

STATE OF WISCONSIN, COURT OF APPEALS, DISTRICT 1		<i>For Official Use</i>
Roosevelt Cooper,		RECEIVED DEC 13 2021 CLERK OF COURT OF APPEALS OF WISCONSIN
Plaintiff,	Brief	
-vs-	Cover	
STATE of Wisconsin,	County No. 21TR007710	
Defendant.	Appeal No. 21AP001224	

ON APPEAL FROM THE CIRCUIT COURT FOR MILWAUKEE COUNTY,
THE HONORABLE JONATHAN RICHARDS, PRESIDING

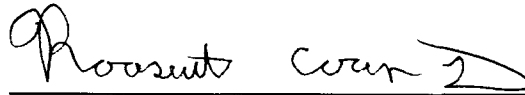
BRIEF OF DEFENDANT-APPELLANT

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Certifying of Mailing

I certify that this brief or appendix was deposited in the United States mail for delivery to the Clerk of the Court of Appeals, Clerk of Circuit Court and District Attorney Office by first-class mail, or other class of mail that is at least as expeditious, on December 6, 2021. I further certify that the brief or appendix was correctly addressed and postage was pre-paid.

Date: December 6, 2021

A handwritten signature in cursive script, reading "Roosevelt Cooper", followed by a large, stylized flourish or checkmark-like mark.

Roosevelt Cooper, Defendant- Appellant

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Abrahamson statement in December 1, 2000 Wisconsin Lawyer December

2000: Going Pro Se by Ann M. Zimmerman

State v. Sterzinger, 2002 WI App 171, 256 Wis. 2d 925, 649 N.W.2d 677, 01-1440.

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United States v. Hennis, 79 M.J. 370 (the Constitution guarantees criminal defendants a meaningful opportunity to present a complete defense). 2018 (October Term)

Secondary Authorities

Black's Law Dictionary 8th Ed.

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Wisconsin

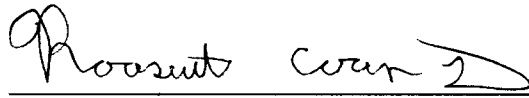
Wisconsin Stat Bar 2015 Litigation Tips by Lester A. Pines

FORM AND LENGTH CERTIFICATION

I hereby certify that this brief conforms to the rules contained in §809.19(8)(b) and (c) for a brief produced with a proportional serif font.

The length of this brief is 28 pages.

Date: December 6, 2021

A handwritten signature in cursive script, reading "Roosevelt Cooper", followed by a stylized flourish or mark.

Roosevelt Cooper, Defendant- Appellant

Statement of the issues

Mr. Cooper asks that the court see fit to here oral arguments that are necessary to clarify his case. This is so that any misunderstandings of statements contained because of inexperience in litigation may be clarified. Also those oral arguments are included, so that any errors in the brief form could be remedied by appellate criticism on existing rule being heard directly. Mr. Cooper is aware of the effort to reduce pro se burgeoning caseloads on the higher court but argues the need to reinforce the public trust in the administration of justice for the common citizen.¹ Mr. Cooper appeals to not be governed by the U.S. Constitution and other applicable law in fairness.

In addition, Mr. Cooper asks to have court opinions referencing his case published. Mr. Cooper's case is of substantial public interest because it identifies a conflict in statute and seeks a higher body to resolve it. It appears this case may apply an established rule of law to a factual situation that is possibly significantly different from other published opinions.²

Wisconsin State Bar has stated during litigation, discovery should be conducted with an eye towards "proof" and to find out what are the elements

¹ 809.22 (1),(2) & (5) Rule (Oral argument)

² 809.23 Rule (Publication of opinions)

of proof that are also needed for this case.³ Mr. Cooper sought information that proves his case by using reasonable and technical elements of proof that were denied to him by the court agencies and its affiliates.

Based on studies and pro se cases, litigants like Mr. Cooper are commonly deprived of access to tools required to ensure justice. Being *formerly* untrained in law, Mr. Cooper finds it difficult and sometimes impossible to understand and navigate around the complexities and procedural substantial to the law, despite exercising some form of thoroughness and preparation.

