

ever present and publicly accessible (and will attend Defendant, he has been told, until he is 99 years old). Employers moreover openly ask whether job applicants have “ever been the subject of a restraining order,” and efforts have been vigorously afoot for years to have restraining order recipients universally recorded in public registries like sex offenders—some such registries already exist—which make finding out who has been issued a restraining order not only easy and convenient but alluring, besides, and even fun.

Though officers of the Court may regard restraining orders as he-said-she-said matters of dubious conclusiveness, to the public, allegations made on them are judicially legitimated facts. It is naturally presumed that the Court would have carefully vetted such allegations and verified their merits before indefinitely corrupting defendants’ lives with them.

Fully seven judges of the Pima County court system have had some exposure to Plaintiff Tiffany’s allegations against Defendant. Only one has acknowledged their fraudulence. This fact underscores how inflexibly such allegations are defended by the Court once they are accepted (and they are almost always accepted).

Defendant consulted with Judge Susan Bacall of the Justice Court in 2006 to inquire whether he had grounds to obtain a reciprocal restraining order against Plaintiff, because he had never before had dealings with someone so treacherously malicious and clearly disturbed, and had no idea of what she might be capable.

Judge Bacall informed Defendant that she could not issue a restraining order based on concerns of Defendant’s—among them for the safety of his dog—unless or until those concerns were realized but concluded unreservedly upon an examination of Defendant’s evidence that Plaintiff had engaged in “felony perjury” and urged Defendant to bring the evidence of this crime to the attention of the Pima County Attorney’s Office, which apologetically informed Defendant that it had bigger fish to fry than perjurers.

The restraining order process is a closed circuit, Judge, a vicious circle. Options for attacking false allegations from within the system itself are all but illusory and often unavailable, particularly, as in this case, when the plaintiff is the daughter of a bank vice president with limitless resources, and the defendant is the son of a man who never graduated from high school.

This process is also a very paternal one, as Your Honor has openly owned, and it is significant that the only judicial acknowledgment of the falsity of Plaintiff's allegations against Defendant has come from the one female justice who has weighed in on this matter.

Defendant developed white hairs during the year he was under the Court's original injunction in 2006, *daily* conscious that the police might come calling based solely on further maliciously contrived allegations from Plaintiff. Years later an attorney Defendant consulted assured him that such allegations would have to be proven, but Defendant knows the truth to be otherwise and is furthermore monthly informed by restraining order recipients that they have been imprisoned on false grounds by assertively vindictive plaintiffs.

This Court has now placed Defendant under a *permanent* injunction and corollary to doing so confirmed to Plaintiff that there are no consequences to lying to the police or the Court. The reason Defendant was monitored by Plaintiff for seven years (correspondent with the felony statute of limitation) instead of being further menaced was that Plaintiff was worried she would be vulnerable to prosecution for past violations of the law if she reintroduced the evidence of those violations to a judge. This Court's ruling will have dispelled all such concerns from her mind.

There are no judicial observations on the record acknowledging Plaintiff's dishonesty for Defendant to reference should Plaintiff fabricate evidence or make further false allegations in the future, and the brief of Defendant's that deliberately articulated Plaintiff's past frauds was quashed. For these reasons, Defendant must consider appealing this Court's ruling.

This leads Defendant to his secondary objection, which is that the Court's application of rules to matters such as this is not evenhanded. Defendant, for example, has been scolded for communicating with Your Honor directly and not "play[ing] by the rules" when the purpose of that communication was to inform the Court that Defendant was the only party who *was* playing by the rules. The honest man is necessarily placed in a hopeless position when no one he opposes in a courtroom scruples about lying.

For the record, Judge, Defendant does not lie, and this is not because he is a boy scout but because the people he has admired most in this life disdained to lie.

Defendant studied under one of the foremost high school journalism advisers in the country throughout his teen years, and coming and going from his classroom Defendant daily passed beneath a sign that read, "The Truth Shall Set You Free." Defendant knows better today but still honors the principle and always will.

Defendant's teacher knew that all social contracts, including those between the Court and its plaintiffs and defendants, are vitiated when parties to those contracts lie, and Defendant's teacher exhorted his students to always have an eye to exposing corruption, because only thereby is what we call civilization preserved. He also knew that only in honesty is there dignity. A liar conceals himself and what he has done, because he fears the judgment of others. The self-respecting person owns the truth and defends the truth.

Defendant reacts gallantly in the protection of women, also, Your Honor, but the Court's paternalism manifests as an unjust bias. For examples, Defendant points to Your Honor's characterizing statements Defendant has made regarding Plaintiff's conduct as "false" in His initial ruling prior to familiarizing Himself with the background to this matter provided to the Court in Defendant's Answer and Counterclaim, and to Your Honor's cutting short Defendant's cross-examination of Dr. Michael Honeycutt, Plaintiff's immediate superior in the government agency where she is employed, to guard Plaintiff's reputation when Defendant inquired about the importance of honesty in the field of science from which Plaintiff draws her paychecks (and which is entrusted with the protection of public safety).

