

**From:** Samuel Lipari saml@medicalsupplychain.com

**Subject:** City of Independence Continues Civil Rights Violations 42 USC 1983

**Date:** January 2, 2014 at 8:56 AM

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Notice Link: <http://bit.ly/1aqvXnT>

January 2, 2014

Hon. Don B. Reimal,  
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Dear Mayor Reimal,

I am sorry to inform you that I was unsuccessful in limiting the City of Independence's liability to me for your council's policy to have Chief of Police Tom Dailey participate in unconstitutional conduct by a state/federal task force to knowingly cause the foreseeable violations of citizens' rights. I had talked to your City Council Aide Sheila Saxton who referred me to your municipal prosecutor Mitchell Langsford.

Mitchell Langsford confirmed that your city policy was to prosecute me for the nonpayment of property taxes despite my evidence that the state would not allow the vehicle to be registered due to a balance owed on property taxes for my 2004 Audi A8 L sedan with the VIN # WAUML44E84No23747. My evidence showed that the City of Independence Police under the supervision of Chief of Police Tom Dailey refused to take a police report on the theft of the vehicle by Chris M. Troppito and the former Jackson County prosecutor Toni R. Miller in a scheme with the W.D. of Missouri U.S. Department of Justice Office to keep me from entering the national market for hospital supplies.

The City of Independence Prosecutor Mitchell Langsford believed that the city had no liability for participating with Chris M. Troppito and Toni R. Miller in the scheme and Langsford had no desire to prevent the foreseeable jailing and fining of myself as the most recent acts in furtherance of Troppito, Miller and Chief of Police Tom Dailey's concerted action with the USDOJ to violate my constitutional rights to property, liberty, due process, and equal protection when Troppito and Miller failed to obtain a judgment of replevin in Jackson County Missouri Associate Circuit Court case no. 0916-CV29828 and had to dismiss the action.

Understandably, Municipal Judge Garry L. Helm refused to consider any evidence related to the City of Independence's role in preventing me from being able to register my vehicle and pay property taxes on it to the state. But Judge Helm took the unusual step of prejudicially marking "overruled" on the evidence I proffered him and ordering the \$300 fine in the absence of any evidence presented by the prosecutor.

Clearly, I did all I could do on your behalf to attempt to mitigate or even prevent this most recent injury to me that re-clocks the applicable statutes of limitations where the City of Independence is jointly and severally liable with the federal officials misusing their office to violate my constitutional and federal statutory rights under color of state law in conspiracy with Chris M. Troppito and Toni R. Miller.

The City of Independence, its police officers and Chief of Police Tom Dailey have no immunity or qualified immunity under 42 U.S.C. § 1983 for conspiring to retaliate against me for the exercise of my First Amendment right to seek redress in court for being kept from entering the national market for hospital supplies or for Chief of Police Tom Dailey conspiring to deprive me of due process, equal protection, and the taking of my property without compensation. See *Jones v. McNeese*, 675 F.3d 1158, 1161 (8th Cir. 2012) and the City of Independence, its officers and Chief of Police Tom Dailey are subject to what now amounts to state action in violation of 42 U.S.C. § 1983 under *Green v. State*, 734 F.Supp.2d 814 at 830 (E.D. Mo., 2010).

Chief Tom Dailey is the final policy making authority (*Ware v. Jackson County, Mo.*, 150 F.3d 873 (C.A.8 (Mo.), 1998)) sufficient to subject the City of Independence to liability for the policy of not taking the police report about my stolen vehicle, which the City of Independence Prosecutor Mitchell Langsford reaffirmed to me was the official policy of the City of Independence on the day of my hearing. See *Ware v. Jackson County, Mo.*, 150 F.3d 873 (C.A.8 (Mo.), 1998).

Chief Tom Dailey's policy to not take the police report of a stolen vehicle connected to the private failed civil court attempt to obtain the title to the Audi through a scheme by W.D. of Missouri U.S. Department of Justice Office to commit fraud in procuring a replevin judgment that Chris M. Troppito and Toni R. Miller had to abandon when the evidence showed they had no enforceable contract and payments that I was not late on the automobile used by me in my business, violated my right to equal protection

contract and payments that I was not able to use the automobile used by me in my business, violated my right to equal protection under the constitution on its face. However, because Chief Tom Dailey was acting in furtherance of the USDOJ scheme in addition to participating in "joint federal/state task force" actions to violate the Fourth and Fifth Amendment rights of myself and specifically targeted family members thought to be supporting me in my advocacy against the Novation LLC Cartel's monopolization of the national market for hospital supplies out of retaliation for that advocacy, Chief Tom Dailey violated a "clear constitutional duty" despite "clear constitutional guideposts" Chief Tom Dailey was responsible for knowing.

Chief Tom Dailey's conduct in enforcing the unconstitutional policy of not taking the stolen car report and to in participate the joint federal/state task force to target myself and my family members for my advocacy was itself a violation of 42 U.S.C. § 1983 conspiracy. See *White v. McKinley*, 519 F.3d 806, 814 (8th Cir. 2008). When I go to court, I will not be required to show that Chief Tom Dailey or each City of Independence participant in the conspiracy knew "the exact limits of the illegal plan," but instead I must only show "evidence sufficient to support the conclusion that the defendants reached an agreement to deprive the plaintiff of constitutionally guaranteed rights." *Larson by Larson v. Miller*, 76 F.3d 1446, 1458 (8th Cir. 1996).

I fear you have been emboldened to permit my constitutional and federal statutory rights to continue to be violated because the W.D. of Missouri Chief Judge Fernando J. Gaitan Jr., and former W.D. of Missouri US Attorney and now Federal District Court Judge Mary Elizabeth Phillips openly and notoriously participated in the conspiracy to keep me out of the national market for hospital supplies monopolized by the Novation LLC cartel where Chief Judge Gaitan was on the board of directors for the Novation Cartel health system St. Luke's and then US Attorney Phillips at the direction of US Senator Claire McCaskill used Phillips' office to enforce the cartel's monopoly.

The City of Independence Prosecutor Mitchell Langsford has also informed me that your city does not receive any state funds so that you do not have any incentive to stop violating federal and state statutes that would have kept so many of our state's employers from having to close down or drastically curtail their employment of Missouri's citizens and which directly led to consecutive shortfalls of over \$400 million Dollars in each of our state's annual budgets. I think I will find as I am working with our state's legislators at Jeff City in January and February that funds preserved for Independence might be better utilized to restore the economic damage to our state caused by the W.D. of Missouri U.S. Department of Justice Office and your city's violations of the constitution at their direction.

It may still be futile to seek redress in Missouri state or federal courts against your misconduct. But, I caution you. I am a plaintiff in an action in the District of Columbia against Chief Justice John G. Roberts to obtain prospective injunctive relief to reform the way federal court judges are disciplined and with the success of a related case there, it is likely that your protection for participating in the crimes of W.D. of Missouri U.S. Department of Justice Office will come to a shocking end for the City of Independence.

I urge you to seek competent legal counsel now that you and the other council members have notice as a policy making body and that you refrain from any further targeting of myself or my family members or associates. Furthermore, any new failure to protect my rights on the part of any City of Independence employee will result in the liability of your city.

Sincerely,

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cc: Don Reimal - Mayor  
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Chris Whiting - At-Large  
Jim Schultz - At-Large

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