It is Mr. Cooper's argument that the State through the Circuit Court and District Attorney Office (DA) actions nullified Mr., Cooper's ability to "discover" and have evidence heard that would prove his innocence.⁴ imitation bared Mr. Cooper from presenting evidence to rebut the State's theory. How these problems are dealt with especially when there is the appearance of bias, "...will positively or negatively affect public trust and confidence in the legal community."⁵ Mr. Cooper appeals to this body to help remedy these issues.

³ Wisconsin Stat Bar 2015 Litigation Tips by Lester A. Pines

⁴ R: 36-12 L-19-20, R: 36-13 L-17-19, R: 36-48 L-12&13 and R: 36-48 L-11-13

⁵ Wisconsin Chief Justice Shirley

Statement of the Case

On December 2, 2020 Mr. Roosevelt Cooper was issued Citation No. BE100038-1 and accused of Reckless Driving-Endanger Safety⁶ in error by Deputy Brandon Scales and respectfully ask 20-days later⁷ that it be dismissed in a letter filed improperly as a plea on December 28, 2020. Mr. Cooper asked that, if it was decided that it cannot be remedied with a dismissal, Mr. Cooper asked officially for all open records/discovery,⁸ wherein Mr. Cooper's affirmative defense, would be able based on evidence to cross-examine all parties concerned. Being that, the Milwaukee County Circuit Court was not the department to make the request, for information collected by the state, then send information on the responsible department for filing such request.⁹

With anticipatory filings¹⁰ and an effort to reduce costs, and engage in meaningful alternative dispute processes early in anticipation of litigation

Abrahamson statement in December 1, 2000 Wisconsin Lawyer December 2000: Going Pro
Se by Ann M. Zimmerman

⁶ Wis. Stat. § 346.62(2) Reckless driving-endangering safety

⁷ After first reviewing Wisconsin Department of Transportation public records highway video Cooper received 3-days after request at no cost that was furnish on a Compact disk that included the software to view (Independent of email security risk) and several hour Pus long video of I-94 @ 25th ST, I-94@ 30th St, Stadium Interchange, I-43 @ Wisconsin Ave, I-94 2 Mitchell and Mitchell Interchange of the time of the claim.

⁸ Freedom of Information Act (FOIA) and Wisconsin Stat. § 19.81 Declaration of policy

⁹ Wis. Stat. § 804.01 General provisions governing discovery.

¹⁰ Wis. Stat. § 804.01 (2)(d)2

Mr. Cooper proceeded to attempt to save time and court resources,¹¹ After the December 22, 2020 filled again on March 30, 2021 officially for all discovery. On April 1, 2021 Mr. Cooper had a video hearing were Court Commissioner David Sweet stated, “I see you entered a not guilty plea...” Mr. Cooper never filed a plea, instead filed anticipatory motion for a dismissal¹² based on video evidence as a remedy to save resources. Commissioner Sweet denied Mr. Coopers right to be heard by preventing him from giving a statement for the record that would prove innocence of “intentionally creating a substantial and unreasonable risk of death or great bodily harm to another with use of a motor vehicle.”¹³ Because of that rejection of hearing the facts Mr. Cooper then sought again to prove his innocence by filing an affidavit of another motion and based on that motion drafted a dismissal order to save time and cost

On April 8 2021 Mr. Cooper was sent a Notice for hearing (“Hearing” means to be “heard” and Mr. Cooper was not) for an April 21, 2021 Pre-trial conference where Mr. Cooper asked General Crimes-Misdemeanor Assistant District Attorney (ADA) Anna M. Meulbroek for a copy of the evidence the State had to prove its case. ADA Meulbroek said she will just question the officer causing Mr. Cooper to asked for discovery, focusing on Deputy

¹¹ STANDARD DISCOVERY PROTOCOL FOR COMMERCIAL COURT DOCKET

¹² R: 3-1-2 & Wis. Stat. § 804.01(2) (c) *Trial preparation: materials.*

Brandon's notes, and videos because of time constraints, before being called to order. ADA Meulbroek said all she had was the citation and Deputy Scales notes. Reasonably, Mr. Cooper asked for copy of Deputy Scales notes and was denied by ADA Meulbroek who then advised Mr. Cooper to speak to the Sheriff's Department where he may be able to file an "Open Records Request" because she did not have it. During Pre-trial Mr. Cooper motioned for dismissal and rebuffed by Judge Jonathan Richards who stated there will be a May 13, 2021 Motion hearing scheduled for the motions because ADA Meulbroek wanted to move forward with prosecution.