Damages to Defendant's reputation, health, and prosperity by Plaintiff's misrepresentations to the Court and abuse of process have been completely disregarded.

This matter originates with a game, Your Honor, played on an unsuspecting man, a quiet writer and tutor of children who had toiled in seclusion for years on a manuscript of humor for kids, by a group of highly educated and self-entitled women, Plaintiff and two or three of her colleagues, among them witness Jennifer Terpstra, who felt that they had been discounted by men (what they called "the Old Boys' Network") and who nursed a grudge. All of these women congregated around Defendant's home, knew that Plaintiff was married but met with Defendant by night and daily talked about him at work like a teenager who was writing his name in a diary and circling it with hearts, and probably felt

that if her husband was so absent and negligent that she never talked about him or introduced him to anyone that he (the husband) had a betrayal coming to him.

Although their conduct was adolescent, Judge, these were not kids. Plaintiff and her colleagues were “adults” in their late 20s, 30s, and 40s, all academicians with advanced degrees. Yet Defendant’s feelings and the welfare of his family (Defendant’s mother was then in treatment for breast cancer) never entered these women’s moral formulations. They may not even have crossed these women’s minds.

Far from being apprehensive of Defendant, Plaintiff had come to Defendant’s door seeking his protection—this story may sound familiar to Your Honor—from men she claimed were harassing her by repeatedly driving past in the dark and leering at her from a van. No one else witnessed this “occurrence” (though boarders and tenants at Defendant’s home were eagerly told about it). Nevertheless Defendant promptly responded by installing an outdoor doorbell so that Plaintiff could reach him quickly in a crisis at any time.

Defendant was only ever solicitous, hospitable, and gentlemanly toward Plaintiff (and her friends). Allegations of Plaintiff’s to the contrary are maliciously false and were made and have been reasserted solely to conceal an illicit infatuation that was indulged for thrills and that Defendant neither sought nor encouraged but simply responded to in naïve good faith. Plaintiff has not only perjured herself to past courts but to this Court, and she has suborned false testimony, as well. She has also broadly disseminated her false allegations against Defendant to garner attention and sympathy.

The soundness of Your Honor’s faith that Plaintiff will not reprise this conduct in future and that decisions on a matter such as this one can be “speedy and just” is contradicted by its own facts.

The matter that Your Honor has been called upon to adjudicate arises from a highly prejudicial order of the Court that was not only illegally *obtained* by falsehood but illegally *issued* by a judge pro tem who was tasked with a job he was evidently not yet competent to execute. Had this judge informed Plaintiff on March 20, 2006 that He could not authorize a restraining order to prohibit Defendant from communicating with her husband (a “co-applicant” on the order), this entire matter may have died in the cradle. And Defendant might now be enjoying the fruits of his creative labors instead of

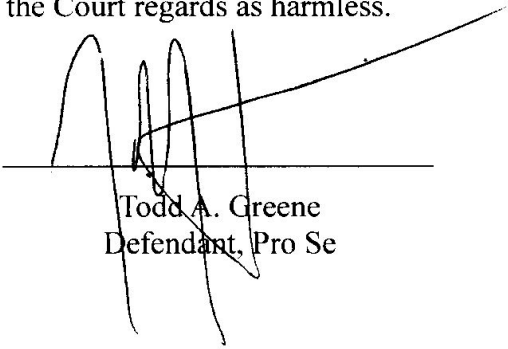
moldering and gathering dust as that work has done.

Defendant well understands the limitations imposed on the Court by the policies that govern restraining order administration but declines to accept that he should have to suffer indefinitely for their engineered inequity.

When Defendant met Plaintiff loitering outside of his house, he had just adopted a stray puppy and rehabilitated that house from top to bottom. As Defendant tried to explain to this Court in May when he took the stand, he hoped to inaugurate a fresh start. He was studying piano and learning to draw, and anticipated seeking publication of his literary endeavors.

Today Defendant cannot play the piano, and Defendant cannot draw. His house is a ruin, and his dog is aged and has needed two surgeries in the last 12 months. Defendant sustains himself principally with his back and hands—and has for years without vacations or even weekends off—and is physically and morally exhausted. These are among the real-life consequences, Judge, of abuse of a process that the Court regards as harmless.

SUBMITTED this 25th day of September 2013.



Todd A. Greene
Defendant, Pro Se

CERTIFICATE OF MAILING

Defendant states that on this 25th day of September 2013, he placed a copy of the foregoing in the U.S. Mail, postage prepaid, to the following:

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