IN THE COURT OF COMMON PLEAS
BUTLER COUNTY, PENNSYVANIA OF THE UNITED STATES OF AMERICA

JOE MYERS, Plaintiff, vs. TIMOTHY F. McCUNE, JOSEPH H. CHIVERS, JACK W. MURTAGH JR., GRAYDON BREWER, CARL V. NANNI, JACK LEWIS, JIM GALLAGHER, HANK LEYLAND, GREG LOVERICK, EDWARD TASSEY, AK STEEL et al, UAW (formerly Butler Armco Independent Union) et al, ANGELO PAPA, WILLIAM CUNNINGHAM, MICHAEL LETTRICH, MARIA MILIE JONES, DENNIS ROMAN, NICHOLAS KOCH, ADAM HOBAUGH Defendants	Case No.: No. 19-10516 CIVIL DIVISION Type of Pleading: **AMENDED COURT FILING ADDING DEFENDANTS AND FOR CONTINUED VIOLATION OF PLAINTIFF'S CONSTITUTIONAL RIGHTS OF THE UNITED STATES OF AMERICA** **RESPONSE TO DEFENDANT PAPA'S LIMITED SPECIAL APPEARANCE PRELIMINARY OBJECTIONS** FILED BY: Joe Myers, pro se 12137 Emerald Green Court Jacksonville, FL 32246

All Exhibits referenced in this court filing and every other filing by Plaintiff can be read and downloaded at website www.1776ToTyranny.com

Plaintiff WARNED William Cunningham, Michael Lettrich, Marie Milie Jones, Dennis Roman, Nicholas Koch, Angelo Papa and Adam Hobaugh for violating Plaintiff's Constitutional Rights of The United States of America in Plaintiff's court filings dated 10-16-19 and 10-18-19 so Plaintiff adds the aforementioned to this legal court filings and seeks Punitive and Compensatory damages against ALL Defendants.

Defendant Cunningham usurped the authority of the Constitution of The United States of America and is immediately removed from this case since he is now a defendant!

This court filing includes the initial Complaint and all court filings. Plaintiff continues to validate VIOLATION OF CONSTITUTIONAL RIGHTS of The United States of America, VIOLATION OF PENNSYLVANIA CONSTITUTIONAL RIGHTS, VIOLATION OF PUBLIC POLICY, FRAUD, MATERAIL FRAUD, FRAUDULANT MISREPRESENTATION, LEGAL MALPRACTICE, LEGAL NEGLIGENCE and BREACH OF CONTRACT.

ALL Defendant legal counsel KNEW they never once plead the innocence of their clients but only used procedure and UNCNSTITUTIONAL LAWS in an attempt to keep Plaintiff from Plaintiffs Constitutional Right to a JURY TRIAL, DUE PROCESS and EQUAL PROTECTION OF THE LAWS.

Defendant Cunningham proved he never read Plaintiff's Complaint or court filings when he held the UNCONSTITUTIONAL Preliminary Objections hearing on 10-22-19 because of the following points:

- When Plaintiff referenced Defendants Murtagh and Papa - Cunningham asked Plaintiff who those people were.
- Cunningham relied only on Defendants counsels' unconstitutional claims and not on the CONSTITUTION which is the SEPREME LAW of the United States of America.
- Cunningham told Plaintiff a couple times that just because Plaintiff asked for a JURY TRIAL does not mean the Plaintiff could have a JURY TRIAL. Cunningham BLATANTLY violated Plaintiff's PA Constitutional Rights and Constitutional Rights of The United States.
- When Cunningham claimed that Defendant McCune has immunity from the Constitution of the United States of America, he made a BLANTANT LIE and ALL Defendants are complicit! McCune is still a Defendant in Plaintiff's legal claims.
- When Defendant counsels' referenced a prior UNCOMSTITUTIONAL court opinion against Plaintiff Cunningham asked Defendants to provide that to him which again proved Cunninham never reviewed the court filings.