On April 22, 2021 received a letter response from ADA Meulbroek stating:

I am the prosecutor who has been assigned to this case, we spoke during the Pretrial Conference on April 21, 2021, I received authorization to send discovery, however our discovery team is unable provide discovery without your email address due to the limitations resulting from the pandemic. Please provide your email address as soon as possible so that we can provide discovery.

Mr. Cooper cannot possibly meet the States restrictive circumstances without

¹³ 346.62(2) Reckless driving and United States v. Hennis, 79 M.J. 370 (the Constitution guarantees criminal defendants a meaningful opportunity to present a complete defense).

receiving “discovery”, which essentially further stalls Mr. Copper’s repeated motions. Mr. Cooper has sought to inform the court of the Milwaukee County DA’s offices obstructions and to let all parties be informed of the unexpected death of Mr. Copper’s brother by filing a Motion to Extend Time and Request Additional Discovery. Stating a request for an extension because the DA’s Office “discovery team” puts the responsibility for discovery production on a restrictive circumstance and primary responsibility to his family during this time. In addition Mr. Cooper moved for additional discovery records of any complaints, cases, and or disciplinary actions imposed on Deputy Scales.¹⁴

In the interest of fairness and because of ADA Meulbroek pretrial conference evasiveness, Mr. Cooper took further action to investigate the pushing of this case because the state once seen video knew the weakness in its case. On May 7, 2021 Mr. Cooper filed and served a Subpoena and Certificate of Appearance on ADA Meulbroek. Requiring ADA Meulbroek by law to appear at the May 13, 2021 Motion Hearing to state on the record when she received and read Mr. Coopers correspondence and Motions. Were ADA Meulbroek failure to appear, may resulted in punishment.

On May 20, 2021 Mr. Cooper filed a motion to dismiss based on the continued

2018 (October Term)

¹⁴ “Judges: Public has right to know former deputy’s discipline records” (id)

delay of discovery being more injurious than direct injustice,¹⁵ and could result in deprivation of defendant's liberty.¹⁶ It appeared the facts would be destroyed if canceled so on May 21, 2021 Mr. Cooper filed Request to correct error in court records to show that Mr. Cooper never made a plea but sent a certified notice to the court who then filed it on December 29, 2020 before the March 8, 2021 Citation being filed. That the April 6, 2021 Court record entry stated Motion filed as the description header instead it was a Motion for Discovery and to Dismiss

In an effort to save time and court resources, Mr. Cooper sought Milwaukee County Courthouse assistance and was sold a copy of the Milwaukee County traffic court record to see what was going on.¹⁷ To Mr. Cooper's surprise the court changed the April 27, 2021 date to May 13, 2021 without notification. The motion hearing was removed "off the record" to a court trial on May 27, 2021, for an unknown reason and with out Mr. Cooper's knowledge of such "off the record" rescheduling.¹⁸

Because of the surprise of a new court date and then receiving a letter from ADA Thomas L. Potter claiming this was a "non-criminal" matter and that there is a 10-day restriction to obtain "discovery" through Milwaukee County

¹⁵ Taken from thoughts of Penn, William (1693), *Some Fruits of Solitude*, Headley, 1905, p.86

¹⁶ SCR 20:3.8 Special responsibilities of a prosecutor

¹⁷ Referenced; in R: 15-1

¹⁸ Mr. Cooper had paid for Traffic Court Records on May 27, 2021 (Court Trial) and July 14, 2021 (Notice of Appeal Filed) both show rescheduling without showing reason or by what means or motion.

