In The United States District Court
District of Arizona

Mitch Taebel,

Plaintiff.

v. Case No 2:21-CV-01294-PHX-ROS (CDB)

Donald Trump, former President of The United States,

Doug Ducey, az governor,

Mark Brnovich, az attorney general,

William g. Montgomery, County Attorney,

Maricopa County,

Defendants.

Second Amended Complaint

Plaintiff was detained in Maricopa County jail for over three years before the charges against plaintiff were dismissed. Respondent's customs, policies, deliberate and reckless difference has cause substantial violations of Plaintiff's U.S. Constitutional Rights. Respondents intentionally violated clearly established law. No reasonable government employee could have thought it constitutional to kidnap someone and detain them without due process of Law, in violation of speedy trial and without bail. Plaintiff was detained by a $400,000 "cash only" bail initially

however instead of reducing the excessive bail the court revoked plaintiff's bailable status and unconstitutionally ruled plaintiff unbailable for most of the detainment. The entire Arizona case has been included on a Disc as Exhibit 1. Plaintiff was kidnapped January 24th 2018 in retaliation for filing several lawsuits in Federal Court including one filed the very morning of the kidnapping, See No. 1:18 cv 00192-TWP-MJD. Plaintiff had also filed a Constitutional challenge arguing the U.S. DOJ was unconstitutional and should be shut down because of their failure to enforce the U.S. Civil Rights Act, See 1:18 cv 00025-VJW; See Mississippi Burning (1988). Plaintiff refused to stop for an unlawful traffic stop "Obviously, however, one cannot be punished for failing to obey the command of an officer if that command is itself violative of the constitution.", Wainwright v. City of New Orleans, 392 U.S. 598 (1968)(Douglas); Badelk v. U.S., 177 U.S. 529 (1900); A.R.S. 13-404B(2). Officers used unconstitutional deadly force and committed seven counts of felony assault by use of spike strips on the highway and a PIT before the kidnapping. The Helicopter video shows Plaintiff was driving the speed limit and stopping at red lights before Plaintiff was

assaulted by officers, See The Sherman-Sorrells Doctrine; U.S. v. Russell, 411 U.S. 423 (1973). The slow-speed pursuit if officers had a lawful reason to make the stop which they did not would have been a class 2 misdemeanor, See A.R.S. 28-622: orn v. City of Tacoma, 949 F.3d 1167 (9th Cir. 2020). Plaintiff made a Press statement almost fifteen minutes long that Aired on CNN, Fox News and local stations around the country. One commentator said "Future Senator standing there" and another said "This man is my Hero. Finally standing up to the... police state we ALL LIVE IN! If we ALL took this kind of stand, WE COULD LIVE WITHOUT OPPRESSION". Law enforcement made fraudulent statements in the police reports attempting to establish probable cause, See police reports on the Disc Attached. Four of the seven charges were dismissed for lack of probable cause by the grand jury. The remaining charges against Plaintiff were dismissed April 9th 2021. Plaintiff was detained without ever having an adversary detention or probable cause hearing and the courts refused to hear exonerating arguments and evidence proving Plaintiff was kidnapped because of intentionally fraudulent competency proceedings were brought against plaintiff in

order to bypass Due Process and discredit Plaintiff. There is significant violations of the U.S. Constitution by fraudulent competency proceedings brought by this county as confirmed by the ACLU over the phone the other day. Plaintiff met a lawyer and an accountant with a master's degree who were both in the AZ rule 11 program. Plaintiff was non bailable most of the detainment because of the unjustified restoration to competency program. The state never allowed the defense to make a defense against the unconstitutional arrest. Plaintiff's attorneys appointed by the county acquiesced to the restoration to competency program despite numerous objections by plaintiff. Plaintiff initially paid $10,000 to a private defense attorney who Plaintiff fired immediately after the attorney filed for rule 11 proceedings, See Az Docket history filing on 2/12/18 Motion to Proceed Pro-Per. Plaintiff then sued the attorney for accessory to kidnapping in this court, See 2:18-cv-02916-JAT–CDB. The county granted a media preclusion order in violation of the constitution and against the objections of plaintiff. The county also force medicated Plaintiff without evidence of dangerousness or grave disability. Plaintiff has recently had a SPECT scan of

