UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

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| BILLY RAY KIDWELL,  Appellant  v.  FLORIDA COMMISSION ON HUMAN RELATIONS,  Appellee  And  SEAWORLD ENTERTAINMENT, INC.,  Appellee | :  :  :  :  :  :  :  :  :  :  :  : | **Appeal Number 17-11005-G**  **Case No. 2:16-CV-403-FtM-99CM** |

**MOTION FOR THE ELEVENTH CIRCUIT TO START COMPLYING WITH THE UNITED NATIONS CONVENTION AGAINST TORTURE, AND OTHER CRUEL, INHUMAN, AND DEGRADING TREATMENT, OR PUNISHMENT**

*I. This Motion is a Formal Exhaustion of Domestic Remedies, required by the United Nations Convention Against Torture, and Other Cruel, Inhuman, and Degrading Treatment, or Punishment, Prior to Appellant Filing a Complaint with the United Nations Committee Against Torture*

This Court is required by the United Nations Convention on Torture, which was signed by the United States on April 18, 1988, and ratified on October 21, 1994, to hear this motion.

On June 21, 2017 the Appellant-Torture-Victim, *Billy Ray Kidwell*, filed a Motion to Reconsider this Court’s ORDER of May 31, 2017, in which Appellant was stripped of his Fundamental First Amendment Right to Access the Courts, to punish the Appellant-Victim for being a Disabled American Veteran.

Denying the Appellant-Torture-Victim his Fundamental First Amendment Right to Access the Courts, solely because of his Vietnam War Stress Disorder, which was intentionally aggravated by Judges in the Eleventh Circuit, who were knowingly, and intentionally, violating the Medical ORDERS of the Torture-Victim’s Doctors, as they engaged in Medical Depravation Torture[[1]](#footnote-1), constitutes Cruel, Degrading, and Inhuman Treatment, or Punishment, in Direct Violation of the Treaty on Torture.

In Appellant’s June 21, 2017 Motion, the Appellant-Torture-Victim addressed the issue of the inhuman Torture he has received, at the hands of the Eleventh Circuit, and the well-documented attempts to murder him by Eleventh Circuit Judges.

Appellant’s research has established that the United Nations Treaty on Torture requires Appellant to file this Motion, separate from his prior Reconsider Motion.

Should this Court refuse to correct the Treaty Violations, *including compensating the Torture Victim for the harm intentionally inflicted on him by the Torture*, the Appellant-Torture-Victim, *having exhausted his remedies in the Member State*, can file his Torture Complaint with the United Nations Committee on Torture.

*II. The Issues*

The Torture-Victim, *Billy Kidwell*, complains about over Eight (8) Months of Inhuman Torture, resulting from the Intentional Aggravation of his Life-Threatening Stress Disorder by SeaWorld Entertainment, Inc., and SeaWorld’s Attorneys, with the permission, and assistance, of a United Nations Convention on Torture Treaty Member State “*Official*”, *Magistrate Carol Mirando*.

Pursuant to the United Nations Treaty on Torture, any individual that tortures someone, with the permission, or assistance, of a Treaty Member State Official, is guilty of violating the Treaty.

In this case SeaWorld Entertainment Officials, and SeaWorld Attorneys, knowing the Torture Victim has a Life-Threatening Stress Disorder, embarked on a defense of avoiding addressing the merits of the Torture-Victim’s ADA Lawsuit, *which is the issue of the Torture-Victim being discriminated against by SeaWorld because of his ADA-Qualified Disabilities*, and instead SeaWorld “*targeted*” the Torture-Victim’s Life-Threatening, Stress Disability.

SeaWorld engaged in all sorts of misconduct, such as habitually lying in motions, and responses, habitually violating the “*Rules*”, and Suborning Perjury, to intentionally cause the Torture-Victim Massive Undue Stress.

The “*Misconduct*”, and “*Targeting*” of the Torture-Victim’s Disabilities, resulted in Massive Unnecessary Work, and Huge Preventable Expenses, Massively Increasing Litigation, and Work, for the Torture Victim, who is under **Doctor’s ORDERS** not to work.

This intentional “*Targeting*” of the Torture Victim’s Disability by SeaWorld forced the Victim to suffer Sleep Deprivation Torture, Inhuman Stress Torture, and Medical Aggravation Torture, as the Torture-Victim, *Billy Kidwell*, Threw-Up Blood, suffered Chest, and Heart Pains, pains in his Arms, and Shoulder, Trouble Breathing, Light-Headedness, and Passing Out trying to keep up with the massive, undue work SeaWorld wrongly created with their Perjury, and misconduct.