Thomas Jefferson noted in a letter to William Jarvis, *"to consider judges as the ultimate arbiters of all constitutional questions...would place us under the despotism of an oligarchy."*

So the Defendants and upcoming JURY can understand the Constitutional VIOLATIONS OF ALL DEFENDANTS against Plaintiff the following CIVICS LESSON is provided.

Our Founders and Framers knew We The People would have corrupt judges and attorneys so they provided the following protection from these criminals and made a remedy.

First, our Founders and Framers knew We The People had a Creator and that we are ALL created equal and endowed by our Creator with certain unalienable RIGHTS that NO government instituted by We The People can give to us or take away from us. They also stated our governments derive their just powers ONLY from the consent of the governed (We The People). Our Founders and Framers declared on July 4, 1776 in OUR Declaration of Independence OUR FREEDOM from a TYRANNICAL KING.

"When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.— That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed,— That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness.

Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed.

But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security.— Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government..."

Then our Founders and Framers made the remedy with the Constitution of The United States of America and spelled it out very clearly in the PREAMBLE that We The People are the BOSS and ordained the VERY LIMITED POWERS to are Legislative, Executive and Judicial branches with the POWER that We The People can alter or abolish our form of government at any time.

"We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America."

Article 1 The Legislative Branch Section 1 The Legislature - places ALL legislative power in Congress NOT judges as Defendant Cunningham is trying to usurp against Plaintiff and all other Defendants are complicit. Defendants legal counsels lied by referencing so-called "case law" in their court filing when they know they are only COURT OPINIONS! Cunningham and ALL Defendants have committed FRAUD!!!

"All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives."

Article 1 The Legislative Branch Section 10 - Powers prohibited of States is violated by Defendant Cunningham trying to invoke a law granting immunity to Defendant McCune when Cunningham and Defendants with a law license know they have violated the Constitution of The United States of America because everyone is equal under the law and they have impaired Plaintiff's employment contract with Defendant AK Steel and the obligation AK Steel had to Plaintiff.

"No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility."

Defendant Cunningham and ALL Defendants with a law license have violated their Oath Of Office because the Defendants have not supported, obeyed or defended the Constitution and ALL have committed falsehood in regard to Plaintiff's Complaint and all court filings by Plaintiff and ALL have committed MAILCE against Plaintiff.

42 Pennsylvania Consolidated Statutes § 2522 - Oath Of Office § 2522. Oath of office.

Before entering upon the duties of his office, each attorney at law shall take and subscribe the following oath or affirmation before a person authorized to administer oaths:

"I do solemnly swear (or affirm) that I will support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth and that I will discharge the duties of my office with fidelity, as well to the court as to the client, that I will use no falsehood, nor delay the cause of any person for lucre or malice."

Any person refusing to take the oath or affirmation shall forfeit his office.

Bill of Rights Amendment 7 - Trial by Jury in Civil Cases. Ratified 12/15/1791

Defendant Cunningham stated in the UNCONSTITUTIONAL preliminary abjections hearing on 10-22-19 that just because Plaintiff asked for a JURY TRIAL does not mean Plaintiff can have a JURY TRIAL. Cunningham has WITHOUT QUESTION violated Plaintiff's Constitutional Rights of The United States of America and ALL Defendants have been complicit.

"In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any Court of the United States, than according to the rules of the common law."

Bill of Rights Amendment 9 - Construction of Constitution. Ratified 12/15/1791 this Amendment is all inclusive that Defendants cannot use statute of limitations, rules of civil procedure, non pros, immunity of any public official, certificate of merit or ANYTHING to prevent Plaintiff from a JURY TRIAL.

"The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people."

Bill of Rights Amendment 14 - Citizenship Rights. Ratified 7/9/1868 It is very clear that ALL Defendants are complicit with trying to use procedures and UNCONSTITUTION LAW that deprived Plaintiff of property through loss of future earnings, benefits, pension, etc. Defendant Cunningham has denied Plaintiff equal protection of the laws and trying to enforce laws that has abridged Plaintiff's privileges and immunities GUARANTEED by the Constitution of The United States of America.

