

In The United States Bankruptcy Court
For The Eastern District of Tennessee
Southern Division At Chattanooga

In Re Nathan E. Brooks

BK. No. 04-15901

The Board of Professional Responsibility
Of The Supreme Court of Tennessee,

Adversary No. 04-1290

Plaintiff

v.

04-1274

Nathan E. Brooks,

Defendant

And

Nathan E. Brooks,

Petitioner

v.

The Honorable E. Riley Anderson,
Chief Justice of The Tennessee Supreme Court

And

The Board of Professional Responsibility of The
Supreme Court of Tennessee,

Respondents

FILED
2005 SEP 19 P 3:03
U S BANKRUPTCY COURT
CHATTANOOGA, TN

Affidavit In Support of Petition For Writ of
Mandamus and In Support of Motion To Show Cause

Comes now Nathan Brooks, Pro Se, and being duly sworn as required by law makes oath and says as follows:

I am 49 years of age, and my date of birth is October 5, 1955. I will be fifty years old on my next birthday. I have acted as a lawyer, investigator, or law clerk for all my adult working life with the exception of the time that I have been suspended. I have no residual skills with which to earn a living and support my child. I have for the past four years acted as a claims adjuster for two small trucking companies at a small salary. I was laid off as claims manager for S&H Trucking, Inc. approximately three weeks ago.

I suffer from permanent nerve damage in my feet, hands, and extremities as a result of the disease diabetes. I cannot engage in extended manual labor to support myself. I am not a skilled artisan.

From during or about 1992 until 1998 I acted as a private attorney general of The United States in numerous cases asserted pursuant to 42 U.S.C. sec. 1983 in Southeast Tennessee. Many of these cases were filed against rural sheriffs in southeast Tennessee, and alleged official misconduct and official corruption. The major series of official corruption cases that I filed, I filed and prosecuted against Neal Leon Sneed and numerous deputies of the Rhea County Tennessee Sheriff's Department. In retaliation for these suits, Sheriff Sneed and others acting in concert with him filed in excess of 80 false disciplinary complaints against me with the respondent Board of Professional Responsibility of the Tennessee Supreme Court (hereinafter BOPR). William H. "Trip" Hunt, III investigated these complaints and during or about 1994 determined that they were false and fraudulent and filed against me at the instance of Sheriff Sneed and his attorney Arnold Fitzgerald.

In 1996 I ran for Attorney General of Hamilton County Tennessee on a platform calling for aggressive prosecution of officially corrupt politicians and official corruption in narcotics trafficking.

In October 1996 my daughter was the victim of an aggravated assault, and I threatened to kill the man who assaulted her. I was held in contempt. James Vick, an attorney with BOPR, then resuscitated the false disciplinary complaints that had been filed against me and numerous other false complaints that were being filed against me, and informed me that if I did not plead guilty to a two year term of suspension that he would seek my life disbarment. My retained counsel, a former hearing panel member of BOPR, informed me that if I did not take the offer of Mr. Vick that he would abandon me.

At the time this plea offer was tendered to me I was an undiagnosed diabetic, and was very ill. Diabetes is a disease that affects ones ability to make an informed decision, and is very debilitating when one is under stress. While ill from diabetes, and threatened with abandonment by my counsel, and while threatened with life disbarment by Mr. Vick, I plead guilty to a two-year term of suspension.

My plea was not knowing, intelligent and voluntary, but was the result of coercion and extortionate threats.

For the past four years I have been attempting to obtain a hearing from a hearing panel of BOPR to no avail. The Tennessee Supreme Court has ruled that I may not have a hearing until I have paid approximately \$8000.00 in costs and restitution. The alleged restitution is the result of an extortionate scheme perpetrated by Mr. Vick, Sheriff Sneed and Mr. Fitzgerald. I cannot pay this money back because it is the fruit of extortion, and I will not participate in an extortionate scheme, nor will I be victimized by it.

BOPR, acting in its direct capacity as an arm of the Supreme Court of Tennessee, refuses to return my license to me solely because of the aforesaid debt that was obtained by fraud and extortion.

The Tennessee Supreme Court and BOPR's refusal to permit me to have a hearing or permit me any relief as to the return of my license is because it is acting in retaliation against me for suing numerous governmental entities in Tennessee on behalf of the citizens of Tennessee while I acted as a private attorney general of the United States pursuant to 42 U.S.C. sec. 1983, and said respondents are using the aforesaid debt as the

sole basis for refusing to surrender my license with the intent to forever bar me from the practice of law and forever bar me from acting again pursuant to the Constitution of the United States and 42 U.S.C. sec. 1983 et . seq.

I have no job, because I have been laid off. The aforesaid common scheme and plan of the respondents has destroyed my reputation, and I have had great difficulty securing and retaining gainful employment since my suspension. I am without diabetic medication and have no health insurance. Unless the court grants an immediate hearing in this matter I will suffer immediate and irreparable harm.

And further affiant sayeth naught.


Nathan E. Brooks, Pro Se

Sworn to and subscribed before me this 19th day of September 2005.


Notary Republic or Deputy Clerk, United States Bankruptcy Court

My commission expires: My Commission Expires May 8, 2006