*Magistrate Carol Mirando*, allowed, and encouraged, the Torture, and Targeting of Appellant’s Disabilities by SeaWorld, and SeaWorld’s Attorneys, by rewarding SeaWorld for their misconduct, Attacking the Victim, and threatening the Victim, as *Magistrate Carol Mirando* covered up Intentional Perjury by SeaWorld Assistant Secretary Paul Powers.

The Torture-Victim, *Billy Kidwell*, also complains about the scheme to murder him by United States District Court Judge, *John E. Steele*, using Medical Depravation Torture, denying Kidwell Needed Emergency Medical Care, while Kidwell was actively suffering a Massive Heart Attack, having Heart Pains, Breathing Problems, and Passing-Out, while Throwing-Up Blood.

Both Judge John Steele, and Magistrate Carol Mirando, knew the Torture-Victim is severely disabled, and Under Doctor’s ORDERS not to work.

They knew requiring the Torture-Victim to do massive work, proceeding in this case without an Attorney would greatly aggravate the Victim’s Stress Disability, and could cause his death.

Judge John Steele, and Magistrate Mirando, knew that denying Kidwell Counsel would inflict Massive Inhuman Torture on the Torture-Victim, *Billy Kidwell*.

Judge John Steele, and Magistrate Mirando, knew that with the Torture-Victim’s Well-Documented Medical History the Appellant could likely die if he was forced to proceed without an Appointed Attorney.

According to the Fort Myers United States District Court Website Judge Steele, and Magistrate Mirando have at least Seventy-Five Thousand (75,000) Florida Attorneys available to appoint, and those Florida Attorneys are REQUIRED by the Florida Bar to assist the poor unable to afford counsel.

The only possible reason Judge Steele, and Magistrate Mirando, refused to appoint counsel, for a Disabled Veteran Under Doctor’s ORDERS not to work, who could likely die from doing stressful law work, was to Torture Billy Kidwell in direct violate of the United Nations Convention on Torture, and cause Kidwell’s Death.

The Torture resulted in the Severely Disabled Veteran, *Billy Kidwell*, being rushed to the Emergency Room, and placed on the Heart, and Stroke Ward of the Bay Pines VA Hospital in Saint Petersburg, Florida for a week.

The Torture-Victim, *Billy Ray Kidwell*, is on a Department of Veterans Affairs Heart Failure Program, and is suffering Heart Failure, and could eventually die from the torture he suffered in the Eleventh Circuit.

The United Nations Convention Against Torture, and Other Cruel, Inhuman, and Degrading Treatment, or Punishment, requires Courts, and Government Officials, in the Member State to accept, and address, Victim Complaints alleging violations of the Convention Against Torture.

The United Nations Torture Treaty requires a Torture Victim to attempt to exhaust Domestic Remedies in the Courts, or with Government Officials, in the country in which they are being tortured, *prior* to filing a Formal Complaint with the United Nations.

This “*Motion*” is Appellant’s Formal Exhaustion of his Domestic Remedies, prior to filing a Formal Torture Complaint in the United Nations, against the Inhuman Torture of America’s Disabled Veterans by SeaWorld Entertainment, Inc., Magistrate, *Carol Mirando*, District Court Judge, *John Steele*, and the Eleventh Circuit Court of Appeals in Atlanta.

*III. Jurisdiction*

Since the Torture Violations occurred in the United States District Court at Fort Myers, Florida, which was following “*Unwritten Torture Policies towards Pro Se Litigants*” set by the Eleventh Circuit Court of Appeals in Atlanta, and since all acts of Torture occurred within the jurisdiction, and control, of the Eleventh Circuit, it is only appropriate that the victim seek to exhaust his “*Domestic Treaty Remedies Motion*” in this Court.

This Torture Complaint involves blatant violations of the United Nations Convention Against Torture, and Other Cruel, Inhuman, and Degrading Treatment, due to a Criminal Scheme by the CEO, and Board of Directors of SeaWorld Entertainment, Inc., and SeaWorld’s Attorneys, and by United States Government Officials, Magistrate, *Carol Mirando*, and *Judge John E. Steele,* to Torture the Frail, Elderly, Disabled Veteran-Victim, *Billy Ray Kidwell*.

This Torture consisted of Stress Torture, Physical, and Mental Torture, Sleep Deprivation, and Medical Deprivation Torture, and the Intentional Aggravation of Appellant’s Disabilities.