"All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws...The Congress shall have power to enforce, by appropriate legislation, the provisions of this article."

While Plaintiff knows the following are COURT OPINIONS and NOT CASE LAW Plaintiff will share that the court opinions support Plaintiff's court filings.

Miranda vs. Arizona, 384 US 436 p. 491 *"Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them."*

Defendant Cunningham stated to Plaintiff that only applies to criminal cases when IN FACT it just states WHERE RIGHT SECURED BY THE CONSTITION ARE INVOLVED. Another LIE by Cunningham!

Norton v. Shelby County, 118 U.S. 425 (1886) *"An unconstitutional act is not law; it confers no rights; it imposes no duties; affords no protection; it creates no office; it is in legal contemplation, as inoperative as though it had never been passed."*

CLEARLY THE PROCEDURAL MANUEVERS BY DEFENDNATS AND THEIR LEAGAL COUNSEL ARE UNCONSTITUTIONAL!

Marbury v. Madison, 5 U.S. 137 (1803) *"All laws which are repugnant to the Constitution are null and void."*

THE PROCEDURAL MANUEVERS BY DEFNEDANTS AND LEGAL COUNSEL ARE NULL AND VOID BECAUSE THEY ARE TRYING TO CIRCUMVENT MY RIGHTS TO A JURY TRAIL, DUE PROCESS AND EQUAL PROTECTION OF THE LAWS!

Duncan v. Missouri, 152 U.S. 377, 382 (1894) *"Due process of law and the equal protection of the laws are secured if the laws operate on all alike, and do not subject the individual to an arbitrary exercise of the powers of government."*

IT IS VERY CLEAR ALL DEFNDANTS ARE TRYING TO USE AN ARBITRARY EXERCISE OF THE POWERS OF GOVERNMENT. ALL POWERS OF GOVERNMENT ARE DERIVED AND ORDAINED BY WE THE PEOPLE.

McCartney v. First City Bank, 970 F.2d 45, 47 (5th Cir.1992) *"In considering a motion to dismiss for failure to state a claim under Rule 12(b)(6), the court must accept all well-pleaded facts as true and view them in the light most favorable to the plaintiff."*

DEFNEDANT CUNNIGHAM HAS NOT EVEN READ THE LEGAL FILINGS OF PLAINTIFF AS REFENCED ABOVE.

Taylor v. Books A Million, Inc., 296 F.3d 376, 378 (5th Cir.2002) (quoting Miller v. Stanmore, 636 F.2d 986, 988 (5th Cir.1981)) *"It is well-established that 'pro se complaints are held to less stringent standards than formal pleadings drafted by lawyers."*

DEFENDANT CUNNIGHAM HAS COMPLETELY IGNORED THIS COURT OPINION!

Boyd v. U.S., 116 U.S. 616 *"The court is to protect against any encroachment of Constitutionally secured liberties."*

ALL DEFENDANTS ARE TRYING TO USE UNCONSTITIONAL PROCEDURES OR MISAPPLYING LAW THAT ARE SUBSERVIENT TO THE CONSTITUTION OF THE UNITED STATES OF AMERICA!

Brady v. U.S., 397 U.S. 742, 748 *"Waivers of Constitutional Rights, not only must they be voluntary, they must be knowingly intelligent acts done with sufficient awareness." "If men, through fear, fraud, or mistake, should in terms renounce or give up any natural right, the eternal law of reason and the grand end of society would absolutely vacate such renunciation. The right to freedom being a gift of ALMIGHTY GOD, it is not in the power of man to alienate this gift and voluntarily become a slave." —Samuel Adams, 1772*

PLAINTIFF HAS NEVER ONCE WAIVED PALINTIFF'S CONSTUTITIONAL RIGHTS!