Plaintiffs brain which proves Plaintiff has a very Healthy brain without mental illness. The scans are included on the Disc and can be compared to the "conditions" on the Amen Clinics website. An unknown officer disclosed Plaintiff's fraudulent criminal record on TV. All of this was done intentionally and maliciously. Plaintiff notified the Governor plaintiff was detained unconstitutionally and requested release on reasonable bail in a state Habeas Corpus, See Taebel v. Ducey CV2018-009066. Plaintiff also sent numerous letters to governor ducey reporting the unconstitutional detainment and kidnapping. Respondent was deliberately and recklessly indifferent. The governor's deliberate indifference to significant wide spread violations of the U.S. And AZ Constitutions which lead the employees or maricopa county to believe they could continue to violate the Law without facing disciplinary action or prosecution. Plaintiff is an out of state resident claiming diversity jurisdiction, See 28 U.S.C. § 1332. Plaintiff did spend several years in High School in Arizona and Graduated in 2005. Plaintiff was a two time state Football Champion an Honor Student.

It is clearly established law that a detainee must have

and adversary detention hearing and must not be detained by excessive or prejudicial bail, See U.S. v. Salerno, 481 U.S. 739 (1987); Lopez-Valenzuela v. Arpaio, 770 F.3d 772 (9th Cir. 2014); Melendres v. Arpaio, 784 F.3d 1254 (9th Cir. 2015). It is clearly established law that a person must not be arrested without probable cause, See Malley v. Briggs, 475 U.S. 355 (1986); Johnson v. Barnes & Noble Booksellers Inc.,437 F.3d 1112 (11th Cir. 2006). Plaintiff was kidnapped by law enforcement, See Manning v. Miller, 355 F.3d 1028 (7th Cir. 2004); Limone v. U.S., 579 F.3d 79 (1st Cir. 209)(Jury Awarded $100 Million for False imprisonment and the victim was probably a career criminal). Of course Plaintiff will sue for more than a career criminal. It is clearly established law that if a state refuses to hear exculpatory evidence the state is liable for the detainment under the Fourth Amendment, Manuel v. City of Joliet, Ill., 580 S. Ct. 911 (2017). It is clearly established law that a state may be held liable for detainment by excessive bail or by fraudulent mental health proceedings, See Wagenmann v. Adams, 829 F.2d 196 (1st Cir. 1987). It is clearly established law that a person must not be detained in excess of speedy trial and shall not be deprived of life, liberty or property without

due process of law. The county granted an unconstitutional media preclusion order despite the numerous objections of Plaintiff. The Supreme Court of the United States however ruled that a media preclusion order was unconstitutional even when requested by the defendant, See Nebraska Press Association v. Stuart, 427 US 539 (1976). The attorneys appointed by the county knowingly and intentionally conspired to violate Plaintiff's Constitutional rights to Assistance of counsel, See Tower v. Glover, 467 U.S. 914 (1984). Plaintiff considered being a police officer for a few years when plaintiff was twenty three. When plaintiff saw the Los Angeles Sheriff's department required deputies to work in jail for a year Plaintiff never looked in that direction again. Plaintiff just spent thirty nine months unconstitutionally detained. Plaintiff was force medicated without evidence of dangerousness or grave mental illness in violation of U.S. Supreme Court rulings and gained over 70 lbs, See Sell v U.S., 539 U.S. 166 (2003). Plaintiff has no mental health issues. This was clearly deprivation of liberty without due process of law in violation of the Fourteenth Amendment and cruel and unusual punishment in violation of the eighth