Sheriff's open records procedures citing 345.421. Three days later on May 27, 2021 was the Court trial. Were non of the concerns of fact held by Mr. Cooper's case was herd by Judge Richards, and that Judge Richards decided he "did not see, any place where Mr. Cooper was endangering safety"¹⁹ and enumerated why he came to that conclusion based on the evidence. Judge Richards found Mr. Cooper not guilty of reckless endangerment and found Mr. Cooper guilty of speeding.²⁰ Judge Richards so amended the charge of reckless driving- endangering safety to an ambiguous speeding of 35 over (90 miles hr) to an unreasonable and imprudent speed without giving Mr. Cooper a chance to challenge the new claims but giving ADA Pierre time to research and vet through the creation of a new charge.²¹ Mr. Cooper was directed to freely file an appeal.²²

In anticipation for litigation on June 2, 2021 filed with the Milwaukee County Sheriff's Office a Request For Records for the same things requested in all motions. On June 7, 2021 Mr. Cooper filed motion to reconsider and dismiss and in only three-days later on June 10, 2021 Judge Richards denied my motion to reconsider.

¹⁹ R: 36-42-L6-13

²⁰ R: 36-42-L13-24

²¹ R: 36-43-L8-9

²² R: 36-48-L12-13

Statement of Facts

Mr. Cooper maintains his innocence in the crime that he is being accused of in this case. Mr. Cooper on the date in question drove a vehicle at a speed within reason and capabilities under the condition and having regard for the actual and potential hazards that existed. Wherein Mr. Cooper controlled the speed of the vehicle, he could, if necessary, avoid colliding with any object, person, vehicle, or conveyance on or entering the highway in compliance with legal requirements and using due care. At no time did Mr. Cooper intend to or in fact endanger the safety of any person or property by any negligent operation of a vehicle.

On December 2nd 2020 Mr. Cooper was issued a citation for reckless driving-endangering safety in error. Based on first hand knowledge as the vehicle operator Mr. Cooper 24-hours later contacted the Wisconsin Department of Transportation (DOT) public record division Traffic Management Center for freeway status and incident information video surveillance for several miles. In 2-days the DOT provided Mr. Cooper with five CD's with more than 8 hrs of camera angles footage of freeway traffic and the software to view the freeway footage.²³ Mr. Cooper tracked his vehicle for miles before being

²³ R: 15 were Mr. Cooper asked, "How will I be able to show video evidence in accordance with state rules appropriate protocols" and DOT 2017 Traffic Engineering, Operations & Safety Manual 17-3-1 Real Time Data Sharing Procedures which state ". All WisDOT-provided video or data shall display a WisDOT logo "

surprisingly stopped and cited. No were in the DOT public records highway video was Mr. Cooper violating law.²⁴

In an effort to save time and court resources, back in December 22, 2020, just 20 days after, Mr. Cooper motioned for dismissal because of error, Mr. Cooper officially requested for all open records that pertain to the citation.²⁵ Mr. Copper fully expected to have received the open records in a timely fashion.

Mr. Copper simply wants the process to be fair and achieve the goal of ascertaining the truth. Mr. Cooper has a right to be informed of the evidence. Three months later with no response Mr. Cooper made the March 30, 2021 request again to motion the court to dismiss.

On April 1, 2021 Mr. Cooper had a video hearing were Court Commissioner David Sweet stated, a plea was given. Mr. Cooper never filed a plea; instead Mr. Cooper filed anticipatory motion for a dismissal²⁶ based on video evidence as a remedy to save resources. Commissioner Sweet denied Mr. Cooper right to be heard by preventing a statement for the record that would prove

²⁴ R: 15 were Mr. Cooper stated, “.” In my experience (with DOT Video) it will take me several weeks to investigate audio and or traffic video through specific software provide by DA. Because of my experience, I had included in a request filed to the DA audio and or traffic video of the date in question since December 20, 2020.”

²⁵ R: 4-1-4

²⁶ R: 3-1 & Wis. Stat. § 804.01(2) (c) *Trial preparation: materials.*

innocence.²⁷ Because of that rejection for hearing the facts Mr. Cooper then sought again to prove his innocence of committing the traffic crime by filing an affidavit another motion and based on that motion drafted a dismissal order to save time and cost.²⁸

On April 8, 2021 Mr. Cooper was sent a notice for hearing for an April 21, 2021 Pre-trial conference where Mr. Cooper asked General Crimes-Misdemeanor Assistant District Attorney (ADA) Anna M. Meulbroek to dismiss the case and if not provide a copy of the evidence the state had to prove case. In addition Mr. Cooper asked for copy of Deputy Scales notes and denied by ADA Meulbroek who advised Mr. Cooper to speak to the Sheriff Department (Dept.) and may be file an Open Records Request because she did not have it. During Pre-trial Mr. Cooper motioned for dismissal and rebuffed by Judge Jonathan Richards who stated there will be a May 13, 2021 Motion hearing scheduled for the motions because ADA Meulbroek wanted to move forward with prosecution.

