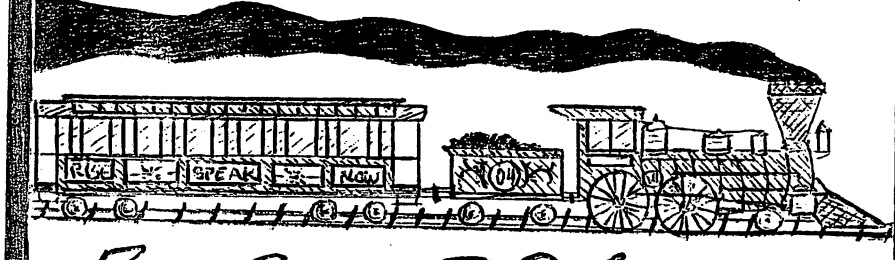
THE DARK SIDE OF UTAH

Judicial misconduct, prosecutorial misconduct, ineffective counsel - together with fabricated and mishandled evidence - contradictory story, perjury and this evidence portrayed as truthful - convicted VONBERG ... and maintained his conviction.

State agencies - the courts included - of which the public is lead to believe are here to help them. Have chosen to cover up this abuse of their constituents, rather than discipline them - as they are charged.

Silence is betrayal. Give flesh to justice.

RAILROADED



By Corey Vonberg 2015

Laws are established for the citizenry and public servants they elect - or who are appointed into office - to follow. So why is it - a public servant can run amock - spiting the laws they swore to uphold - on behalf of the people, and remain unaccountable for breaking them?

The good ol boys have there backs - thats how. The State agencies that are charged with disciplining these constituents - are in fact protecting them. Turning a blind eye on the truth, and expecting that a song and a dance should be accepted as remedy.

Wrong. Injustice is an outrage. Silence is betrayal.

Keith C. Burns [retained trial counsel] provided Vonberg with no defense. He facilitated the fabricated evidence and witness testimony against his client to convict. Also concealing forensic results that established the State manufactured multiple counts against his client. He refused to call any witnesses - even the one on his list - who was accused of facilitating the abuse his client was on trial for. As such, having a hand in railroading Vonberg

Jack Burns ineffectivness and incompetence is clearly established and exposed by his own words "I represented my client [Vonberg] to the best of my ability."

Rather than file a new brief on behalf of Vonberg in the Appellate Courts - he plagiarized Jackson's losing brief clear down to his personal opinions. Mr Burns ability couldnt even form any opinions of his own. And by raising no U.S. Constitutional violations Jackson/Burns barred Vonberg from seeking relief in the federal Courts. Burns received $1,900.00 for copying the Jackson brief.

- for more details check out -

givetleshtojustice.com

he signed the States Motion identifying Mr Keith - his client, as a C.I. [against his client Vanberg] and didnt tell anybody - or place it in Vanbergs file for future counsel - then he agreed to post pone Vanbergs preliminary hearing without ever seeing or consulting with his client to reveal these new details - then he conflicts out of the case [which is then handed over to the C.I.'s employer to represent Vanberg]

Six months later, Jackson makes a deal with Mr. Keith's employer to come back onto the case - then conflicts out again just before trial - as how can he cross-examinate his client.

Still representing Mr Keith, Jackson is assigned to Vanbergs appeal - during which he writes to inform Vanberg that if Vanberg doesnt shut up - and stop demanding this his concerns be addressed - it wasnt uncommon for him to file a losing brief, and he would do the same on Vanbergs behalf - and did so - and was removed from the appeal due to the conflict he originally had.

William H. Leigh employed the States witness - the C.I., granting him access to Vanbergs client file - as Mr Keith was the paralegal assistant in his office. Ms Leigh also compeled Vanberg to waive his preliminary hearing. The only reason he would force this issue is because he couldnt question his employee who was expected to testify against his client. Later Mr Leigh conflicts out of the case because of this - and makes a secret deal with Mr Jackson - so he could come back onto the case and continue to twart Vanbergs defense.

