

State of Minnesota District Court

Fourth Judicial District

Hennepin County

Ed Felien, Writ of Mandamus

Petitioner

Vs

Michael Freeman, Hennepin County Attorney

Persuant to Minnesota Statute 586.01 we petition the Court to order Hennepin County Attorney Michael Freeman to arrest George W. Bush when he arrives here at the end of August, 2008 to attend the National Republican Convention. Minnesota Statute 586.01 clearly states that this court may issue a writ of mandamus to any person to compel the performance of an act that the law specially enjoins as a duty resulting from their office.

The Minnesota Appeals Court has held in *Demolition Landfill Servs., L. L. C. v. City of Duluth*, 609 N. W. 2nd 278, 280 (Minn. App. 2000), review denied (Minn. July 25, 2000), "To be entitled to mandamus relief the petitioner must show three elements: (1) the failure of an official to perform a duty clearly imposed by law; (2) a public wrong specifically injurious to petitioners; and (3) no other adequate remedy."

It is the argument of this brief that George W. Bush has committed crimes against the people of Hennepin County and as our chief law enforcement officer it is Michael Freeman's responsibility to charge him for these crimes. Ed Felien, petitioner, has written to County Attorney Michael Freeman three times asking him to charge George W. Bush. Mr. Freeman has refused saying he lacks jurisdiction to charge the President of the United States. This complaint is not against the President of the United States acting in his official capacity. This complaint is against George W. Bush acting as a private citizen for private gain.

This brief is not concerned with George W. Bush's international crimes against humanity. Those are matters for an international court. This brief is not concerned with George W. Bush's crimes against the Constitution. Those are matters for Congress. What concerns citizens of Hennepin County is whether George W. Bush has violated Minnesota State law. Have his actions caused serious harm to the citizens of Hennepin County? Was this harm incidental to the legitimate performance of his official duties as President, or were his actions and the consequent harm done in pursuit of personal gain? If, as I believe, there is probable cause that

George W. Bush has committed crimes against the people of Hennepin County, then it is the responsibility and duty of the County Attorney to charge him for these crimes and hold him accountable. There is no other office that has this authority.

Does the Hennepin County Attorney have jurisdiction to bring charges against George W. Bush? Are we a nation of men where the one with the biggest club is king? Or, are we a society governed by common laws and customs with avenues of civil redress of grievances for all citizens? Is it possible that George W. Bush, as President of the United States, has immunity from prosecution? Thomas Paine wrote in Common Sense 57 (Philadelphia, 1776), "In America THE LAW IS KING. For as in absolute governments the King is the law, so in free countries the law ought to be king; and there ought to be no other."

The Supreme Court said in an 1882 decision, *United States v. Lee*, 106 U.S. 196, 220, 1 S.Ct. 240, 261, 27 L.Ed. 171, that:

No man in this country is so high that he is above the law. No officer of the law may set that law at defiance with impunity. All the officers of the government, from the highest to the lowest, are creatures of the law, and are bound to obey.

It is the only supreme power in our system of government, and every man who by accepting office participates in its functions is only the more strongly bound to submit to that supremacy, and to observe the limitations which it imposes upon the exercise of the authority which it gives.

If a crime occurs in Hennepin County, it is the duty of the County Attorney to investigate that crime and bring the criminal to justice. There is no rank or privilege or elective office that is higher than the law.

There are three areas in where the criminal acts of George W. Bush have violated Minnesota law.

THE CRIME OF MURDER

First, his pursuit of a war against the government of Iraq was not done in legitimate defense of national interest but rather in pursuit of personal wealth. His administration lied about the threat of weapons of mass destruction, and they lied about a connection between Iraq and international terrorists. They knew Iraq did not pose a threat to the United States. The only reasonable explanation for George W. Bush's invasion of Iraq was that he stood to personally benefit from the war.

To fully understand the Bush family financial interests in war profiteering it is necessary to understand their family history.

Great-grandfather Samuel Prescott Bush was president of Buckeye Steel Castings. He manufactured railroad couplings for railroads owned by the Morgans, Rockefellers and Harrimans. During World War I he was on the War Industries Board and chaired the section on forgings, guns, small arms and ammunition. He met and formed permanent trade relationships with people from Dupont, Remington, Winchester and Colt. Sam Bush founded and became the first president of the National Association of Manufacturers, an organization whose principal objective was defending industrial capitalism from the threat of unions. He became an indispensable part of the military-industrial complex, and he sent his son Prescott to Yale where he could associate with the sons of his associates in the Skull and Bones fraternity.

