

One cannot detect from this Memorandum that Weisberg alleged that he was the victim of this fraud and other misconduct. There is no mention of this and the authorities he cited showing that fraud perpetrated against him is a basis under this rule for relief from the judgement. The government did not deny this, the court neither denies nor in any way addresses it, so it remains undenied that Weisberg is entitled to relief from the judgement because these offenses are specifically included within the rule.

The district court makes not a single reference to any of the numerous proofs in the form of the FBI's own, previously-withheld records rprovided by Weisberg. The defendants not only have not made even a frivolous effort to address this new evidence and/or its undenied meaning. The court does not even claim that this new evidence is not relevant, ~~it~~ is entirely uncontested, the charged felonies are entirely undenied, and instead, flying into the face of all this undenied evidence, the district court merely stated ^{on the court's} that it does not constitute fraud. (Without mention of whether or not it constitutes perjury and misrepresented, as without denial it also does.) ~~and it makes no mention at all of perjury or a misrepresentation~~ and it makes no evaluation of the specifics of adequacy or inadequacy. This new evidence

Weisberg alleged and the district court ignored the undeniable fact that the government presented nothing but what remains undenied perjury, fraud and misrepresentation to procure both the dismissal and the judgement against Weisberg. Neither the government nor the district court cited a scintilla of any other basis for these orders by the district court. It remains without question that the only basis on which the district court could find in favor of the government is the undenied fraud, perjury and misrepresentation. 94

Aside from what this ~~wretched~~ kind of serious official misconduct, more worthy of harshest condemnation because it is, ~~before the~~ in the words incirbed above the door that was always kept securely locked in the Department's main building (until after Weisberg exposed this fact), in that hallowed place, the place of justice, it is apparent that by the very decisions the district court cites Weisberg believes he is entitled to what he seeks and is barely mention in the Memorandum, relief from the judgement against him.

Citing one of its own earlier decisions, the Bulloch court states, "Relief under the rule (60(b)) may be granted when the application is clearly substantiated by adequate proof." (page 719)

Writing one of its earlier decision, the Bulloch court states, "Relief under the rule (60(b)) may be granted when the application is clearly substantiated by adequate proof." (page 719) ^{insert} "I" this instant cause the proof is so adequate that it is entirely undenied, not disputed in any form or manner, not even by inference. *Can it be more "elegant"?*

~~This it can be seen that by the very decisions it cites the district court erred and erred seriously and that Weisberg is entitled to the relief from the judgment that he seeks and is barely mentioned by the district court and that these very decisions state that what he asked with regard to the undenied felonies, a judicial inquiry, is called for and is authorized by them.~~

~~change above re Smith saying there was no fraud on the court to begin, with the same quotes from him following:~~

~~Perhaps to this district court there was no fraud upon it when, undeniedly, 100 percent of what the government used as the basis for its procured discovery and judgment orders is perjury, fraud and misrepresentation, ~~the~~ but this is directly contradicted by the Bulloch court which states in plain language that, and then that quote.~~

~~also include that either the government nor the district court addressed in any way any of the new evidence documents and their clear and undisputed meaning.~~