On April 22, 2021 received a letter response from ADA Meulbroek stating she received authorization to send discovery with a stipulation of exposure to fraud by means of email. Mr. Cooper then filed a Motion to Extend Time and

²⁷ 346.62(2) Reckless driving-endangering safety and United States v. Hennis, 79 M.J. 370 (the Constitution guarantees criminal defendants a meaningful opportunity to present a complete defense). 2018 (October Term)

²⁸ R: No. 5

Request Additional Discovery to inform the court of the Milwaukee County DA office stalling and let all parties be notified of the unexpected death of his brother. His motion was for additional discovery records of any complaints, cases, and or disciplinary actions imposed on Deputy Scales

On May 7, 2021 Mr. Cooper filed and served a Subpoena and Certificate of Appearance on ADA Meulbroek. Requiring Meulbroek to appear at the May 13, 2021 Motion Hearing. On May 20, 2021 Mr. Cooper filed another motion to dismiss. Because it appeared that some facts would be destroyed or concealed. Mr. Cooper also filed Request to correct errors in court record on May 21, 2021. Mr. Cooper then sought assistance from Milwaukee County Courthouse where he purchased a copy of the Milwaukee County traffic court record. In surprise Mr. Cooper found out that the court had changed the May 13, 2021 motion hearing date on April 27, 2021 “off the record” to a court trial on May 27, 2021²⁹

Because of the surprise of a new court Mr. Cooper refilled everything over to reflect new information. Then Mr. Cooper received a letter from ADA Thomas L. Potter barring discovery based on § 345.421. On May 27, 2021 Court trial were Judge Richards found Mr. Cooper not guilty of reckless endangerment

²⁹ Mr. Cooper had paid for Traffic Court Records on May 27, 2021 (Court Trial) and July 14, 2021 (Notice of Appeal Filed) both show rescheduling without showing reason or by what means or motion.

and found Mr. Cooper guilty of speeding.³⁰ Then amended the charge of reckless driving- endangering safety to unreasonable and imprudent speed without giving Mr. Cooper a chance to present a defense. Mr. Cooper was then directed by Judge Richards to freely file an appeal.³¹

On June 2, 2021 Mr. Copper filed a Request for Records with the Milwaukee County Sheriff's Office. Based on being denied the right to respond Mr. Cooper filed another motion to reconsider and dismiss on June 7, 2021 and three-days later on June 10, 2021 Judge Richards denied this motion.

Argument

The continued delay of discovery has been more injurious than direct Injustice,³² and has resulted in deprivation of appellant's liberty.³³ How much would you pay in time and money to prove your innocence in a crime? You could easily receive a citation today in error. Innocent of the charge facing you but if you don't have evidence to prove innocence, the presumption in traffic court is the officer is usually right, unless proven otherwise with credible evidence. It is reasonably clear that Mr. Cooper would have been

³⁰ R: 42-13-24

³¹ R: 48-12-13

³² Taken from thoughts of Penn, William (1693), Some Fruits of Solitude, Headley, 1905, p.86

³³ SCR 20:3.8 Special responsibilities of a prosecutor

found guilty of a traffic crime for recklessly driving-endangering safety if deputy video was not viewed, even as restricted as it was.

§345.421 must be interpreted fairly

The state's believes its does not have an obligation to turn over discovery based on §345 vehicles-civil and criminal liability section .421 on discovery. They argued that the statute is clear that, 1) they have no obligation to turn over discovery, 2) there's no evidence to support that the State, City, or the County prohibited or interfered with the defendant discovery as well; and 3) the State and County said they would show at the hearing both the body cam as well as the dash cam.³⁴ The statues reads;

345.421 Discovery. Neither party is entitled to pretrial discovery except that if the defendant moves within 10 days after the alleged violation and shows cause therefore, the court may order that the defendant be allowed to inspect and test under s. 804.09 and under such conditions as the court prescribes, any devices used by the plaintiff to determine whether a violation has been committed, including without limitation, devices used to determine presence of alcohol in breath or body fluid or to

³⁴ R: 36-10 L26 and R: 36-11 L1-8

measure speed, and may inspect under s. 804.09 the reports of experts relating to those devices.

