

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

INFORMAL BRIEF

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U.S. COURT OF APPEALS
FOURTH CIRCUIT

RE: Lynn Ellen Mendes, Plaintiff vs. Charles Brown, Charlotte Mecklenberg Public Library.

1. **Jurisdiction (for appellants/petitioners only)**

A. Name of the court or agency from which review is sought:

United States Federal District Court Western District of North Carolina

B. Date(s) of the order or orders for which review is sought:

November 19th, 2010

FILED
CHARLOTTE, NC

JUL - 5 2011

U.S. DISTRICT COURT
WESTERN DISTRICT OF NC

2. **Timeliness of notice of appeal or petition for review (for prisoners only)**

Exact date on which notice of appeal or petition for review was placed in institution's internal mailing system for mailing to court:

3. **Issues for Review**

Use the following spaces to set forth the facts and argument in support of the issues you wish the Court of Appeals to consider. The parties may cite case law, but citations are not required.

Issue 1.

Classification and Documentation of New Lethal Weaponry not fit for human use being used on targeted individuals and/or victims/capital witnesses without permission for the express purpose of eliminating said person or persons. Facilitation by law enforcement and mental institutions. Color of Law Statutes applicable as well as Federal Criminal Codes. Involving penetration of the human skull.

skull.

Supporting Facts and Argument.

Plaintiff Ms. Mendes, having endured approximately 6 1/2 yrs. of torture and abuse by lethal weaponry patterned after technology written about by a John Fleming the shocking menace of satellite surveillance and U.S. patents applied for by Malech 3951134; Mardirossian 6011991; William T. Clark 3612211; Hatayama 6219657B1 possibly to name a few. It is Ms. Mendes's testimony that the equipment does in fact have the following capabilities detrimental to human life:

1) Eavesdropping/mind reading equipment - Utilizing victim's own faculties; i.e. ears and eyes, the operators described as female lesbian terrorists by Ms. Mendes can view it's victim in the nude doing such things as sleeping, showering, toileting, view personal bank account info, sex if such is occurring, etc. A private life is impossible. They also seek to deprive the victim access to their own brain by essentially penetrating the brain for the purpose of hijacking said victim's brain out of jealousy for it's knowledge but they also seek to destroy and mutilate the brain at the same time leading to one's death. Attempting to read books, compose e mails or other types of works are impossible as it's deranged and delusional operators operate at will.

2) Communication at will - Forced conversations of which victim wants nothing to do with as it's operators taken with women in particular. Hard core dangerous and lethal female sexual predators operating on a 24/7 basis, 365 days our of the year knowing no holidays, Sundays, 9-5, night, etc. Theft of intellectual property from the brain of it's victim while seeking to destroy said brain.

2) GPS tracker of a human being unable to escape said equipment as the equipment locks onto the victim's skull making travel next to impossible as impossible to endure the constant what would be described as propaganda and BS of it's operators; i.e. making claims you're a lesbian, etc.

3) Makes alterations to the brain seeking to benefit females involved in said conspiracy.

Able to peer into brain.

Issue 2.

Proper courts of jurisdiction are restraining order courtrooms, criminal, civil, and to include small claims courts. Due to the heinous nature of the crime being committed with it's hostage/prisoner type nature of the crime via penetration of the skull it is imperative the proper court address the issue with immediate restraining orders being issued stopping the deadly attack/assault. This is not survivable.

Supporting Facts and Argument.

See Above. As noted above, the capabilities of the equipment are deadly and lethal placing the victim's life in immediate peril. Every passing day means the victim's life could come to an end having had his/her rights severely deprived with law enforcement and proper court systems failing to understand the heinous nature of the crime being committed, placing the victim in a state of captivity. Due to public corruption, hate, jealousy, etc. court systems and law enforcement may be deliberately engaged in such criminal, deranged behavior. This could come to include mental institutions as well depending on the motive of law enforcement, etc.

Issue 3.

The Constitution of the United States specifically has Amendments which deal with issues of slavery, freedom of speech/expression, witnesses in favor of, and cruel and unusual punishment. The targeted individual is often supposed to be thought of as the victim and/or witness. Notably, the 1st, 6th, 8th, and 13th, etc.

Supporting Facts and Argument.

Courts which have turned down Ms. Mendes include restraining order court rooms, Texas State Supreme Court, U.S. Court of Federal Claims and as of today, the activity continues. The purpose of an appeal to the U.S. Court of Appeals is the hope that the U.S. Federal District Court, Western District of North Carolina does not follow the same pattern and make the same mistake. Color of Law statutes are applicable and law enforcement cannot be relied upon to find said perpetrators and stop these dangerous and lethal female sexual predators. The Charlotte Mecklenberg Public Library having barred Ms. Mendes from their premises after complaining of the use of the equipment in the library is placing an unconstitutional condition upon Ms. Mendes which is unacceptable, illegal, and criminal. Ms. Mendes is not responsible for the equipment and should not have to be arrested and stand trial for something she is not responsible for. The loss of her library privileges amounts to aggravated robbery, obstruction of justice, etc. with the library acting as accomplices of these females.

