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IN THE  
UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

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DATE \_\_\_\_\_ INITIAL \_\_\_\_\_

Koniag Inc

v

Kurt Kanam  
Orbie Mullins

No 13-35759  
Case No 3:12 cv 00077

OPENING BREIF AND  
OPPOSITION TO APPELLEE'S MOTION  
FOR RECONSIDERATION



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IN THE  
UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT  
No 13-35789  
Case No 3:12 cv 00077

Kurt Kanam, Orbie Mullins      Appellant

v

Koniag Inc Michael O'Connel Appellee

On Appeal from the United States District Court fort the District of Alaska District  
Court Docket No 79  
Judge Sharon Gleason

OPENING BREIF OF APPELLANT

UNITES STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

KONIAG V Kanam et all  
No 13-35759  
NO Case No 3:13 cv 00051

CERTIFICATE OF INTEREST

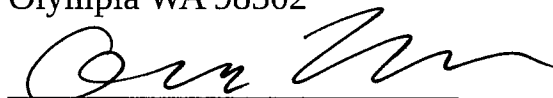
Appellant certifies the following is true:

1. The full name of every party resented by me is: Kurt Kanam and Orbie Mullins
2. The name of the real party at interest is: Kurt Kanam and Orbie Mullins
3. All Parent corporations and any public held companies that own 10 percent or more of the stock of the party or amicus curie represented by me is: None
4. The names of all law firms and the partners or associates that appear for the party or amicus curie represented by me in trial court or agency or are expected to appear in this court are : None

Date 2/22



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## INTRODUCTION

Koniag is in full agreement that they are actively engaged in a conspiracy to defraud the American people of millions of dollars. Dct 106 Sharon Gleason has knowledge of Koniag's crime is is a complacent co -conspirator assisting Konmiag with its crimes DCT 95. All parties give full faith and credit to Dct 106 dismissing Kanam and Mullins claims do to Koniag's ongoing fraud.

## CONFLICT OF INTEREST

Koniag can not overcome their monumental conflict of interest, by committing ongoing securities fraud (theft) upon the American people, and are now asking this court to assist with the furtherance of this conspiracy to defraud the American people.

Koniag's argument hinges on the judicial misconduct of the District court clerk who refused to issue the cross complaint summons against Sharon Gleason. Dct 71

This court properly concluded that Sharon Gleason lost jurisdiction of the case when she was named a cross complaint defendant. Dct 71

## APPEARANCE OF FAIRNESS

Koniag's argument goes on to state that Sharon Gleason has no duty to protect the American people from the admitted and unconverted fraud and theft of the Koniag from the American people.

Koniag is asking this court to assist them in stealing millions more from the American people.

~~Koniag is attempting to say that firemen do not have a duty to respond to fire and protect the public.~~

Congress has yet to supply legislation giving Federal employes discretion to overlook ongoing fraud and theft. Congress additionally has yet to provide a license to Koniag to commit securities fraud upon the American people.

Koniag alleges that Sharon Gleason had jurisdiction after being named as a cross compliant defendant and that she properly retained jurisdiction in the lack granting of a motion for leave to add an additional party (herself).

The ninth circuit has yet to publish any case law supporting Koniag's novel and creative legal theories.

Congress has yet to enact legislation supporting Koniag's novel claims.

Sharon Gleason lost jurisdiction when named a cross complaint Defendant. . Dct 71

The docket does not show an order either from the clerk or Sharon Gleason address Koniag allegation a motion for leave to admen was required before a summons would be issued.

### JUDICIAL INTIMIDATION

Koniag is faced with a difficult challenge. While they readily admit that they are criminally defrauding the American people. Dct 106 they urgently want to conceal and continue their profitable criminal endeavor.

Koniag has a novel judicial concept they are attempting create and to enforce with Sharon Gleason's help, they want to not be burdened with any judicial due process, and since they readily admit their ongoing crimes of fraud and theft, they want to Sharon Gleason to commit an act of judicial intimidation, and sanction Judicial officers in their personal capacity until they dismiss judgments declaring the fraud and theft of Koniag. Dct 78

Under this novel theory all the Ninth Circuit judges will all be subject to personal liability and sanction if they do not dismiss their judgments against criminals engaged in theft and fraud of the American people, in particular Koniag.

Kanam and Mullins can see the economy of Koniag's concept rather and appeal a decision or address an ongoing crime, simply sue a judge personally for a dismissal.

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Please notice Koniag can cite no case law supporting Koniag's novel concept of judicial intimidation.

Please notice that Congress has enacted legislation prohibiting Koniag's novel concept and titled it Judicial Intimidation 18USC 1503

### JUDICIAL MISCONDUCT

Koniag's hope is that this court will uphold the Judicial Misconduct of the District court.