Cooper v. Aaron, 358 U.S. 1, 78 S.Ct. 1401 (1958) *"No state legislator or executive or judicial officer can war against the Constitution without violating his undertaking to support it."*

DEFENDANT CUNNIGHAM HAS MOST DEFINTELY VIOLATED HIS UNDERTAKING TO SUPPORT THE CONSTITUTION OF THE UNITED STATES OF AMERICA!

Cohens v. Virginia, 19 US (6 Wheat) 264, 404, 5 L.Ed 257 (1821) *"When a judge acts where he or she does not have jurisdiction to act, the judge is engaged in an act or acts of treason."*

DEFENDANT CUNNINGHAM HAS UNCONSTITUTIONALLY OVERULLED THE CONSTITUTION OF UNITED STATES OF AMERICA BY ALLOWING DEFENDANTS TO USE PROCEDURES AND STATUTE OF LIMITATIONS WHICH DENY PLAINTIFF THE RIGHTS OF THE CONSTITUION AND EQUAL PROTECTION OF THE LAWS.

Mattox v. U.S., 156 US 237, 243 *"We are bound to interpret the Constitution in the light of the law as it existed at the time it was adopted."*

Williamson v. U.S. Department of Agriculture, 815 F.2d. 369, ACLU Foundation v. Barr, 952 F.2d. 457, 293 U.S. App. DC 101, (CA DC 1991). *"It is the duty of all officials whether legislative, judicial, executive, administrative, or ministerial to so perform every official act as not to violate constitutional provisions."*

DEFNEDANT CUNNINGHAM HAS VIOLATED THE CONSTITUTIONAL RIGHTS OF PLAINTIFF!

U.S. v. Prudden, 424 F.2d. 1021; U.S. v. Tweel, 550 F. 2d. 297, 299, 300 (1977) *Silence can only be equated with fraud when there is a legal and moral duty to speak or when an inquiry left unanswered would be intentionally misleading. We cannot condone this shocking conduct... If that is the case we hope our message is clear. This sort of deception will not be tolerated and if this is routine it should be corrected immediately.*

THIS PROVES ALL DEFENDNATS HAVE COMMITTED FRAUD!

Norman v. Zieber, 3 Or at 202-03 Fraud. *An intentional perversion of truth for the purpose of inducing another in reliance upon it to part with some valuable thing belonging to him or to surrender a legal right. A false representation of a matter of fact… which deceives and is intended to deceive another so that he shall act upon it to his legal injury. … It consists of some deceitful practice or willful device, resorted to with intent to deprive another of his right, or in some manner to do him injury… (Emphasis added) -Black's Law Dictionary Fifth Edition, page 594. Then take into account the case of McNally v. U.S., 483 U.S. 350, 371-372, Quoting U.S. v Holzer, 816 F.2d. 304, 307 Fraud in its elementary common law sense of deceit… includes the deliberate concealment of material information in a setting of fiduciary obligation. A public official is a fiduciary toward the public,… and if he deliberately conceals material information from them he is guilty of fraud.*

ALL DEFENDANTS HAVE PROVIDED FALSE MISREPRESENTATION AND COMMITTED DECIETFUL PRACTICES AND WILLFULL DEVICE TO DEPRIVE PLAINTIFF OF PLAINTIFF'S CONSTITUTIONAL RIGHTS OF A JURY TRIAL, DUE PROCESS AND EQUAL PROTECTION OF THE LAWS!

Plaintiff filed a **NOTICE OF JUDICIAL MISCONDUCT** by Defendant Cunningham for scheduling a hearing the Defendants Preliminary Objections when Cunningham knew he has no authority to schedule a hearing without a **JURY** when Plaintiff has **DEMANDED A JURY TRIAL.** Cunningham has denied **Plaintiff DUE PROCESS.** Cunningham is complicit in violating Plaintiffs **CONSTITUTIONAL RIGHTS**!

Defendant Cunningham knows the Plaintiffs CONSTITUTIONAL RIGHTS prevail over Defendants procedural corruption!