Contents

Utah Governors Office _ _ _ _ _ _ _ 3
Utah Board of Pardons & Parole _ _ _ 4
Utah Judicial Conduct Commission _ _ 4
Utah State Bar _ _ _ _ _ _ _ _ _ _ 5
Utah Ethics & Discipline Committee _ 6
Utah Peace Officer Standards & Training _ 8
Utah Department of Public Safety _ _ _ 9
Utah Administrative Office of the Courts _ 9
Iron County Judicial misconduct _ _ _ 10
Iron County prosecutorial misconduct _ _ 12
Iron County law enforcement misconduct _ 15
Ineffective assistance of Counsel
J. Bryan Jackson _ _ _ _ _ _ _ 16
William H. Leigh _ _ _ _ _ _ _ 17
Keith Barnes _ _ _ _ _ _ _ 18
Jack Burns _ _ _ _ _ _ _ 18

In Loving memory of my Mom & Grandma P.

In 2008 VONBERG notified Governor HUNTSMAN about how the UTAH Department of Public Safety, the Utah State Bar, Utah Judicial Conduct Commission and other state agencies were not operating as the citizenry is lead to believe.

Mr Huntsman had the Utah Board of Pardons & Parole respond on his behalf. Kent Winsor reported " Your [Mr Vonberg] letter [to the Governor] expresses frustration of repetitive attempts to have various people [public servants] and [state] entities fight your battles and the repetitive communication goes without response. That is their option and we may do the same."

Vonberg contacting State agencies charged with disciplining the public servants he was complaining about - was by no means an attempt to have anyone fight his battles. He was only asking that these agencies honor their charge - by holding these corrupt constituents accountable.

These agencies - under the governors watch - are permitted to operate contrary to their duties.

In 2009 VONBERG notifies Governor HERBERT about how the 5th District Court in Cedar City would not let Vonberg petition for Post-Conviction Relief in this - OUR court.

Article 7 section 5 of the UTAH Constitution, obligates the governor with seeing that the laws of this State are faithfully executed. - But Mr Herbert tells Vonberg to take the issue up with the court. A court that signed for the Petition twice - and said they never received it.

Detective Edwards sat their as the story he coached the presentation of - unfolded.

How does one know he coached the story? Because he briefed Hollingshead about what he could expect to hear. None of which was written in the journal. Even though they insisted it was. Then didn't tell the Judge about the journal when seeking a warrant.

Mr Hollingshead didn't even ask to see the journal - and Detective Edwards did not seize it - until 38 days later.

Detective Edwards does not seize a computer allegedly used to view gay pornography - that later forensic results demanded by defense, showed was manufactured to deceive authorities. Even at trial when Edwards hears the forensic testimony, he was lied too - he said nothing to correct the record prosecutors portrayed to intentionally mislead the jury.

Detective Edwards has the States Confidential informant change his story about talking with prosecutor Troy Little - to speaking with prosecutor Scott Garrett. Mr Keith readily changes his story to comply with Edwards wishes.

Detective Edwards does not investigate his C.I.'s / Mr Keiths allegations of an accomplice to the crimes he was turning States evidence on.

Detective Edwards "investigation" followed no policy and procedures - as none exist. He souly went on his inspiration, took two statements - concealed exonerating evidence - investigation closed.

J. Bryan Jackson had no intention of ever defending Vonberg. First shown in that he

says Vonberg is corrupt, for seeking to hold these officials accountable - and by preserving his Constitutional rights to challenge this illegal conviction. Where is the justice in that?

Before Vonberg was sentenced - the states puppet, Mr. Keith was arrested for obstructing justice - as witnessed by, and sworn to by Officer Malcom of the Cedar City P.D.. But these prosecutors who used this man to convict - found Officer Malcom's eye witness account - insufficient evidence to prosecute Mr Keith on. Therefore Mr Keiths integrity couldnt be challenged at Vonbergs sentencing.