Along with many of his college friends, Prescott joined Brown Brothers Harriman after college. The biggest profits to be made in the 1920's were in re-arming Germany. Harriman & Co. set up Union Banking Corp with Prescott as Manager to trade with Nazi financier Fritz Thyssen. They bought a steamship line to ship Remington arms to Germany through a dummy corporation in Holland. Harriman & Co. bought Dresser Industries (manufacturers of oil pipeline equipment) in 1929 and Prescott became a Director, and he continued to run Dresser from the Board for the rest of his life. They, along with John Foster Dulles and others, bankrolled Hitler as a shrewd business strategy. Prescott became Managing Director of Union Bank in 1934 at the height of trade with Germany. In 1939 he took direct management of some of the slave labor camps in Poland to aid Nazi armament, according to Dutch intelligence sources.

In October of 1942, the U. S. government seized the assets of Union Bank and three other of Prescott's industries: the steamship line, the Seamless Steel Equipment Corporation (suppliers of steel, wire and explosives to the Nazis) and the Silesian-American Company (the coal mining company he managed along with John Foster Dulles on behalf of the Nazi Economic Minister). This didn't end Prescott Bush's war profiteering career. Once the war started he simply changed sides and started supplying war material to the Allies.

During the War friends of Prescott Bush from Skull and Bones were active in forming the OSS

and its later incarnation, the CIA. Prescott's relationship with the Dulles brothers would become very useful during the Eisenhower years, with John Foster as Secretary of State and his brother Allen Dulles as Director of the CIA. Prescott and Dresser Industries were kept well inside the loop. Hans Gisevius, the German intelligence agent who acted as the go-between with Allen Dulles in Switzerland and Admiral Canaris in the German High Command after the war, acted as go-between with Dulles, Dresser Industries and Prescott Bush.

George Herbert Walker Bush, Prescott's son, improved on the CIA connection to the point of becoming its Director in 1976.

After graduating from Yale, George H. W. Bush went to work at his father's firm, Dresser Industries. Eventually, with money from Brown Brothers and Harriman (his dad's parent company) he set up his own company, Zapata. It was really a CIA front. The Bay of Pigs invasion of Cuba in 1961 was probably George H. W. Bush's operation as much as it was Allen Dulles's. The CIA code name for it was Zapata. The boats left for the Bay of Pigs from an island that was leased to Bush, and the boats were named Houston and Barbara.

He ran for Congress in Houston in 1964 by campaigning against the Civil Rights Act. He didn't get elected that year, but he did get elected the next time he tried. When he was Chair of the Republican Party in 1972 he set up ethnic heritage groups within the Party. These groups were havens for ex-Nazis.

While Vice President under Reagan, Bush was Chair of the Special Situations Group responsible for defeating the Sandanistas in Nicaragua. He and Ollie North set up, financed and armed the Contras through an elaborate and highly secretive scheme that saw private planes flying cash to Iran, buying Soviet-made guns, flying guns to the Contras at a private CIA airstrip in Costa Rica, trading guns for marijuana and cocaine, then flying the drugs to a private U. S. airbase in Homestead, Florida, where the drugs were traded for cash.

George Bush was Vice President under Reagan from 1980 to 1988. He was elected President in 1988 and served one term until 1992. Dick Cheney was his Secretary of Defense. When Bush lost the 1992 election, Cheney went from being Secretary of Defense to being CEO of Halliburton, probably the largest supplier of goods and services to the Defense Department.

While Cheney was CEO of Halliburton he built up the company by buying other companies. One of the companies he bought was Dresser Industries for \$8 billion. When he bought it, Halliburton's stock dropped by a third. Wall Street thought it was a bad investment. Why did Cheney pay so much? The only reasonable conclusion could be that it was a sweetheart deal because the owners of Dresser were his former and future employers. His loyalty was rewarded when George W. Bush selected him as his Vice President for the 2000 campaign. There is no evidence that large amounts of cash changed hands, so it must be assumed there was a transfer of stock. Since the total value of Halliburton was \$8 billion at the time and

Cheney paid \$8 billion for Dresser, it has to be assumed that the Bush family now owns at least half of Halliburton.

As the faithful family retainer, Cheney could be counted on to understand and value the principal Bush family objective: to make money from war profiteering and oil. During the 2000 presidential election Cheney admitted Halliburton did business with Libya and Iran, but he denied they had done business with Iraq, "I had a firm policy that we wouldn't do anything in Iraq, even arrangements that were supposedly legal. We've not done any business in Iraq since U. N. sanctions were imposed on Iraq in 1990, and I had a standing policy that I wouldn't do that," he said on ABC-TV's This Week on July 30, 2000. But Dresser was selling equipment through French subsidiaries to Iraq from early in 1997 through 2000. Halliburton didn't buy Dresser until 1998, so from 1997 to 1998 it was the Bush family business that was trading with the enemy in violation of American law and U. N. sanctions. From 1998 through 2000, after Halliburton purchased Dresser, Halliburton continued the practice. Purchasing the company also covered up the trail and dusted off any Bush fingerprints.