Amendment. The County Obviously never should have used needles to inject plaintiff with drugs that permanently alter a persons brain and they should be criminally prosecuted. This was "torture" in violation of 18 U.S.C. 2340. Plaintiff experiences severe mental pain knowing plaintiffs brain was never going to be the same. Plaintiff had a six pack when Plaintiff was kidnapped because plaintiff takes plaintiffs career in entertainment seriously. Ryan Seacrest makes over $75 Million per year. Plaintiff studied Public Speaking in College, See Transcripts on Disc. Plaintiff boxed a pro boxer and Won. Pro Boxers now make $275 miller for a single fight. Plaintiff was deprived of liberty without Due Process of Law in Violation of the Fourteenth Amendment. Disclosing Plaintiffs criminal record on TV could serve no purpose other than to discredit and cause prejudice to Plaintiff. "Lawyers and law enforcement personnel should not volunteer the prior criminal records of an accused except to aid in his apprehension or to warn the public of any dangers he presents. The news media can obtain prior criminal records from the public records of the courts, police agencies and other governmental agencies and from their own files. The

news media acknowledge, however, that publication or broadcast of an individual's criminal record can be prejudicial, and its publication or broadcast should be considered very carefully, particular after the filing of formal charges and as the time of the trial approaches, and such publication or broadcast should generally be avoided because readers, viewers and listeners are potential jurors and an accused is presumed innocent until proven guilty.", See Nebraska Press Association v. Stuart, 427 US 539 (1976) (Brennan, Stewart and Marshall, Concurring). All the states actions were "willful" and "grossly negligent", See Smith v. Wade, 461 U.S. 30 (1983). Officers and county officials acted in a manner that No reasonably competent official could have thought was constitutional, See Malley v. Briggs, 475 U.S. 355 (1986). Plaintiff suffered defamation and injury to reputation and professional image. Plaintiff suffered great humiliation, embarrassment and mental suffering as a result of the state's intentional and reckless unconstitutional conduct, See Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics, 403 U.S. 388 (1971). Plaintiff suffered severe mental anguish due to the unlawful detainment and

not knowing when Plaintiff would be released. Deprivation of Liberty without Due Process of Law was worse than death every day.

Amendment XIV explicitly states "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 fourteenth amendment requires that a person who is arrested and deprived of liberty be able to challenge an unconstitutional arrest. The Fourteenth Amendment also requires that bail not be prejudicial. Plaintiff looked at hundreds of bail papers and Plaintiff had clearly the most excessive and prejudicial bail. A $400,000 "cash only" bail could serve no purpose other than preventing Plaintiff from being released. "The amount of $50,000 could have no other purpose than to make it impossible for him to give the bail and to detain him in custody, and is unreasonable. The Constitutional right to be admitted to reasonable bail cannot be disregarded. The judge has no more right to disregard and

violate the constitution than the criminal has to violate the law.", See People ex rel. Sammons v Snow, 349 Ill. 464 (1930). Bail was clearly excessive if Plaintiff was unable to post bail. The state had no evidence of dangerousness or any reason to believe that plaintiff would not appear in court. Plaintiff has never failed to appear in court. Plaintiff filed Plaintiff's College Degree in court a number of times and requested a bail reduction. Law enforcement officers in Arizona are not required to have a college Degree. The Statistics that show Degree holders are not Dangerous Criminals and should be released on reasonable bail is undeniable. Plaintiff is an Award winning Political Filmmaker and any reasonable judge would have immediately released Plaintiff. Amendment VIII of the U.S. Constitution explicitly states "Excessive bail shall not be required". Out of a hundred randomly selected cases with equivalent charges, Plaintiffs is certain to have by far the most prejudicial and excessive bail. Plaintiff will prove this. The county force medicated Plaintiff for malicious and illegitimate reasons as they have done before, See Frost v. Agnos, 152 F.3d 1124 (9th Cir. 1998). This is all clearly in violation of the U.S. Constitution. The charges were