Plaintiff filed a **NOTICE OF ATTORNEY MISCONDUCT** by ALL Defendant's legal counsel. Hobaugh, Koch, Roman, Jones, Lettrich and as of 10-18-19 Papa as knew their Preliminary Objections were UNCONSTITUTIONAL and they cannot make their defense without the JURY present!

As the PREAMBLE of the United States Constitution clearly states the power is always in the PEOPLE because the PEOPLE ratified the United States Constitution and clearly establishing the JURY TRIAL as part of the United States Constitution and DID NOT permit one judge and a bunch of corrupt attorneys to railroad - as in this case - the Plaintiff! After the ratification of the United States of America Constitution any laws or statutes made by the state or federal legislature can ALWAYS be challenged by WE THE PEOPLE through a JURY TRIAL and is what Plaintiff DEMANDS.

The Pennsylvania Constitution of The United States of America reaffirms Plaintiff's RIGHT to a JURY TRIAL!

The Constitution Of Pennsylvania, Article 1 Declaration of Rights § 6. Trial by jury

"Trial by jury shall be as heretofore, and the right thereof remain inviolate. The General Assembly may provide, however, by law, that a verdict may be rendered by not less than five-sixths of the jury in any civil case. Furthermore, in criminal cases the Commonwealth shall have the same right to trial by jury as does the accused. (May 18, 1971, P.L.765, J.R.1; Nov. 3, 1998, P.L.1328, J.R.2)"

inviolate - If something is inviolate, it has not been or cannot be harmed or affected by anything. https://www.collinsdictionary.com/us/dictionary/english/inviolate

Defendant Cunningham and Defendant's legal counsel have **OBSTRUCTED JUSTICE** by denying Plaintiff **DUE PROCESS** by their attempt to circumvent Plaintiff's **CONSTITUTIONAL RIGHT** to a **TRIAL BY JURY** that has NEVER HAPPENED YET through procedural corruption that they know is **UNCONSTITUTIONAL**! It is illegal for Defendants to use ANY defense that THEY KNOW DOES NOT AND CANNOT supersede the SUPREME LAW - **THE UNITED STATES CONSTITUTION** - that DENY'S Plaintiff's **CONSTITUTIONAL RIGHT** to a **TRIAL BY JURY.**

Judge Cunningham and Defendant's legal counsel are trying to **ILLEGALLY** AND **UNCONSTITUTIONALLY** use statutes and procedures to enforce them on Plaintiff to deny Plaintiff's **CONSTITUTIONAL RIGHT** of **DUE PROCESS** and a **TRIAL BY JURY** which violates **Amendment 14, Section 1 of the United States Constitution.**

Defendant AK Steel **EXTORTED** Plaintiff's property of future earnings and damaged Plaintiffs reputation and all other Defendants have been complicit and Judge Cunningham is now participating in.

Plaintiff invokes the following against all Defendants as well!

U.S. Code: Title 18 Section 241 / Conspiracy Against Rights

This statute makes it unlawful for two or more persons to conspire to injure, oppress, threaten, or intimidate any person of any state, territory or district in the free exercise or enjoyment of any right or privilege secured to him/her by the Constitution or the laws of the United States, (or because of his/her having exercised the same). It further makes it unlawful for two or more persons to go in disguise on the highway or on the premises of another with the intent to prevent or hinder his/her free exercise or enjoyment of any rights so secured.