The purpose of this Torture, was a scheme to obstruct the Appellant-Victim’s Access to the Courts, *by targeting Appellant’s Life-Threatening Disabilities to cause his death*, which resulted in Appellant suffering a massive Heart Attack, Irreparable Damage to his Heart, and Heart Failure.

*IV. What the United States Department of Justice Says Constitutes Torture*

In an effort to justify Torture in the War on Terror the United States sought to narrow the definition of Torture while limiting the Prohibition of the United Nations Convention Against Torture to the territory of the United States.

The two prongs of the United Nations Convention Against Torture that now must be met are;

1. The Torture MUST have occurred within the territory of the United States to violate the United Nations Convention Against Torture.

This prong is clearly met since, *at all times*, the alleged Torture Violations occurred in the State of Florida.

2. The Physical Pain must be limited to organ failure, death, or impairment of bodily function.

In this case the Torture resulted in Appellant Suffering Heart Failure, which qualifies as an organ failure meeting the second, and final prong, of the Torture description.

Appellant also suffered loss, and/or, damage to several bodily functions, such as Appellant needs medication for the rest of his life for his Heart, which is barely squeezing on the bottom half, Appellant can no longer walk without assistance, and Appellant has trouble breathing, all because of SeaWorld, Magistrate Mirando, and Judge Steele Torturing him for months.

The above greatly exceeds the legal requirements agreed to by the United States Department of Justice in its 2002 Memorandum filed with the United Nations Committee on Torture, describing what the United States agrees constitutes Torture.

*V. The Three (3) Formal Torture Charges*

This Torture Complaint addresses the three (3) Torture Violations described below;

1. Charge One

Eight Months of Inhuman Torture in Magistrate Carol Mirando’s United States District Court in Fort Myers, Florida, in which SeaWorld Attorneys avoided the merits of the Torture-Victim’s Americans with Disabilities Act Lawsuit against SeaWorld, and instead engaged in Habitual Rule Violations, Chronic lying, and Suborning Perjury, along with Dilatory Tactics, to target the Life-Threatening, Stress Disability of the Severely Disabled Victim.

While this misconduct is ethically wrong it sometimes occurs in lawsuits, even though Perjury is illegal, and a crime.

*However*, when a party, *such as SeaWorld, and their Attorneys*, know the Plaintiff cannot stand stress, and knowing this “*Targets*” the Disabled Person’s Disability, they are crossing all lines, *and engaging in Torture*.

Their conduct is no different than if they know a person has an allergy to fish, *and will die if they eat fish*, and they secretly slip fish into the person’s food, to poison them.

The CEO of SeaWorld, *Joel Manby*, and his Attorneys, are aware from many letters sent to them by the Victim, and from the Civil Complaint filed in this case, that Appellant cannot stand stress, and that stress can kill Appellant.

*Knowing this*, SeaWorld CEO, *Joel Manby*, had SeaWorld’s Attorneys violate the F.R.C.P., violate the Florida Bar Rules of Professional Conduct for Attorneys, Habitually Lie, Suborn Perjury, and present Perjury to the Court, to intentionally target the Torture-Victim’s Stress Disorder, knowing their conduct could cause Appellant’s Death.

It should be noted that SeaWorld Entertainment, Inc., and SeaWorld’s Attorneys were allowed, encouraged, *and assisted* in this Torture by a United States Government Official, U.S. Magistrate, *Carol Mirando*, and therefore SeaWorld, and their Attorneys, are subject to the United States Torture Treaty.

The wrongful conduct of SeaWorld, SeaWorld’s Attorneys, and Magistrate Carol Mirando, Tortured the Appellant for over Eight (8) months, causing the Appellant to suffer Massive Undue Stress Torture, Sleep Deprivation Torture, Physical, and Mental Torture, Medical Deprivation Torture, and the Intentional Aggravation of Appellant’s Disabilities.

2. Charge Two

The Attempted Murder of the Appellant-Victim, *Billy Ray Kidwell*, by United States District Court Judge, *John E. Steele*, who engaged in **“*Medical Deprivation Torture*”**, OBSTRUCTING the victim, *Billy Ray Kidwell*, from obtaining Needed, Emergency Medical Care, *while the Victim was having a Massive, Life-Threatening, Stress-Caused Heart Attack*.

United States District Court Judge, *John Steele*, knew the victim, *Billy Kidwell*, was having a Massive Heart Attack, and Obstructed Kidwell from obtaining Needed Emergency Medical Care.

United States District Court Judge, *John Steele*, knew that not allowing the victim, *Billy Kidwell*, a stay in the lawsuit to go to the Hospital Emergency Room to get life-saving Emergency Medical Care, could cause Kidwell’s death.