Mr Keith was not only represented by Vonbergs attorney - Bryan Jackson. He was also employeed by Vonbergs attorney William Leigh, as a paralegal assistant - granting Keith access to Vonbergs client files to do with as they pleased.

Evidence shows Iron County Sheriff's Detective Jody Val Edwards not only allowed a false statement to be made against Vonberg - he encouraged it, and arranged for it.

Law enforcement is presented with a journal entry of a violent sexual assult occuring in a bedroom - of which resulted in bruising.

Detective Edwards himself reports he personally phoned Mark Hollingshead several times to brief him on what he would be hearing to have occured, during his interview - that Detective Edwards would be sitting in on.

Multipul times during the interview it is expressed that what is being related - was written in a journal - an entry now being elaborated on - at that time.

In 2008 VONBERG's mom wrote to the Utah Board of Pardons & Parole - to voice her concerns about her son's legitimate complaints, to State agencies being dismissed as frivolous, meritless, or outright ignored.

Senior Hearing Officer, Kent Wm. Jones writes her a letter on Christmas Eve, telling her "Although you may suspect that government officials are corrupt and prejudice, we see just the opposite,.. Although you believe that Corey's letters have been ignored by agencies within Utah, we think the opposite is true. Evidence would show that it is Corey who has ignored the legal and lawful decisions of the Court..."

By appealing his conviction - and seeking to hold the corrupt officials accountable for unlawfully imprisoning him?

VONBERG has only sought redress in State agencies established to handle complaints - and the Courts to preserve his legal and Constitutional rights. And THE STATE OF UTAH finds that corrupt - No wonder Vonberg can not get any headway in overturning his conviction - as the states position here lacks any fidelity whatsoever.

In 2010 VONBERG filed a complaint with the Utah Judicial Conduct Commission. He sent Court transcripts that showed Judge Westfall had directed Iron County prosecutors - prosecuting Vonberg - to select counsel for their adversary - they intended to convict.

The law [Criminal code §§77-32-302] obligates the Court with selecting and locating conflict counsel for defense.

not prosecutors - for the obvious reason - Why would they try and find an attorney who would challenge them.

Collin Winchester - who investigated, said these transcripts were insufficient evidence of judicial misconduct.

When the citizenry has the right to fundamental fairness in the courts - only on the basis of fraud and deceit, could Mr Winchester truely base his findings.

Mr Winchester also said the court transcripts of Judge Westfall ordering defense counsel to find a replacement counsel for him - was insufficient aswell to prove Judge Westfall was abusing his judicial duties. As such - covering for a corrupt judge - to ensure these dirty secrets are not exposed. Rather then punishing this corrupt Judge - G. Michael Westfall.

In 2010 VANBERG files a complaint with the Utah State Bar. Inwhich he notifys them that Iron County prosecutor Troy Little has been selecting defense counsel - as exhibited by the 7-10-07 transcripts that show Judge Westfall ordering Mr Little to find VANBERG an attorney.

Westfall states "Im disqualifying him [J. Bryon Jackson] because of a conflict... Mr Little [Prosecutor] you will need to make arrangements." [To locate defence counsel]

Mr Little said he'd need a couple weeks to find someone.

Margaret Wakeham of the State Bar rebukes Vanberg for claiming this by saying "... neither Mr Little [Iron County Prosecutor] nor any other prosecutor chooses defense counsel for a criminal defendant... the Court is respon-

Nevertheless - in their closing argument prosecution said contrary to forensic evidence - that this computer had porno on it.

Prosecution also attested to the validity of a journal entry that recorded a violent assult that was read to the jury different than written - testefied as being fabricated souly for the attention - and the entry different from what the witness orrginally presented it - nearly two years earlier to authorities. Yet prosecution presented it as valid evidence that the different crimes Vanberg was charged - actually occured.