- ***Defendant AK Steel threatened Plaintiff on 7-9-98 (Exhibit 3) with disciplinary action for not obeying written company policy by securing a load on a stake truck that rolled over on Plaintiff when the load shifted. What Plaintiff found out after the incident was another co-worker had the same load shift on him but the truck did not rolled over but had the rear axle off the ground and a mobile crane had to lift the pinion gear off the truck so it did not roll over. After Plaintiff's incident the Defendant made a policy that the pinion gear had to be hauled by a lowboy tractor trailer from that point forward. AK Steel put Plaintiff and co-workers in danger of death or serious injury as Plaintiff had some bumps and bruises but it could have been worse. On 3-1-01 Plaintiff's then attorney (Exhibit 9) sent a letter to AK Steel warning of the violation of the law. On 3-21-19 Plaintiff sent a letter (Exhibit 11) to AK Steel detailing the criminal and civil legal issues as well as the selective discipline of Plaintiff. Then on 3-23-19 Plaintiff was verbally directed by Defendant Tassey to violate company policy and then Plaintiff was escorted out of the plant. Then on 4-10-11 (Exhibit 14) Plaintiff received a letter from AK Steel stating Plaintiff would be discharged because Plaintiff wanted follow AK Steel policy but was verbally ordered by Defendant Tassey not to obey company policy.***

This proves the conspiracy that AK Steel perpetrated on Plaintiff that forfeited Plaintiff's future earnings and validates CONSPIRACY AGAINST RIGHTS.

- ***Defendant Cunningham and all Defendants are committing CONSPIRACY AGAINST RIGHTS against Plaintiff NOW!***

U.S. Code: Title 18 Section 245 / Federally protected activities (1)(b)

This statute prohibits willful injury, intimidation, or interference, or attempt to do so, by force or threat of force of any person or class of persons because of their activity as:

b) a participant in any benefit, service, privilege, program, facility, or activity provided or administered by the United States;

- ***Defendant UAW (formerly Butler Armco Independent Union) et al never protected Plaintiffs Federally protected activities as a rank and file member but colluded with all other Defendants.***
- ***Plaintiff was terminated for Whistle Blowing when Plaintiff contacted the Pennsylvania Attorney General's office while still employed at AK Steel explaining the illegal activity and AK Steel forcing employees to be criminally and civilly liable.***

Title 18, U.S.C., Section 242 - Deprivation of Rights Under Color of Law

This statute makes it a crime for any person acting under color of law, statute, ordinance, regulation, or custom to willfully deprive or cause to be deprived from any person those rights, privileges, or immunities secured or protected by the Constitution and laws of the U.S.

This law further prohibits a person acting under color of law, statute, ordinance, regulation or custom to willfully subject or cause to be subjected any person to different punishments, pains, or penalties, than those prescribed for punishment of citizens on account of such person being an alien or by reason of his/her color or race.

Acts under "color of any law" include acts not only done by federal, state, or local officials within the bounds or limits of their lawful authority, but also acts done without and beyond the bounds of their lawful authority; provided that, in order for unlawful acts of any official to be done under "color of any law," the unlawful acts must be done while such official is purporting or pretending to act in the performance of his/her official duties. This definition includes, in addition to law enforcement officials, individuals such as Mayors, Council persons, Judges, Nursing Home Proprietors, Security Guards, etc., persons who are bound by laws, statutes ordinances, or customs.

- ***Defendant Cunningham and ALL Defendants have and are committing Deprivation of Rights Under Color of Law against Plaintiff.***

U.S. Code: Title 18 Section 35559/Sentencing classification of offenses (2)(C)

(2) Definitions.-For purposes of this subsection-
(C) the term "extortion" means an offense that has as its elements the extraction of anything of value from another person by threatening or placing that person in fear of injury to any person or kidnapping of any person;

- ***The evidence is clear that Defendant AK Steel extorted Plaintiffs property of future wages and all other Defendants were part of the crime.***

Retaliatory Discharge

Refers to an employee being discharged by their employer for anything other than work performance reasons. This generally occurs when the employee exercises their rights, such as reporting their employer's wrongful conduct, or when participating in union activities.

- ***The evidence is clear that Defendant AK Steel retaliated against Plaintiff for Whistleblowing when Plaintiff contacted the Pennsylvania Attorney General's office and reported the illegal activity of AK Steel and then AK Steel illeaglly terminated Plaintiff.***

Our Forefathers knew the value of a JURY TRIAL!