Already in June of 1998 Cheney made the case, in a speech before the Cato Institute, that sanctions don't work and unilateral sanctions are bad for U. S. companies involved in international business. The very sanctions against trade with Iraq that he wanted lifted were the ones he was responsible for putting in place after the first Gulf war. Although he never said it directly, he clearly wanted sanctions against Iraq lifted: "The good Lord didn't see fit to put oil and gas only where there are democratically elected regimes friendly to the United States. Occasionally we have to operate in places where, all things considered, one would not normally choose to go. But, we go where the business is." Even before he took over Bush's problem, he was defending it.

George W. Bush, in the best traditions of his family, waged war against the people of Iraq so that Halliburton could assign oil leases and thereby control the supply and price of oil and so that Halliburton would get multi-billion dollar no-bid contracts to supply the military. More than 4000 Americans have lost their lives in Iraq. Of that number 60, as of March 29, 2008, were from Minnesota. Of that 60, three were from Hennepin County.

David Day of St. Louis Park was killed on February 21, 2005 when a roadside bomb went off. He joined the National Guard so he could pay for his training to become a police officer. Day had been a member of the St. Louis Park Police Department for about eight months before his deployment to Iraq.

Army Spc. Robert Dixon, 27, of Minneapolis, died Sunday May 6, 2007 in Baghdad. He was the gunner on top of a Humvee when it was hit. He and his wife were married for less than two years.

Lance Cpl. Scott Modeen, 24, of New Hope, was killed by a roadside bomb in Fallujah on

December 1, 2005.

These men were victims of a deliberate fraud perpetrated by George W. Bush in an improper use of his office as President of the United States. There were no stockpiles of uranium or poison gases. There was no international conspiracy of terrorists of which Saddam Hussein was a part. Bush cynically exploited the patriotism of these young men for the sole purpose of enriching himself as a war profiteer and oilman.

Because he has committed troops of the Minnesota National Guard to tragic danger and fatalities in Iraq for the sole purpose of enriching his family's business, Halliburton, and, thereby, causing the death of Minnesota citizens, he is guilty of committing murder in the third degree: Section 609.195: MURDER IN THE THIRD DEGREE: whoever, without intent to effect the death of any person, causes the death of another by perpetrating an act eminently dangerous to others and evincing a depraved mind, without regard for human life, is guilty of murder in the third degree and may be sentenced to imprisonment for not more than 25 years on each count.

THE CRIME OF CONSPIRACY TO FIX PRICES

The price of a barrel of crude oil has almost doubled since the beginning of the Iraq War. That has implications for the price of gasoline at every service station in Hennepin County.

Through the sale of oil drilling equipment, Dresser Company and the Bush family have had a relationship with the Saudi royal family stretching back three generations. The bin Laden family have been the principal contracting firm for the Saudi royal family, so it was natural for the bin Laden family to give George W. Bush \$50,000 to get started in the oil exploration business in Texas. Bush returned the favor by grounding all aircraft after 9/11 except the plane that evacuated those members of the bin Laden family staying in the U. S. There was a video of Crown Prince Faisal visiting George W. Bush at his ranch in Crawford, Texas. They were seen holding hands as they walked, evidence of a stronger relationship than the one Bush had with Tony Blair or Berlusconi.

As head of the Bush family, George W. Bush directs their investment in Halliburton. Halliburton directs the movement of oil out of Iraq, 25% of the world's supply. The Saudi family directs the movement of oil out of Saudi Arabia, 40% of the world's supply. It is reasonable to assume that when George W. Bush and Prince Faisal get together they talk about the supply and price of oil. After their last meeting in Saudi Arabia, supplies dropped and the price of oil rose dramatically. According to Minnesota State law that meeting looks suspiciously like a conspiracy to fix prices.

Because, through Halliburton's control of Iraqi oil, he has acted in collusion with Saudi Arabia and OPEC to fix the price and supply of oil to distributors in Hennepin County, he is guilty of

price fixing: Section 325.53: PROHIBITED CONTRACTS, COMBINATIONS, AND CONSPIRACIES: Subdivision 1. Price fixing, production control, allocation of markets, collusive bidding, and concerted refusals to deal. Without limiting section 325D.51, the following shall be deemed to restrain trade or commerce unreasonably and are unlawful: (1) A contract, combination or conspiracy between two or more persons in competition: (a) for the purpose or with the effect of affecting, fixing, controlling or maintaining the market price, rate or fee of any commodity or service; (b) affecting, fixing, controlling, maintaining, limiting, or discontinuing the production, manufacture, mining, sale or supply of any commodity, or the sale or supply of any service, for the purpose or with the effect of affecting, fixing, controlling, or maintaining the market price, rate, or fee of the commodity or service.