Issue 4.

Lack of prosecution by law enforcement and ability to locate perpetrators in a timely manner and completely halt the practice as time is of the essence to the victim. This should not also be viewed as employment as this is gang related and severe deprivation of the victim's rights with injury and death resulting.

Supporting Facts and Argument

In 6 1/2 yrs. law enforcement has failed to come up with one single name of the female perpetrators despite living and traveling in numerous states; i.e. New York, Washington, D.C., State of Washington, Texas, State of North Carolina, Rhode Island, etc. It is also believed these culprits should have outstanding warrants in various states as they are believed to have provided the motive for the alleged attacks; i.e. Assassination of John F. Kennedy, attempted assassination of Gerald R. Ford, murders of Nicole Simpson/Ron Goldman, Payton H. Courtney, Jon Bonet Ramsey, John Wheeler, Columbine, Virginia Tech, Oklahoma City bombings, Ft. Hood, 9/11, and most recently the Arizona shootings possibly others involving law enforcement as well. To what extent these females can be found culpable or liable in these situations is unclear as there does not appear to be any effort on the part of law enforcement to make connections. Also lacking are techniques to locate these dangerous female predators who are a menace to society would be to employ laser detectors, laser range finders, portals, root kit systems, etc. This equipment cannot be handed out for an individuals personal and private use as it is of military caliber and should be seen as such.

4. **Relief Requested**

Identify the precise action you want the Court of Appeals to take:

Request the U.S. Federal District Court to consider the motions to vacate order of November 19th, 2010 in a timely manner and force law enforcement to address the issue in a manner consistent with U.S. laws, Constitution, etc.

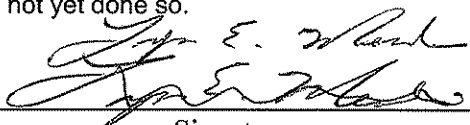
5. **Prior appeals (for appellants only)**

A. Have you filed other cases in this court? ~~Yes~~

Yes No

B. If you checked YES, what are the case names and docket numbers for those appeals and what was the ultimate disposition of each?

U.S. Court of Federal Claims
Lynn Ellen Mendes vs. United States
Ms. Mendes was invited to refile but has not yet done so.



Signature

[Notarization Not Required]

Lynn Ellen Mendes

[Please Print Your Name Here]

CERTIFICATE OF SERVICE

I certify that on June 28th, 2011 I served a complete copy of this Informal Brief on all parties, addressed as shown below:

Hamilton, Moon, Stephens, Steele & Martin
201 S. College St. Suite 2020
Charlotte, NC 28244

*U.S. Drug Enforcement Administration
75 Spring St. Room 800
Atlanta, GA 30303
U.S. Immigration & Naturalization*



Signature

IN THE MATTER OF)
LYNN ELLEN MENDES, plaintiff)
Vs.)
CHARLES BROWN, and)
CHARLOTTE MECKLENBURG)
PUBLIC LIBRARY, defendants)

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF
NORTH CAROLINA
CHARLOTTE DIVISION

FILED
CHARLOTTE, NC

DEC 7 2010

U.S. DISTRICT COURT
WESTERN DISTRICT OF NC

3:10CV397

MOTION TO VACATE ORDER AND WRIT OF MANDAMUS

This motion to vacate order dated November 19th, 2010 and writ of mandamus is brought by Lynn Ellen Mendes, plaintiff, appearing pro se, pursuant to the rules of Federal Rules of Civil Procedure and would show the court as follows:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