Prosecutor has a duty to correct what he knows to be false, and ellicit the truth. But he does the opposite, debunking the truth. He said the forensic testimony inwhich the computers were shown to be fabricated - was "goofy" testimony that didn't pertain to the case - and had been discredible as the computers had been used contray to the forensic findings

Prosecutors also conceal forensic findings that they had literally manufactured multipul counts against Vanberg, without performing an objective investigation.

Prosecutors also selected many of Vanberg's attorneys pre and post conviction.

In hand with law enforcement, [Detective Cody Edwards] prosecution concealed the fabricated evidence, i.e., the computers and journal - from the Information they presented to the judge in seeking Vanberg's arrest warrent. An act that is highly suspect that they were aware - from day one this evidence was presented to obstruct justice, rather then serve justice. And the STATE OF UTAH

To help them convict VANBERG, Iron County Attorneys and Iron County Sheriff planted a puppet in with Vanberg while he was incarcerated. This puppet named Shawn Keith, had two conversations with law enforcement about the case prior to turning states evidence - One with the prosecutor himself, and the other with the investigating detective Jody Edwards. Both of whom are expected to have tampered with Mr Keiths statement. A statement that was not investigated to cooberate the validity of, i.e., an accomplice and other illegal activities.

Prosecutors were also aware Vanbergs attorney also represented Mr Keith at this time - a J. Bryan Jackson P.C. Jackson and the prosecutors colluded to have Mr Keiths jail sentence stayed, [Keith never having to serve his last 3 days] because Keith had been an acting confidential informant within the jail, against Vanberg.

At trial prosecutors lied to the jury about who Mr Keith truely was, i.e. a Confidential informant. Rather they introduce him as a man that had a little drinking problem, that did the right thing by coming forward on his own accord to turn states evidence against Vanberg.

Prosecution by allowing false testimony, fabricated and tampered evidence - Supported their witnesses in obstructing justice - Convicting Vanberg at any cost.

Take for instance the two computers prosecutors seized without maintaining Chain of Custody records on, and evidence they fought against having the jury informed of. The computer that was supose to have pornographic internet files - had never been connected to the internet - and the second computer showed tampering, perhaps by prosecutors.

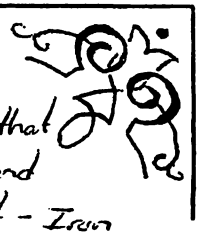
sibility..., and the prosecutor has no authority to usurp [seize the power of] the will of the court by choosing or hiring someone different." [for the defendant.]

Ms Wakeham, in spite of this transcript - calls Vanberg a lier, for reporting this.

Vanberg also complained about his second appellate counsel [Jack Burns] plagiarizing Vanbergs previous attorneys brief - that J. Bryan Jackson submitted to loose Vanbergs appeal. Ms. Wakeham says she will address this issue - but gets lost in a tap dance of other issues, and ignores the topic for ever more.

Ms Wakeham also falsely alleges that the Utah State Bar is not charged with disciplining its members.

So why do they exsit - too conceal fraud.



Due to the Utah State Bars bogus denial(6), Vanberg filed a complaint against Ms Wakeham that ended up before the Utah Supreme Court Ethics and Discipline Committee. That addressed in part - Iron County Attorneys had selected defense counsel - and Wakeham had never addressed Jack Burns plagiarizing the Jackson brief.

The Chair, Geoffrey Haslam covered for Ms Wakeham's incompetence, by alleging there was no evidence prosecutors hired/selected Vanbergs attorneys - nor of Mr Burns plagiarizing the brief - when copies of both were provided, inwhich Burns incompetence, that exposed him as such - showed him plagiarizing Jacksons own opinions - and presenting them as his own. How is that insufficient? Jack Burns couldnt even for his own opinions.

Promptly VONBERG files a complaint against Mr Haslam. The Chair, Katherine Venti backs up Haslam and Wakeham, by claiming there is no evidence of prosecutors usurping the will of the Court, nor of Jack Burns plagiarizing the appellate brief that Jackson wrote.