An obligation is not just being bound by legal duty it also is being bound by a moral duty.³⁵ The statute §345.421 if applicable, does not forbid the DA office from finishing discovery or compel a duty that requires the DA office to abstain in the legal right of discovery. There are clear prohibitions against destruction or concealment of evidence, obstructive tactics in discovery procedure, and the like.³⁶ In an April 22, 2021 correspondence ADA Meulbroek stated she received authorization to send discovery but it was conditioned on obstructive tactic requiring an email something she knew Mr. Cooper did not have to use.³⁷

ADA Meulbroek knew that Mr. Cooper had no email to give to the DA office because Mr. Cooper stated on the record at the pretrial hearing that he uses his phone to appear in court because Zoom video conferencing requires a email address. In fact Judge Richards stated that he wanted to “see “ Mr. Cooper wherein Mr. Cooper further stated on the record that public spaces are an increased risk factors to Mr. Cooper health based on his doctor and the

³⁵ 2004 Blacks Law Dictionary 8th Ed

³⁶ The American Bar Association (ABA) comment on Wisconsin's Rules of Professional Conduct for Attorneys, SCR 20:3.4 [1] Fairness to opposing party and counsel

³⁷ R: 15-4-6

Center For Disease Control (CDC).³⁸ Mr. Cooper risk suffering under the current pandemic Mr. Cooper was required to come to court for motion hearing and did as obligated. To Mr. Cooper it's clear that the DA office agree to provide discovery with a prohibited conditions that the circuit court and the DA knew Mr. Cooper could not meet and would prevent accessing discovery again. So Mr. Cooper reported the actions to all parties including the Chief Judge Mary E. Triggiano for this particular point stated AD office could of just mailed discovery instead of making Mr. Cooper susceptible to fraud and identity theft. DA office could of mailed discovery and or allowed Mr. Cooper to have someone pick up discovery from their office, if DA office honest intent was to provide discovery. Then DA office proceeded with a legal "shell game" were discovery was "authorized" but was not available because of email. Then when Mr. Cooper filed a subpoena to take a closer look into getting discovery, to pick up the nut as you will, the discovery was not their it was moved with slight of hand, decades seasoned legal experience. When filing with the county clerk that day the AD office was closed.³⁹ But hour's later Mr. Cooper gets a call from the supervisor in the DA office telling him discovery is denied. Subpoena was filed only as a tool to compel answers relating to discovery on when ADA Meulbroek and her office received Mr. Cooper notices and motions.⁴⁰ ADA Meulbroek was obligated to appear in court twice but did not. Violation of the subpoena by DA office is another

³⁸ R: 15-1-2; Letters to Circuit court DA and Chief Judge on important questions

³⁹ R: 36-5 L7-16 Transcripts

example of a prohibited act of interference to prevent discovery. ABA comment on Wisconsin's Rules of Professional Conduct for Attorneys, SCR 20:3.4 [2] Fairness to opposing party and counsel states;

“Documents and other items of evidence are often essential to establish a claim or defense. Subject to evidentiary privileges, the right of an opposing party, including the government, to obtain evidence through discovery or subpoena is an important procedural right. The exercise of that right can be frustrated if relevant material is altered, concealed or destroyed. Applicable law in many jurisdictions makes it an offense to destroy material for purpose of impairing its availability in a pending proceeding or one whose commencement can be foreseen..”

DA office has video so they seen what Mr. Cooper seen in the first week of December 2020 and Judge Richard seen on May 27, 2021, no recklessly endangering speed and no recklessly endangering safety thus my actionable results in this case appears another example of a prohibited act of interference to prevent discovery material for purpose of impairing its availability in a pending proceeding commencement can be foreseen on a not guilty order.

⁴⁰ R: 16-1 DA denying discovery.

