellee] committed by [appellee] in collusion with the Honorable Lawrence Kaplan
- 6. Fraudulent invoicing is part of a continuing unlawful and unethical practice, among divorce attorneys in Allegheny County, of submitting phony invoices in order to unlawfully take funds from divorce litigants, while acting in collusion with certain judges.
- 7. [Appellee] seeks to recover those funds, in the amount of \$1,082.00, which were wrongfully appropriated by [appellee].
- 8. [Appellant] also seeks to recover compensation and punitive damages from [appellee] for [appellee's] outrageous conduct.

See Amended Complaint-Civil Action, June 29, 1990.

See Appellee's Supp. R.R. at 10-72. Furthermore, because appellant did not appeal the February 15th order, that order is conclusive for purposes of collateral estoppel. See, e.g., *DeWald v. Pauline*, 312 Pa.Super. 391, 458 A.2d 1016 (1983) ("final order" is one which effectively ends litigation or disposes of entire case; see also generally *Restatement (Second) of Judgments* § 13 comment g (decision is final for purpose of issue preclusion where, *inter alia*, parties were fully heard, court supported its decision with reasoned opinion, and decision was subject to appeal or was reviewed on appeal). Finally, the trial court's determination that Mrs. Blake was entitled to \$1,082.00 in counsel fees was essential to its order requiring appellant to pay that amount. Thus, we agree with the trial court's conclusion that appellant's action is an improper collateral attack on the final order of the Family Division. See *Mellon Bank v. Refsky*, supra; Trial Court Opinion, September 19, 1990, at 2.

Accordingly, the trial court did not err in dismissing appellant's complaint. Order affirmed.



2. It is unclear from the trial court's opinion whether it granted appellee's preliminary objections based on the doctrine of collateral estoppel. However, even if the trial court disposed of appellant's complaint did not rest squarely on collateral estoppel grounds, we could affirm on that basis, as it is settled that an appellate court may affirm a lower court decision if the result is correct on any ground. See *Penn Piping v. Ins. Co. of N. Am.*, 362 Pa.Super. 19, 22-23, 554 A.2d 923, 927 (1989) (citation omitted).

GARVIN LIED AND COMMITTED PERJURY IN COURT, ON APPEAL SUPREME COURT OF PA. NO. 283 WD 1991