Judge Steele imposed a massive amount of legal work on the Victim while he was having a Heart Attack, and not being allowed to get Medical care, trying to cause the Torture-Victim’s Death.

There is no grey area, no doubt, Judge John E. Steele, wanted the Frail, Elderly, Severely Disabled Veteran-Victim, *Billy Kidwell*, dead.

The victim, Billy Ray Kidwell, had to be rushed to the Emergency Room at the Bay Pines VA Hospital, and was hospitalized for a week on the Bay Pines VA Heart, and Stroke Ward, as a direct result of Judge Steele’s Inhuman Torture.

As a direct result of the **Medical Depreciation Torture** by Judge Steele the victim, *Billy Kidwell*, almost died, and is suffering Heart Failure, and can eventually die from the Eleventh Circuit Torture.

The Torture-Victim, *Billy Kidwell*, has to take daily tests, checking his blood pressure, his weight, answering questions, as to if he is dizzy, if his legs are swelled, if he is feeling weakness, and so on, every day of his life, because of the Torture described herein.

Kidwell is on extensive Heart Medication, and Medical Care, having to constantly take Heart Tests, and make Medical Appointments, traveling from Port Charlotte Florida, to the Bay Pines VA Hospital Heart Experts in Saint Petersburg, Florida, all because Judge Steele wanted to kill the Appellant-Victim, as a means of fixing this case for SeaWorld Entertainment.

Judge Steele’s **Medical Deprivation Torture**, and his not allowing the Victim, *Billy Kidwell*, who was actively suffering Extreme Heart Pains, Shortness of Breath, Light-Headedness, Passing Out, and Throwing-up Substantial Amounts of Blood, to go to the Hospital Emergency Room to keep from dying, is a Serious Felony Crime[[2]](#footnote-2) that crossed all lines of Human Decency.

3. Charge Three

The Torture Retaliation, and *Ongoing* Torture Cover-up, by Judge, *John E. Steele*, and Judges on the Eleventh Circuit Court of Appeals, in Atlanta, Georgia violates the United Nations Torture Treaty.

As soon as the Appellant-Victim was released from the VA Hospital, after his Torture-Induced Heart Attack, the Victim notified U.S. District Court Judge, *John Steele*, that his Torture almost killed Kidwell.

Judge Steele immediately RETALIATED, trying to shut the Torture-Victim up about the Torture, and having to be rushed to the hospital because of the Torture, by issuing an **ORDER** banning the Victim from the United States District Courts *forever*, by stating that Appellants Lawsuit would be stayed “*until Appellant became Medically Able to Proceed*”.

What if a United States District Court Judge told a Combat Disabled Veteran, *without legs*, that he was banned from the Court until he grew his legs back?

Judge Steel, and Judges on the Eleventh Circuit in Atlanta, ORDERED that the Torture-Victim, Billy Kidwell, cannot access the Court in this lawsuit until his Permanent Disabilities from the Vietnam War are healed by some miracle, and the Torture-Victim is “Medically Able to Proceed” which is just as impossible as having someone who lost their legs, growing new legs for their Court.

The proper remedy for someone made unable to proceed by being denied Needed Emergency Medical Care during a Massive Heart Attack was for the Court to Appoint Counsel.

Judges on this Court don’t want the Victim to have an Attorney because the Attorney would have to be honest and expose their Torture of *Pro Se Litigants*, like the Torture-Victim.

Judge Steele, *and the Judges on this Court*, know that forty-three (43) years of VA Doctor’s Medical Records, Social Security Records, and at least three Federal Judges, have found Appellant Permanently, and Totally Disabled since his return from Vietnam in October of 1970.

Judge Steele, *and the Judges on this Court*, know that after forty-three (43) years of being Under Doctor’s **ORDERS** not to work, that no light is going to come down from heaven, and instantly heal Appellant, making him Medically Able to proceed.

Judge Steele, *and the Judges on this Court*, know that no flying saucer is going to land, *with little green men*, that instantly heal Appellant, making him Medically Able to Proceed.

The Torture-Victim is being denied Access to the Federal Courts because he is disabled from serving this country in combat, in the Army, in the Vietnam War, and because this Court went too far Torturing Him, almost killing him, and the Judges on this Court want to coverup their Torture of *Pro Se Litigants*.

Judge Steele stripped Kidwell of his Constitutional Rights, as Punishment for his Military Service, in the Vietnam War.

The sole reason Judge Steele, Magistrate Mirando, or the Appeals Court in Atlanta will **NOT** appoint counsel is because they want to cover-up their Torture, and fix this case for SeaWorld.