"It is not only the juror's right, but his duty, to find the verdict according to his own best understanding, judgment and conscience, though in direct opposition to the instruction of the court." John Adams, 1771

"I consider trial by jury as the only anchor yet imagined by man, by which a government can be held to the principles of its constitution." Thomas Jefferson

Just like the six shooter was the great equalizer to the old west so too is a JURY TRIAL. Plaintiff has the RIGHT, deserves and DEMANDS a JURY TRIAL to be the great equalizer to the corruption the Plaintiff has endured! When corruption takes place the JURY has the CONSTITUTIONAL RIGHT AND OBLIGATION to right the wrong and NOT a group of good old boy attorneys and judges and is also WHY the Plaintiff has the RIGHT to and DEMANDS a JURY TRIAL!

Plaintiff's case is a prime example WHY a JURY TRIAL is the only remedy. Plaintiff contacted Defendant McCune for assistance and he refused to do his job as a District Attorney and investigate what Plaintiff has proven. Defendants Papa and Chivers refused to DEMAND a JURY TRIAL.

Defendants UAW (formerly Butler Armco Independent Union) and Defendant Murtagh knew this was never a labor law issue yet still continued to play a part in this criminal conspiracy against Plaintiff and because the officers were paid by Defendant AK Steel et al the company owned Defendants UAW et al which is ILLEGAL. To top it off Defendant AK Steel et al has deep pockets and played procedural games like now to drain Plaintiff financially.

Plaintiff has brought forth facts that the Defendants damaged Plaintiff and his family monetarily and emotionally when Defendants knew Defendant Tassey gave an illegal directive that not only violated Defendant AK Steel et al's own written directives but also violated the law when Plaintiff was ILEGALLY terminated. All Defendants were complicit by going along with the crime and the JURY can hand down the appropriate award to Plaintiff and sanctions for Defendants.

Plaintiff has already and will PROVE to the JURY through the Complaint and all court filings that Plaintiff filed and evidence that Defendants violated Plaintiff's United States and Pennsylvania Constitutional Rights thereby committed fraud, material fraud, fraudulent misrepresentation, legal negligence, breach of contract or have been complicit as well as they have violated the law and public policy. Defendant attorneys committed legal malpractice. All Defendants knew the law or should have known the law when they committed fraudulent acts and there is NO EXCUSE FOR NOT KNOWING THE LAW.

16th American Jurisprudence 2d, Section 177 late 2nd, section 256:

"No one is bound to obey an unconstitutional law and no courts are bound to enforce it. The general rule is that an unconstitutional statute, though having the form and the name of law, is in reality no law, but is wholly void, and ineffective for any purpose, since unconstitutionality dates from the time of its enactment, and not merely from the date of the decision so branding it."

16th American Jurisprudence, 2nd Section 177:

The general rule is that an unconstitutional statute, though having the form and name of law, is in reality no law, but is wholly void, and ineffective for any purpose; since unconstitutionality dates from the time of its enactment, and not merely from the date of the decision so branding it. An unconstitutional law, in legal contemplation, is as inoperative as if it had never been passed. Such a statute leaves the question that it purports to settle just as it would be had the statute not been enacted. Since an unconstitutional law is void, the general principles follow that it imposes no duties, confers no rights, creates no office, bestows no power or authority on anyone, affords no protection, and justifies no acts performed under it … A void act cannot be legally consistent with a valid one. An unconstitutional law cannot operate to supersede any existing valid law. Indeed, insofar as a statute runs counter to the fundamental law of the land, it is superseded thereby.

Plaintiff CONSTITUTIONALLY refuses to allow the next judge and the corrupt attorneys to decide this case; they are not representative of the people of the United States.

Plaintiff seeks compensatory and punitive damages from Defendant AK Steel $100 million dollars.

Plaintiff seeks compensatory and punitive damages from all other Defendant in the amount of $10 million dollars each.