Koniag wants this court to uphold the District Court Clerks refusal to issue a the summons of Sharon Gleason Dct 71

Koniag Wants this court to uphold Sharon Gleason's refusal to recuse herself when named a cross complaint Defendant Dct 71

Koniag want this Court to ignore the Tribal Court removal and dismal of the District court case Dtc 106 and 82

Koniag hopes that this court with disregard the repeated notices fraud and theft of Koniag Dct 95 and Dct 106

#### FEDERAL COMMON LAW

Koniag often cites Federal Common Law Dct 78. what Koniag is attempting assert is that the Federal common law holds that Koniag an admitted criminal organization defrauding the American people is immune from the Jurisdiction of a Federally recognized Tribal Court and therefor deserving of the protect of the Federal district court from any Tribal Order declaring Koniag's Fraud and Theft.

Koniag cites "Federal Common Law" because no actual law exists.

However the Indian Child Welfare Act, Indian Self Determination Act, Tribal Law And Order Act, Uniform Foreign Judgments Act, Declaratory Judgments Act, and the Executive Order 13175 do give Tribal courts Jurisdiction over Koniag.

#### SPECIAL NOTICE OF FRAUD

Appellants ask the court to please take special notice that at no time has Koniag ~~disputed Koniag's fraud and theft. No where in the record is any mention by Koniag~~ disputing the 1/6/80 Arnold Olsen decision declaring Koniag's merger agreement to contain securities fraud mentioned. This is because Koniag is in fact committing fraud.

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## TABLE OF AUTHORITIES.

### STATEMENT OF RELATED CASES

There has been no and is no other appeal from the present civil action in this or any other appellate court. Appellant is unaware of any other case pending in this or any other court that will directly affect or will be directly affected by this Court's decision in the pending appeal.

### STATEMENT OF SUBJECT MATTER AND APPELLANT JURISDICTION

The statutory basis for jurisdiction of the United States District Court for the Ninth Circuit is the 28 USC 144.

### I STATEMENT OF THE ISSUES

1 Did the district court lack jurisdiction to issue the order granting a permanent injunction due to a conflict of interest in being a cross compliant defendant to the action Dct #71 and #72 and did the court err in ignoring the mandatory judicial notice of securities fraud at Dct #61

### II STATEMENT OF THE CASE

A. Plaintiff Koniag Inc. is engaged in an ongoing conspiracy to commit securities fraud against the people of the United States

#### B. Statement of Facts

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On or about 1984 a 1980 Koniag Inc merger agreement was found by a jury to contain securities fraud. see Dct # 71.

That 1980 fraudulent merger agreement has been used by the Plaintiff to fraudulently collect millions of tax dollars. See Dct #71 and 72

Judge Sharon Gleason has mandatory judicial knowledge of this fraud and has been



named as a  
cross complaint defendant in this action See Dct #71, 95 and 72

This action was properly removed to tribal Court Dct 82

Koniag is in full agreement that they lack standing do to Koniag Inc's crimes of  
securities fraud  
and theft. Dct 106

### III SUMMARY OF ARGUMENT

The district court is without jurisdiction to issue a permanent injunction due  
to a conflict of interest and judicial knowledge of securities fraud

### IV ARGUMENT

A. Standard of Review

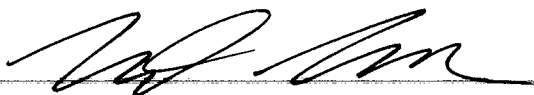
### V CONCLUSION

The district court erred in its July 29, 2013 order granting a permanent injunction  
due to a conflict of interest being a cross complaint defendant and judicial  
knowledge of securities fraud.

Appellants respectfully request a reversal of the district court's July 29, 2013 order  
granting a permanent injunction

Date

2/22/14



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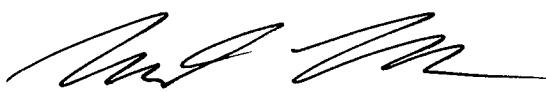
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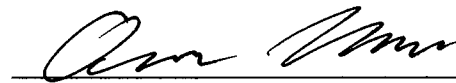
CERTIFICATE OF COMPLIANCE

Pursuant to the rules of Appellant Procedure 32(a)(7)(B0 and & and Federal Circuit Rule 32(b), I hereby certify the Brief of Appellant Kanam Mullins complies with the type volume limitation therein provided, and I further certify that the Principal Brief of Appellant Kanam Mullins contains approximately \_\_\_\_\_ words including headings, footnotes, quotations and figures, but excluding the cover all pages numbered with roman numerals, and this certificate of compliance, as counted automatically by \_\_\_\_\_

Date 2/22/14



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