Such punishment violates the United Nations Convention Against Torture, and Other Cruel, Inhuman, and Degrading Treatment, **or Punishment**.

Judge Steele’s ORDER also violates the International Covenant on Civil, and Political Rights.

The doctrine of Judge Steele’s ORDER in this case bans all of America’s Disabled Veterans from the Courts, with his Court ORDER finding that America’s Disabled Veterans Medically Unable to Proceed, shall have their cases stayed forever.

Such a doctrine strips all Disabled Veterans in the Eleventh Circuit of their Constitutional Rights.

*VI. The Motive for the Torture*

To understand the motive for the Torture of Disabled Veterans in the Eleventh Circuit, you have to understand the extreme hate judges in the Eleventh Circuit have for *Pro Se Litigants*, the Bill of Rights, and Individual Rights, and Freedoms in America.

In the early 1920’s an ideology crept into every aspect of the German Government. They wanted to unite Germans into a Master Race, while excluding those they considered to belong to inferior races, the Jews, and other undesirables.

They formed the NAZI Party, and Hitler was appointed Chancellor of Germany.

For the past forty years a similar ideology, *just as dangerous as the NAZI Master Race Ideology*, has been taking place in America’s Government, and America’s Courts, and *especially in the Eleventh Circuit*.

Trump supporters refer to it as the “*SWAMP*”, because our government has drifted away from the Constitution, the Bill of Rights, and the Great Ideas of Personal Freedoms, and Individual Rights, that this Country was founded on, and has become a country where individuals are no longer important, and do not have “*Meaningful*” rights.

A handful of the Rich, and Powerful, Corporations, and Special Interests, have taken over this country, bribing our Politicians, and using Lobbyists to Appoint America’s Judges.

They want to use their vast money, and lobbyist “*Bribes*”, to overthrow our Constitutional Government, *from within*, abolish the Bill of Rights, and establish a government where only the Elite, the Corporations, and Special Interests have rights.

They are just as evil as the NAZIs, and more dangerous to America’s Freedom, then ISIS.

This movement threatening America’s Freedoms, and way of life, has an idealism based on Federalism, Corporatocracy, and Oligarchy.

They want the kind of government proposed, *before* the bitter 1787-88 battle over ratification of the Constitution, and *before* Representative, *James Madison*, introduced Nine Amendments to the Constitution, to limit Judicial Power, and provide specific guarantees of personal freedoms, and rights, to the people of the United States.

They want a government where those privileged enough to be a Politician, **or a Federal Judge**, are “*God-Like*”, and belong to a “*Master Race*”, above the law, and entitled to collect bribes, and gifts, from lobbyists, Corporations, and Special Interests, as they feed at the Public Trough, and fix cases for their “*friends*”, and/or, for Personal Gain.

**They want a United States Government without the Bill of Rights, and Individual Rights, and Freedoms.**

In the past thirty (30) years, Lobbyists for Corporations, and Special Interests, have intensified their efforts to bribe, and buy America’s Government, and to get **Activist Federal Judges** appointed on the Eleventh Circuit, that share their Perverted “*Master Race*” Federalism Ideology, and are willing to litigate from the bench, abolishing the Bill in Rights, to strip the “*Inferior Public*” of their rights, and freedoms, while fixing cases for Special Interests.

Those lobbyists have filled the Eleventh Circuit with their Perverted “*Master Race*” Federalism, Special Interest Judges.

These Eleventh Circuit “*Federalist*” Judges have been secretly overthrowing our government, perverting the United States Constitution, and abolishing the Bill of Rights.

They have destroyed the Great Ideas of Personal Freedoms, and Individual Rights, *that this Country was founded on*, with each case in which they violate their Judicial Oath, by Obstructing *Pro Se Litigants* from exercising “*Meaningful*” Access to America’s Courts.

In the Eleventh Circuit America is no longer a government “*Of the People, by the People, and for the People*”.

The “*People*” that can’t afford Attorneys, and are forced to proceed *Pro Se*, are openly abused, harassed, and denied even a speck of honesty, or fairness, by Eleventh Circuit Courts because they belong to the “*Inferior Class*”, which consists of citizens unable to afford Attorneys.

The “*People*”, Individual Rights, and the Bill of Rights, mean nothing to this Court’s “*Master Race*”.

*In recent decisions*, Judges on the Eleventh Circuit have made it clear that they have abolished the Bill of Rights, and they consider anyone who cannot afford to hire an Attorney, **“*unworthy of justice*”**, or even a smidgen of honesty, or fair treatment. [Emphasis added.]