If the new judge does not immediately schedule the JURY selection and the JURY TRIAL date without any other procedural nonsense this is to serve notice that the judge will automatically become a defendant.

WITHOUT further delay the new judge MUST obey the SUPREME LAW of the land which is the Constitution of The United States of America and the SUPREME LAW of Pennsylvania which is the Pennsylvania Constitution and set a date for JURY selection and then set the JURY TRIAL date or it is CONTEMPT of the JURY COURT and Obstruction of Justice.

Dated this 28th day of October, 2019

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IN THE COURT OF COMMON PLEAS
BUTLER COUNTY, PENNSYVANIA

JOE MYERS, Plaintiff, vs. TIMOTHY F. McCUNE, JOSEPH H. CHIVERS, JACK W. MURTAGH JR., GRAYDON BREWER, CARL V. NANNI, JACK LEWIS, JIM GALLAGHER, HANK LEYLAND, GREG LOVERICK, EDWARD TASSEY, AK STEEL et al, UAW (formerly Butler Armco Independent Union) et al, ANGELO PAPA, WILLIAM CUNNINGHAM, MICHAEL LETTRICH, MARIA MILIE JONES, DENNIS ROMAN, NICHOLAS KOCH, ADAM HOBAUGH Defendants	Case No.: No. 19-10516 CIVIL DIVISION

ORDER

AND NOW, to-wit, this _____ day of _____, 2019, upon consideration of Plaintiff's AMENDED COURT FILING ADDING DEFENDANTS AND FOR CONTINUED VIOLATION OF PLAINTIFF'S CONSTITUTIONAL RIGHTS OF THE UNITED STATES OF AMERICA it is hereby ORDERED that Plaintiff has a CONSTITUTIONAL RIGHT of DUE PROCESS and to be heard by a JURY of Plaintiff's peers. It is ADJUDGED and DECREED that Jury selection will be set for this _____ day of _____, 2019 JURY TRIAL will commence this _____ day of _____, 2019.

BY THE COURT

_____

CERTIFICATE OF SERVICE

I, the undersigned, certify that the foregoing AMENDED COURT FILING ADDING DEFENDANTS AND FOR CONTINUED VIOLATION OF PLAINTIFF'S CONSTITUTIONAL RIGHTS OF THE UNITED STATES OF AMERICA was served on the following via U.S. Mail, First-Class, this 28th day of October, 2019.

Michael R Lettrich counsel for Defendant Timothy F. McCune

Gulf Tower

707 Grant Street, Suite 3410

Pittsburgh, PA 15219

Dennis Roman counsel for Defendant Joseph Chivers

Union Trust Building

510 Grant Street, Suite 700

Pittsburgh, PA 15219

Adam Hobaugh counsel for Defendants Murtagh, Nanni, Gallagher, Lewis, Leyland,

Loverick and UAW et al

110 Swinderman Road

Wexford, PA 15090

Defendant Graydon Brewer

48 Crystal Drive

Oakmont, PA 15139

Defendant Angelo Papa

318 Highland Ave

New Castle, PA 16101

Defendant Adam Hobaugh

110 Swinderman Road

Wexford, PA 15090

Nicholas J. Koch counsel for Defendants AK Steel et al and Tassey

Union Trust Building

501 Grant Street, Suite 800

Pittsburgh, PA 15219

Defendant Michael Lettrich

Gulf Tower

707 Grant Street, Suite 3410

Pittsburgh, PA 15219

Defendant Marie Miles Jones

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Defendant Nicholas J. Koch

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Defendant Dennis Roman

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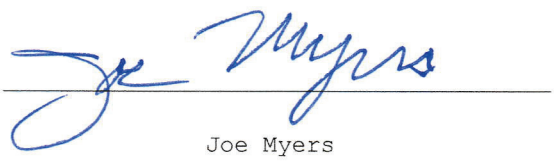
Defendant Cunningham

Butler County Courthouse

300 South Main Street

Butler, PA 16003-1208



Joe Myers