THE CRIME OF CONSPIRACY TO DISTRIBUTE HEROIN

Finally, George W. Bush should be arrested and prosecuted for his collusion with the opium warlords in Afghanistan to distribute heroin in Hennepin County.

The National Drug Intelligence Center in its Minnesota Drug Threat Assessment report of August, 2001, said “Historically, heroin abuse has been low in Minnesota, but there are signs of increased use. There were 36 opiate-related deaths in Hennepin County through September 2000, compared with 27 in all of 1999.”

The United Nations and all objective reports verify that during the last year of the Taliban reign in Afghanistan, their government had reduced the Afghanistan contribution to the world supply of opium and heroin to zero, and everyone agrees that since the opium warlords have taken back control of the rural areas of Afghanistan opium production in Afghanistan now contributes 90% of the world supply. The U. S. Army and the CIA worked to support the opium warlords and granted them effective control over most of the opium growing areas of Afghanistan. They continue to support the opium warlords by protecting their estates from the peasants and small farmers from whom the land was taken. The CIA got opium warlords a respected place in the central government. The CIA even insured that an opium warlord would be in charge of the Department of the Interior—the government agency responsible for drug enforcement.

The CIA was actually born out of a conspiracy to distribute heroin. One of the most important Mafia figures at the beginning of World War II was Meyer Lansky. He convinced the OSS (the Office of Special Services, the early precursor to the CIA) that Mafia contacts in Sicily could be very useful in facilitating an Allied invasion. In exchange for Mafia cooperation the U. S. government freed Lucky Luciano from prison and made it easier for the Mafia to import heroin. Since then the Mafia in America has always been a ready and willing patriot in any CIA off the shelf adventure. When Ollie North brought cocaine and marijuana in from Colombia, the Mafia was ready to pay cash for it and distribute it. Ollie North knew these contacts when he was working with the Hmong and Meo tribes in Laos during the Vietnam War. As part of the golden

triangle these tribes produced large amounts of opium that CIA planes would then transport to Marseille, continuing the colonial tradition begun by French forces in Vietnam. George H. W. Bush was a part of all this because he was Director of the CIA when the golden triangle was active, and he was Vice President during the Contra War, and he was probably in charge of the operation to fund the Contras through the illegal importation of cocaine and marijuana.

Opium poppies have grown in Afghanistan since ancient times. The British began to control the exporting of the drug early in the nineteenth century. The Opium War in China in the middle of the nineteenth century was a result of the Chinese government trying to forbid the British importation of opium. The British won the war and the Chinese were forced to allow the British to sell opium. Early in the twentieth century Sicilians and Italians found the opium through contacts in Beirut and had it manufactured into heroin in laboratories in Marseilles. The heroin was then smuggled into Europe and the United States.

The traditional route for smugglers was over the mountains from Afghanistan, through Iran, Iraq, Jordan and to Beirut, Lebanon. The lack of cooperation recently of the Iranian government in this smuggling conspiracy has created problems for the smugglers and international problems for Iran. But, thanks to the active cooperation of the CIA and the U S government, opium does make its way through the Middle East, to Sicily and laboratories to be refined into heroin and, finally, to the U S and Hennepin County.

Section 609.228 of the Minnesota penal code, GREAT BODILY HARM CAUSED BY DISTRIBUTION OF DRUGS, says, "Whoever proximately causes great bodily harm by, directly or indirectly, unlawfully selling, giving away, bartering, delivering, exchanging, distributing, or administering a controlled substance classified in schedule I or II may be sentenced to imprisonment for not more than ten years or to payment of a fine of not more than \$20,000, or both.

Whereas there is probable cause to believe George W. Bush is guilty of murder in the third degree through his wanton disregard of human life in his pursuit of profits for his family's business, thereby ending the lives of Hennepin County residents David Day, Robert Dixon and Scott Modeen, and

Whereas there is probable cause to believe that George W. Bush and the Saudi royal family have entered into a conspiracy to withhold oil supplies and raise the price of crude oil causing gasoline prices to dramatically increase in Hennepin County, and

Whereas there is probable cause to believe that George W. Bush has acted in collusion with the opium warlords of Afghanistan and elements within the CIA to distribute heroin in Europe, the United States and Hennepin County,

Therefore, the petitioner asks this court to order Hennepin County Attorney Michael Freeman to bring charges of Murder in the Third Degree, Section 609.195; Conspiracy to fix prices, Section 325D.51; and Conspiracy to distribute drugs, Section 609.228 against George W. Bush and present them to a Grand Jury so that a Grand Jury may return a Bill of Indictment and George W. Bush may be arrested and made to stand trial when his plane lands in Hennepin County at the end of August.

Respectfully submitted,

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