Eleventh Circuit Judges believe that if you are not rich, not a Corporation, or a “*Special Interest*”, and if you cannot afford to buy justice, *by being rich enough to hire an Attorney*, then you are not deserving of Individual Rights, Honesty, or Fair Treatment, in the Eleventh Circuit.

You have no rights.

As these Federalist Judges have secretly taken over the Eleventh Circuit, they have abolished the First Amendment, by systematically Obstructing “*Meaningful*” Access to Eleventh Circuit Courts, to what they consider to be the “*Inferior Classes*”, which are those who work, the poor, and America’s Veterans, anyone that cannot afford the luxury of hiring an Attorney to protect their rights, and must proceed *Pro Se*.

*Pro Se Litigants* are no longer allowed to access the Courts in Forma Pauperis, and must become completely dissolute, and hopeless, and willing to starve their own families, and use their food, and rent money to pay the filing fees in the Eleventh Circuit.

It is the “*Policy*” of Judges in the Eleventh Circuit to make the poor crawl, beg, starve their families, including their children, and even take money needed for life-saving medicines, and give that money to the Eleventh Circuit, as a requirement to have access to the Eleventh Circuit’s Courts.

If you can’t pay in the Eleventh Circuit, you are not human, and have no right to access the Courts.

And once you pay their filing fee, you are still denied justice because it is predetermined that the *Pro Se Litigant* will lose, because no judge in the Eleventh Circuit “*Master Race*” is going to give a *Pro Se Litigant* in the “*Inferior Class*”, an iota of honesty, or fairness.

But this hate of the Constitution, the Bill of Rights, and extreme hate of Americans in the “*Inferior Unable to Afford an Attorney Class*” is not the Court’s only motive.

Judges in the Eleventh Circuit are mostly Silver-Spooned Politicians, many of whom owe “*favors*” to Corporations, and those that got them appointed as judges, while many Eleventh Circuit Judges also have investments in Corporations that are being sued in their Court.

They fix cases for those they owe favors to, and for corporations they have a financial stake in.

*In this case*, several of those “*Motives*” are present, which is why Judges in the Eleventh Circuit, want Kidwell dead so bad.

Kidwell is an idealist, a Rights Activist, and Veteran Activist, who sets up webpages, fighting for other Veterans, fighting Corporate Corruption, and exposing the Corruption, and Anti-Constitutional Decisions in the Federal Court System.

There is nothing Eleventh Circuit Judges hate more than a citizen foolish enough to think they actually have rights, or someone that exposes corruption in the Federal Court System.

There is an unwritten “*Rule*” that Federal Judges stick together, *like a Mafia Crime Family*, and cover-up crimes, and misconduct, for each other.

In this case there is a personal motive by Judge Steele because the Appellant caught Theme Parks in Florida ripping off the disabled, and violating the Americans with Disabilities Act, to ban, and restrict the disabled from their parks, in direct violation of the Americans with Disabilities Act.

Judge, *John E. Steele*, is known to have invested very substantial amounts of money in Florida Theme Parks, that will be directly affected by Kidwell’s Lawsuit.

The Torture-Victim, *Billy Kidwell*, is also a member of the “*Inferior Class of Citizens*” unable to afford to hire an Attorney, which is the class hated, *with a passion*, by Eleventh Circuit Judges.

*As you can see*, Judges on the Eleventh Circuit have several, very strong, Personal, and Political Motives, for wanting the Appellant dead, which is why they have done everything they can to cause the *Pro Se Appellant’s Death*.

The Appellant-Torture Victim, Billy Kidwell, was forced to starve his family, and forced to use money needed to buy life-saving blood pressure, and heart medication for his wife, as a “*Requirement*” by Magistrate Carol Mirando for the victim to have access to the District Court.

Magistrate Carol Mirando would not even look at the Appellant-Victim’s Motion to Proceed in Forma Pauperis for eight (8) months, until the same day she dismissed the Victim’s Lawsuit against SeaWorld.

That intentional hardship intentionally imposed on the Torture-Victim by Magistrate Carol Mirando caused the Torture-Victim to suffer Massive, Undue Stress.

Magistrate, *Carol Mirando*, habitually lied, and falsified the record, while she encouraged Perjury, the Subornation of Perjury, Rule Violations, and Dishonesty, by SeaWorld’s Attorneys, while she fixed this case for SeaWorld, covering up Perjury by SeaWorld, because of her hate for the “*Inferior Pro Se Litigant Class*”.