1. Plaintiff's First Amendment rights have been violated by not allowing the plaintiff to bring a matter of grave importance to the law of the land and public safety to the attention of the Court.
2. Plaintiff has now joined a support group Freedom from Covert Harrassment and Surveillance and This group is in the process of taking steps to inform Congress along with law enforcement agencies of the plight of it's members along with plaintiff that technologies of which the public has a right to be fearful of do exist such as laser beam technology are being used on the American public and the expectation is that it may continue to do so without permission of it's victim/target thus violating every conceivable law on the books including those of mankind, torture and death resulting. Marked Exhibit A is a petition the group plans to submit to Congress.
3. The **Eighth Amendment (Amendment VIII)** to the United States Constitution is the part of the United States Bill of Rights which prohibits the federal government from imposing excessive bail, excessive fines or cruel and unusual punishments. The U.S. Supreme Court has ruled that this amendment's Cruel and Unusual Punishment Clause applies to the states. The phrases employed originated in the English Bill of Rights of 1689
4. Plaintiff would also show that in the approximately 6 years laser beam technology has been used on Ms. Mendes that it bears the following capabilities and is in fact **mind reading equipment** and **communication at will**. Laser beam technology penetrates the brain and is capable of vlewimg images within the brain and attempts to read thoughts causing distortions and attempts at mutilating the brain. Utilizing the victim's own eyes and ears serving as an audio/visual device it is capable of watching it's victim in the nude sleeping, showering, toileting, bank account information, etc. It can see and read what one types on the computer and read a book along with it's victim. The equipment is inescapable effectively holding it's victim hostage on a 24/7 basis of brain penetration with no known defense. It's application purely military or directed at the movies. Ms. Mendes has

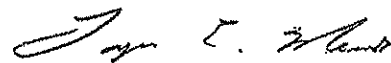
never been approached advising her the Department of Defense was conducting testing on the use of non-lethal weapons of which this would be part of it's arsenal or that a movie was in the making. Laser beam technology is known to the Central Intelligence Agency written in a book by author Ronald Kessler, entitled "Inside the CIA revealing the secrets". Patents have also been applied for by a William T. Clark, marked Exhibit B, and the Air Force Research Laboratory. The female assailants along with an occasional man, can be heard audibly through the airwaves, coming out of the victim's ear; however, they can burrough or embed themselves in victim's head. Detection may be impossible by law enforcement as to range and direction. This is not employment and the practice must stop. Associated health risks are to the victim's brain, eyes, and stress placed on the heart attempting to rid oneself of the culprits. Since the equipment is inescapable with no known defense, a victim must pray that leaving one's country will deter it's users earning refuge status.

RELIEF REQUESTED

That the Court take a courageous step and grant a writ of mandamus and expose technologies that have been invented such as laser beam technology and are being used on it's victims without their permission by ordering an agency such as the CIA and Department of Defense to full disclosure of this technology and the FBI and law enforcement agencies to contract companies to detect and deter such behavior and to expose it's users along with prosecutions. Plaintiff, Ms. Mendes cannot stress to the Courts action is necessary to protect innocent American lives from a sure death and torturous experience. Plaintiff also requests restoration of her library privileges. She stands to be arrested for trespassing should she return to the library.

Respectfully submitted,

Lynn Ellen Mendes, pro se
1216 Falls Creek Lane Apartment 15
Charlotte, NC 28209



books, public computer, water fountain, restroom, climate-controlled setting). (Compl. ¶E)

ANALYSIS

Pursuant to 28 U.S.C. § 1915(e)(2)(B), the Court must dismiss an in forma pauperis complaint if “the action . . . (i) is frivolous or malicious” or if the action “(ii) fails to state a claim upon which relief may be granted.” A complaint is frivolous “where it lacks an arguable basis in either law or in fact.” Neitzke v. Williams, 490 U.S. 319, 325 (1989). The term “frivolous” in this context “embraces not only the inarguable legal conclusion, but also the fanciful factual allegation.” Id. Thus, section 1915(e) gives judges “the unusual power to pierce the veil of the complaint’s factual allegations and dismiss those claims whose factual contentions are clearly baseless,” for instance where the claim describes “fantastic or delusional scenarios.” Id. at 327–28.

The Court finds that the complaint in this case falls within the ambit of Section 1915(e)(2)(B).² Although this court recognizes that a pro se complaint must be read liberally, Erickson v. Pardus, 551 U.S. 89 (2007), the factual allegations contained within Plaintiff’s complaint are the product of delusion and fantasy and are thus frivolous. Accordingly, Plaintiff’s complaint will be dismissed with prejudice.³

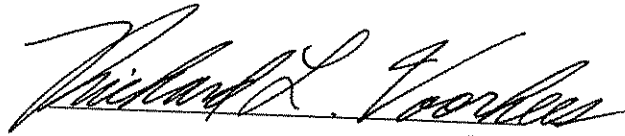
² As a result, the Court does not reach the question of Plaintiff’s indigency status.

³ Likewise, Mendes was unsuccessful in previous litigation commenced against the United States, in which she challenged “Laser Beam Technology stemming from the Central Intelligence Agency.” (Compl. ¶F,4) (See Mendes v. United States, 1:09CV487, U.S. Court of Federal Claims)

CONCLUSION

WHEREFORE, for the foregoing reasons, **IT IS HEREBY ORDERED** that Plaintiff's Complaint is dismissed with prejudice.

Signed: November 18, 2010



Richard L. Voorhees
United States District Judge