eventually dismissed because Plaintiff was ruled to have been incompetent to stand trial however speedy trial was a contributing factor, "In sum, the body of New York State case law, like the decisions of other states, holds that dismissals for lack of timely prosecution should generally be considered, for purposes of a claim of malicious prosecution, a termination favorable to the accused.", See Murphy v. Lynn, 118 F.3d 938 (2nd Cir. 1997). The Defendants are clearly liable for these pervasive Constitutional violations, Deliberate and Reckless indifference, See Smith v. Wade, 461 U.S. 30 (1983). Respondent Donald Trump's policy and custom and failure to enforce the Civil Rights Act exacerbated the violations of Plaintiff's U.S. Constitutional Rights and was accessory to kidnapping. Plaintiff had friends and family send messages to the President reporting the unlawful detainment. Plaintiff personally sent letters to Donald Trump reporting the kidnapping and unconstitutional detainment. Trump pardoned sheriff Joe Arpaio who was convicted in federal court for illegally detaining people and violating a U.S. Court order less than six months prior to the kidnapping of Plaintiff. This was reckless and only encouraged an already very serious

problem with substantial and wide practice of unconstitutional conduct by maricopa County. Respondent william montgomery was the county attorney who's responsibilities were to oversee all legal matters in maricopa county. Plaintiff sued montgomery, See CV2018-009781. That complaint stated the unlawful prosecution was "against 800% of the evidence". Montgomery's reckless indifference has encouraged the mass unconstitutional conduct within the county and as a result Plaintiff was maliciously prosecuted, unconstitutionally detained and Plaintiff's U.S. Constitutional rights were violated. Plaintiff also sued Defendant Brnovich, See CV2018-005993. All had been notified Plaintiff was unconstitutionally detained. Plaintiff wants to give the driver involved in the accident some of the damages.

"If the law was clearly established, the immunity defense ordinarily should fail, since a reasonably competent public official should know the law governing his conduct.", See Harlow v. Fitzgerald, 457 U.S. 800 (1982). "the Court of Appeals required that the facts of previous cases be 'materially similar' to Hope's situation. This rigid gloss on the

qualified immunity standard, though supported by Circuit precedent, is not consistent with our cases.", See Hope v. Pelzer, 536 U.S. 730 (2002); See also United States v. Lanier, 520 U.S. 259 (1997); Taylor v. Riojas, 592 U.S. ___ (2020). Plaintiff was detained without justification and the county refused to hear exculpatory evidence or legal arguments therefore plaintiff has an absolute right to damages, See Manuel v. City of Joliet, Ill., 580 S. Ct. 911 (2017). All defendants were aware that Plaintiff was unconstitutionally arrested and detained the kidnapping and press statement were viewed by tens of millions of people.

Plaintiff is Running for President of The United States, See WWW.MITCHTAEBEL.COM. The Bible states "One witness is not enough to convict anyone accused of any crime or offense they may have committed. A matter must be established by the testimony of two or three witnesses". The world had better due process of law thousands of years ago. The U.S. Constitution requires at least two. Citizens are being falsely imprisoned all over this country by a single lying witness.

Attached hereto as Exhibit 1 is a Disc that contains a lot

of evidence that proves the unconstitutional detainment of Plaintiff for over three years on the basis that Plaintiff was dangerous and the county was trying to figure out if Plaintiff was competent to stand trial is absurd. Included are 500 items Including: Four videos of Plaintiff's Campaign for President, Two Videos showing Plaintiff is a journalist, Media Coverage showing officers violated pursuit policy, Acting Reel, Acting Resume, a Book written by Plaintiff titled LOOKING OUT FOR AMERICA that has recently been Published on Amazon and is being sold around the World, Photos, AZ Pursuit Policy, Plaintiff's Fly Fishing World Record and more.

Plaintiff demands $1 billion in compensatory and $1 billion in punitive damages.

Dated: October 9th 2021.

Submitted By,

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