Ms Venti reports Vonbergs complaints are intent to be harassing to Utahs decisson makers - that dont give rise to unprofessional conduct, and are theoretical in nature.

The proof of the unprofessional / abosive power, is overtly shown in the transcripts and briefs. This Committee's findings are fraudulent, protecting the corrupt.

As such a complaint was filed against Ms Venti - being the Ethics Committee - VONBERG expected to find someone to reperd appropriately.

Chair, Bruce A. Maak responds by saying the briefs that are exactly the same - of Burns and Jackson - nor the Court Transcripts of prosecution / Troy Little openly accepting to select defence counsel - are not credible evidence to support misconduct. Mr Maak blackballs Vonberg from making a complaint against him, by reporting all future complaints filed by VONBERG will be ignored.

Vonberg informed the Utah Supreme Court Justices that this Committee, operating under the Courts name, is itself - corrupt, by denying relief to a legitimate complaint (s), and by barring future ones. The Supreme Court said that they honor this committee's decisions without question.

Corruption is shown to operate from the bottom to the top in this den of public servants - self serving fraud. Each one covering for the other - so nobody gets in trouble,

to locate. Even though its against the law. Also during this hearing - Judge Westfall discusses an incident involving two of Vonberg's attorneys back in 2004. It entailed Jackson - who is being removed from the appeal [who represents the states witness - he conflicted out of the case twice over, allready.] making a deal with William Leigh [Who employee's this states witness in his law office,] for Jackson to come back onto the case [he has a documented conflict in allready]. Jackson agrees this is so. Judge Westfall showed no concern.

It is the Judges duty to inquire about, and avoid potential conflicts between defense counsel and their prospective clients. To bad Judge Westfall could care less about Vonberg's rights. Who serves who?

Iron County Attorney's Office - Scott Garrett and Troy Littles corrupt nature is overtly shown in that they - the Codefendants in Case No 090500037 accepted the case file - presented illegally to them by Brent Johnson, General Counsel of the Administrative Office of the Courts - to determine if they or their Codefendants should be prosecuted for the allegations VONBERG raised against them.

Of course they wouldnt want to be prosecuted - so they accepted it - and concealed it from the Utah Attorney General - to whom it should have went - for eighteen months they colluded in keeping the case's accusations out of the hands of proper authorities - in fact they never returned the files against them to the court.

This is one of many examples of the degree's these public servents will go to conceal his true nature of fraud.

County lacks a Legal Defenders Office [as is the case in Iron County.] it is the Courts responsibility to select and assign counsel [Conflict] for defense.

Rather then that, Judge Westfall orders prosecutors to perform his duty - a responsibility they gladly usurp. Judge Westfall has ordered defense counsel to locate new defense counsel to replace himself with. And has knowingly allowed attorneys to make deals to swap places in a case.

Three examples of this abuse are;

1) On 11-29-05, Vonberg's defense counsel Randal Allen tells the court he has a conflict in this case, because his client fired his partner Mr Barnes. [for throwing his trial]. Judge Westfall tells Allen to find a replacement for himself than. Allen refuses, with the defense of "I don't mean to be a stinker." Westfall tells Allen to take it up with prosecutors - of whom he expects will help him out - as they sit there, Knoding their consent. 2) On 2-7-06 Judge Westfall enters into collusion with prosecution to exclude all of Southern Utahs attorneys from representing Vonberg in this case. Based on prosecutors assertions that they had allready called all of the areas attorneys, who refused to accept the case based on Vonberg's reputation. Judge Westfall tells them to look up in Salt Lake or the Fourth District then. Prosecution agrees this is a good idea.

As prosecutors are the only ones on record to have contacted all these attorneys - and there was no press coverage of anything bad - What were the prosecutors telling them to dissuade their interest? 3) On 7-10-07 Westfall removes Vonberg's appellate counsel, after briefing - because of the "Keith" conflict. New counsel is on prosecution.