Magistrate, *Carol Mirando*, allowed Attorneys for SeaWorld Entertainment, Inc. to suborn Perjury, and file a Perjured Sworn Declaration by SeaWorld Assistant Secretary, *Paul B. Powers*, in which he claimed, *under oath*, that SeaWorld does not own, or operate the Theme Park Busch Gardens Tampa.

*Meanwhile*, the CEO of SeaWorld, *Joel Manby*, signed an Affidavit, *under oath*, on the Form 10K SeaWorld filed with the United States Securities and Exchange Commission, in which the CEO of SeaWorld contradicted the Declaration of Paul Powers, by stating that SeaWorld Entertainment Does Own, and Does Operate Busch Gardens Tampa.

Clearly, one of the two SeaWorld Officials committed Perjury.

Either SeaWorld owns, and operates Busch Gardens Tampa, as SeaWorld CEO, *Joel Manby*, claims, or SeaWorld doesn’t own, or operate Busch Gardens Tampa, as SeaWorld Assistant Secretary, *Paul Powers*, claims. Both stories can’t be true.

The two Affidavits directly contradict each other.

The Torture Victim pointed this out to Magistrate Carol Mirando, *as Required by Title 18 §4*, and Magistrate Carol Mirando immediately attacked the Torture Victim, threatened him, and Covered-Up the Perjury by SeaWorld, so that she could fix Appellant’s Lawsuit for her “*Attorney Friends*” at SeaWorld.

Magistrate, *Carol Mirando*, intentionally lied in Appellant’s Lawsuit against SeaWorld by saying the Appellant, *Billy Kidwell*, lives hundreds, and hundreds, of miles from Busch Gardens Tampa, when she knows such a statement is not true.

This is a clear, indisputable, example of how corrupt United States District Court Judges, and Magistrates, lie, and encourage Perjury by “*Fellow Attorneys*”, to fix cases for Corporations, and Special Interest(s), when one party is a *Pro Se Litigant*, in the “*Inferior Class*”, without the protection of an Attorney, in the Eleventh Circuit.

Judges Gerald Bard Tjoflat, Charles R. Wilson, and Julie Carnes are doing everything they can to cover-up the Attempt on Appellant, *Billy Kidwell’s Life* by Judge Steele, and the fixing of Appellant’s ADA Lawsuit against SeaWorld Entertainment, *in favor of SeaWorld*, by Magistrate Carol Mirando.

This is the “*Motive*” for the Torture. America’s Disabled Veterans deserve better.

*VII. Summary*

Any practice of Torture, or Other Cruel, Inhuman, or Degrading Treatment, or Punishment by United States Officials violates international human rights standards, to which the United States is a party.

These include the United Nations Convention Against Torture, and Other Cruel, Inhuman, and Degrading Treatment, or Punishment, and the International Covenant on Civil, and Political Rights.

United States Magistrates, and Judges, are considered to be “*United States Officials*”, pursuant to the Convention, and therefore must abide by the Convention’s Prohibition against Torture.

Judges do **not** have the “*absolute*” blanket of immunity in the United Nations Convention Against Torture Treaty, as they enjoy in America’s Court System, where Judges in America avoid taking responsibility for their wrongful, and sometimes Criminal Conduct. [Emphasis added to the word “not”.]

Pursuant to the United Nations Convention Against Torture, Judges in the United States MUST be held accountable for Torture, and Other Inhuman, or Degrading Treatment toward individuals.

In this case Judge, *John E. Steele*, in the Fort Myers United States District Court, crossed all lines, by Torturing, **and trying to murder**, the *Pro Se Torture-Victim* *Billy Kidwell.*

Appellant is Sixty-Eight (68) years old, was having severe chest pains, a heavy pressure on his chest, trouble breathing, was light headed, and passing out clutching his heart, while throwing up blood, and Judge John E. Steele told Appellant if he went to the Hospital Emergency Room his case would be dismissed.

Judge John E. Steele refused to allow the *Elderly, Severely Disabled, Deathly-Ill Appellant*, to go to a Hospital Emergency Room during a Massive Heart Attack.

Then Judge Steele ORDERED the Appellant to get up from the floor, where Appellant had passed out clinching his heart, throwing-up Blood, and ORDERED Appellant to draft a 68-page Amended Complaint, and file several motions, as a “*Requirement*” to have access to Judge Steel’s Court.

The Appellant, *Billy Kidwell*, would have died if he had been able to follow Judge John E. Steele’s Court Order.

This Torture, and very obvious attempt to cause the Appellant’s Death, was so Inhuman, and Degrading, that it is on a level with the Torture Tactics of the Gestapo in Hitler’s Germany, during the height of their evil.