If DA Office is duty bound to prohibit discovery then by what means? §345.421 says exception for entitlement is that “defendant moves within 10 days after the alleged violation and shows cause therefore”. So then the question for this body is what is the “alleged violation” starting date? Is it on December 2, 2020 when citation is issued? Or is it on March 8, 2020 when citation was filed? If time starts on December 2, 2020 when citation is issued then where is the accused to file motion by what means when most likely the DA office and circuit court is unaware. If its on March 8, 2020 when citation was filed it must be understood that Mr. Cooper filed correspondence to dismissed based on him inspecting DOT video or finish discover, three months before citation was filed in circuit court.

I do not argue the showing of “good cause” now because most of my filings show the “good cause” was absolutely need for discovery and appears because of its necessity being incorrectly argued to be prohibitive and obstructed “and the like.”⁴¹

Deprived of Access to Justice Necessity

It is clear to Mr. Cooper that the justice system is biased against pro se litigants. The mere fact that these cases usually take more time because of their

⁴¹ The American Bar Association (ABA) comment on Wisconsin’s Rules of Professional Conduct for Attorneys, SCR 20:3.4 [1] Fairness to opposing party and counsel

unfamiliar ness with court culture.⁴² During May 27, 2021 trial all parties including a court deputy bailiff were all forced to be on top of each other within inches apart because ADA Saint Pierre was not reasonably prepared for the necessities for presenting her video claim.⁴³ Its not obvious in the record because you have to see it but it clearly contributed to unnecessarily extending the duration of the hearing. In addition it made it difficult for the Court Recorder Kaitlyn Edwards to follow statement because everybody was huddled around ADA Saint Pierre laptop small screen and prosecution's microphone.⁴⁴ Mr. Cooper was tricked into being sworn at ADA Saint Pierre laptop without the opportunity to cross-examine Deputy Scales as promised by Judge Richards because of deflection redirection by ADA Saint Pierre.⁴⁵ ADA Saint Pierre knew by swearing Mr. Cooper in could not go back and cross-examine Deputy Scales. These irregularities in the court are not realized until later especially when you are wrongfully convicted of speeding, unreasonable and imprudent speed, etc. ADA Saint Pierre did not even show deputy body cam as promised another example of a prohibited act of interference to prevent discovery. Even the testimony of her paid professional

⁴² During trial all parties including a court deputy bailiff were all forced to be onto of each other within inches apart because ADA Saint Pierre was not reasonably prepared for necessities for the presenting video claim.

⁴³ In violation of SCR 20:1.1 Competence. ADA Saint Pierre should of provided the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation specifically not having video she testified as prepared to show only showing squad video on he own personal laptop relating to a reckless driving endangering safety case. She should of know about speed law can only be determine I court by a test?

⁴⁴ R: 36-21 L2-5

witness Deputy Scales deceptively testified to pacing as his method of determine Mr. Coopers speed and stated crossing the gore was a crime. Both are false Mr. Cooper obtained open records after deputy was no longer a client per SCR 20 rules on July 29, 2021 from the Milwaukee County Sheriff Office public Records division record custodian, Michael Murphy who stated in his response, “(u)pon inspection, an extensive search of our records indicates we have no records responsive to your request (for ‘Pacing traffic procedures’).” So deputy could not have paced because there is no procedure for it or the custodian is lying to hide Mr. Cooper’s open records request because, §346.04(6) states; “Every law enforcement agency that uses authorized emergency vehicles shall provide written guidelines for its officers and employees regarding exceeding speed limits..”. Further there is no law that one can not cross the goar in special circumstances.

Speeding and violating posted speed is not synonymous with lawfully overtaking and passing on the right anther vehicle. It was lawful for Mr. Copper’s vehicle to overtake and pass another vehicle upon the right under conditions permitting the movement in safety and only if done so while remaining on either the roadway or a paved shoulder, and in this case upon a highway with unobstructed pavement of sufficient width to enable 2 or more lines of vehicles lawfully to proceed, at the same time, in the direction in

⁴⁵ R: 36-35. Knowing Mr. Cooper wanted to examine video before hand. ADA Saint Pierre “redirect(ed)” the court to question him not on the court stand but were he straining to

which the passing vehicle is proceeding in.⁴⁶ Mr. Cooper did not drive in a manner that creates a risk or likelihood of that occurring.⁴⁷