In 2007, Vonberg filed a complaint with Utah Peace Officer Standards & Training (P.O.S.T). It concerned how the investigating authority - against Vonberg - That is, Iron County Sheriffs Detective Jody Edwards had not been involved with the seizure of computer evidence - that forensics established had been fabricated to procure Vonberg's arrest. Another computer had shown intentional tampering. Evidence that the States witnesses obstructed justice - and law enforcement did nothing to these people for fabricating and tampering with evidence - seized by prosecutors.

On June 11, 2007, Bureau Chief Lt. Steven Winward wrote to inform Vonberg that his office is charged with investigating illegal and other misconduct of peace officers. that involve any conduct or pattern of conduct that would tend to disrupt, diminish, or otherwise jeopardize public trust and fidelity in law enforcement.

Lt. Winward determined this was a matter of evidence handling [By prosecution] - not police misconduct.

Detective Edwards claims he wasn't even aware that these computers had been seized, on 5-19-05 & 6-14-05, until the case went to trial. At which time he found out they had fabricated use - and tampering - illegal acts of his witnesses he remained silent about - as not to diminish or otherwise jeopardize the States case against Vonberg

In seeking redress · VONBERG was contacted by Deputy Commissioner Rich Townsend who reported that P.O.S.T. does not, nor ever has investigated matters such as these.

Why is it Lt. Winward said they did then?

South Chicago ABC
Zine Distro
P.O. Box 721
Homewood, IL 60430

Due to P.O.S.T. giving Vonberg conflicting information about what their duties consist of - Vonberg sends a complaint to Utah Department of Public Safety - in which the credentials - Mark O. Gower needs to be Sheriff of Iron County are requested.

The Department of Public Safety (D.O.P.S) doesn't respond, so a follow up letter is sent. Again they ignore it, and other inquiries aswell.

On 2-10-10 the DOPS sent prison officials in to interrogate Vonberg. At the meeting they waived a half inch stack of letters Vonberg wrote to the DOPS stating "Look at all these letters - it's inmates like you that give prisoners a bad name." They glared in rebuke. Vonberg gasped in disbelief saying "But they wouldn't respond to my mail - thats why there is so many letters. They were ignoring me. How does that make me bad? I was only asking them to do their job. Read them, you'll see they wouldn't respond."

Prison officials were suprized that the DOPS would ignore a lowly prisoner - and let Vonberg glance at Sheriff Gowers certificate of completion, and directed him to stop inquiring into Sheriff Gowers credentials.

General Counsel, Brent Johnson of the Utah Administrative Office of the Courts - usurped the will of the Court / Judge Westfall, by ordering the case file Judge Westfall was a Co-defendant in, and Presiding over - be given to his Co-defendants in

the Iron County Attorney's Office, to determine if they should be prosecuted for the grounds raised by Vonberg. When this case file was supose to be sent to the Utah Attorney General for investigation.

For a year and a half, these defendants hid this case file from the AG's office. Meanwhile Mr Johnson is telling Vonberg "Just because you don't think anything is happening in the case - doesn't mean that its so.

After the AG receives it. Patric Nolan reports the case is under investigation, and Vonberg will be notified at its conclusion.

Two and a half years pass without word. Then when Mark Shurtleff is forced to resign, and John Swallow takes over - Mr Swallow disregaurds Patrice Nolan's investigation into the case - and Motions the Court to dismiss it - because they don't understand the accusations.

It takes them two and a half years to determine they don't understand what the defendants in Case No 090500037 are accused of?

Judge Shumate grants their motion - as such covering up for his corrupt constituents - he certainly rubs elbows with.

Judge G. Michael Westfalls willfull misconduct is shown in part by him directing prosecutors to select their adversaries counsel.

Utah Criminal Code 77-32-302 states that if a