The United States is a Member State to the United Nations Convention Against Torture, and Other Cruel, Inhuman, and Degrading Treatment, or Punishment, and United States Officials, *like Judge John E. Steele*, are specifically Prohibited from engaging in **Medical Deprivation Torture**.

Courts of the United States, including this Court, are Required by the United Nations Treaty to correct any Torturous “*Policies*”, or conduct, and to provide a means for the Torture Victim to obtain redress.

Should this Court fail to meet all those “*Prongs*” in the paragraph above, *as Required by the United Nations Treaty on Torture*, the Appellant shall deem that he has exhausted his available remedies in the Member State, and file a Formal Complaint with the United Nations Committee on Torture.

This document is an “*Exhaustion*” of the United Nations Torture Treaty Victim, Billy Ray Kidwell’s Remedies.

*VIII. Relief*

1. The Torture-Victim demands that the Eleventh Circuit starts fully complying with the United Nations Convention Against Torture, and Other Cruel, Inhuman, and Degrading Treatment, or Punishment.

2. The Torture-Victim demands that the Eleventh Circuit stop torturing the “*Pro Se Litigant Inferior Class*” and start abiding by the United States Constitution, and Bill of Rights, by proving “*Meaningful*” Access to the Courts to *Pro Se Litigants*, to include honesty, fairness, and “*Due Process of Law*”.

3. The Torture-Victim demands that Disabled American Veterans, under Doctor’s ORDERS not to work, or found by a government agency, such as Social Security, or the Department of Veterans Affairs to be Unable to Work, have counsel Appointed for them, or be provided a means of “*Meaningful*” Access to Eleventh Circuit Courts, and that the Eleventh Circuit stop violating requiring the Disabled to violate their Doctor’s Orders, and/or aggravate their Disabilities, as the price of having access to the Eleventh Circuit.

4. The Torture-Victim demands that the Eleventh Circuit stop sitting on *Pro Se Motions* to Proceed in Forma Pauperis, until the case is over, and stop requiring *Pro Se Litigants* to take Food Money, and money for Medical Care, and give that money for the necessaries of Life to this Court, to pay filing fees, and/or, the costs of litigating in this Court. Such conduct is Torture.

5. Specifically this Court MUST Appoint ADEQUATE Counsel for the Torture-Victim to prosecute his lawsuit against SeaWorld, and not require the Torture-Victim to “*Heal Himself*” to have Constitutional Rights.

6. The Torture Victim DEMANDS a Court **ORDERED** investigation of the Perjury by SeaWorld, and their F.R.C.P. Violations, habitual lying, the Fraudulent Motions, and other wrongful conduct to avoid the merits of the Victim’s Lawsuit, and intended to Aggravate the Victim’s Stress Disorder, to Torture the Victim, as a defense “*Tactic*”.

7. The Torture-Victim DEMANDS that SeaWorld, and SeaWorld’s Attorneys, be substantially sanctioned for their intentional Torture of a Disabled Veteran, and prosecuted for the intentional Perjury.

8. The Torture Victim DEMANDS that he be fairly compensated for the Intentional Torture, and the Damage from that Torture, including the Aggravation of the Victim’s Disability, the Pain, and Suffering, the damage to the Victim’s Heart, and all other damage caused by the Intentional Torture.

9. The Torture-Victim seeks any, and all other relief he is entitled to.

It is for this Plaintiff prays.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ July 4, 2017

Billy Ray Kidwell, (941) 627-0433

5064 Silver Bell Drive

Port Charlotte, Florida 33948

Kidwell18@comcast.net

**CERTIFICATE OF SERVICE**

I, Billy Ray Kidwell, hereby certify that I have served a true and correct copy of the Attached, on SeaWorld Attorney, Carie L. Hall, and on the Florida Commission on Human Relations, by placing a copy of same in the U.S. Mail addressed to:

Kenneth Wilson

Office of the Attorney General

501 E. Kennedy Blvd., Suite 1100

Tampa, Florida 33602

*and to:*

Attorney Carie L. Hall

Rumberger, Kirk, and Caldwell

100 North Tampa Street, Suite 2000

Post Office Box 3390

Tampa, Florida 33601-3390

On this the 4th day of July 2017.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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1. Eleventh Circuit Judges engaged in Medical Depravation Torture by refusing to allow the Torture-Victim, Billy Ray Kidwell, to get needed Emergency Medical Care while he was having a Massive Life-Threatening, Stress-Caused Heart Attack. [↑](#footnote-ref-1)
2. See Florida Statute 825.102. [↑](#footnote-ref-2)