If there is no danger of reckless driving and there is no danger of endangering safety then it cannot be any imprudent speed because §346.57 unreasonable and imprudent speed is based on unreasonable danger and disregard for the actual and potential danger of loss then existing. One cant see speeding on a small laptop, but you can see movement. Speeding has to be measured, calibrated and tested.⁴⁸ That's why municipalities post speed limit signs and vehicles are equipped with a speedometer an instrument for indicting speed.⁴⁹ If you did not have a speedometer how would you know exactly how fast you are traveling? You need instrument to calculate speed not ones eyes identify movement on a 2-dementinal-laptop computer screen.⁵⁰ Mr. Cooper's vehicle speed was controlled as may be necessary to avoid colliding with any object, person, vehicle or other conveyance on or entering the highway in compliance with legal requirements and using due care, as Judge Richards stated at trial; "I did not see, however, any place where Mr. Cooper was endangering safety ...I did not see a single car apply its brakes, I didn't see a

look at small video image.

⁴⁶ 346.08 When overtaking and passing on the right permitted.

⁴⁷ State v. Sterzinger, 2002 WI App 171, 256 Wis. 2d 925, 649 N.W.2d 677, 01-1440.

⁴⁸ 99 Wis.2d 700 (1981) 299 N.W.2d 882 STATE of Wisconsin, Plaintiff- Respondent, v. John A. KRAMER, Defendant-Appellant-Petitioner. No. 79-1111. Supreme Court of Wisconsin.

⁴⁹ Webster Dictionary 1986 edition

⁵⁰ Frame rate of video can affects footage speed it a common tool in action movies to give the illusion of speed without the viewer knowing actual speed. Frame rate can be accidentally changed if one is not familiar with the video player.

single car come close to him or come close to causing an accident.”⁵¹

The Circuit Court and State Passing the buck to Appeals

All the magistrates in circuit court mention appeals when Mr. Cooper objected or challenged statement before being rebuffed.⁵² The pushing pro se litigants to appeal if they disagree are like using a hammer for all building projects. But when you have nothing a hammer will be missed used to cut or separate. This type of “leading” suggesting that pro se litigants are not being heard or being ignored or “grooming” leading and conditioning the pro se litigant to be funned to appeals court. Mr., Cooper asks that you reinforce existing rules with punishment for judicial administrator similarly to non-violent civil and criminal violators.

Conclusion

Wisconsin Stat Bar has stated during litigation, discovery should be conducted with an eye toward proof. To find out what are the elements of proof that is need for the case and identify from where to get that information

⁵¹ 346.08 When overtaking and passing on the right permitted. R:36-42 L6-7 L7-13

⁵² R:36-12 L19-21, R:36-13 L15-16, R:36-48 L12-13 and R:36-49 L11-13

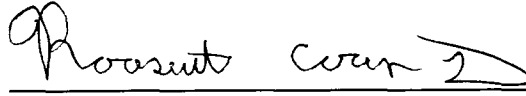
that proves.⁵³ Mr. Cooper sought information that proves his case by using reasonable and technical elements of proof that was denied to him by court agencies and affiliates.

Based on studies and cases pro se litigants like Mr. Cooper are undeniably deprived of access to justice necessity in general and especially when there is the appearance of bias. It has been stressful for Mr. Cooper to be meaningfully heard especially when he has been frequently rebuffed by the bench. Being untrained Cooper finds it difficult and sometimes impossible to understand and navigate around the complexity of procedural and substantive laws even with exercising some form of thoroughness and preparation.

It is Mr. Cooper's argument that the State through the actions of the Circuit Court and District Attorney's Office (DA), has nullified Mr. Cooper's ability to discovery and evidence that would prove his innocence. Limitations have barred Mr. Cooper from presenting evidence to rebut the State's unreasonable and imprudent speed theory to the court. How these problems are dealt with especially when there is the appearance of bias, "...will positively or negatively affect public trust and confidence in the legal community."⁵⁴ Mr. Cooper appeals to this body to help remedy these issues.

⁵³ Wisconsin Stat Bar 2015 Litigation Tips by Lester A. Pines

⁵⁴ Wisconsin Chief Justice Shirley Abrahamson statement in December 1, 2000 Wisconsin

A handwritten signature in cursive script, reading "Roosevelt Cooper", followed by a large, stylized flourish that extends to the right. The signature is written in black ink.

Roosevelt Cooper, Defendant- Appellant