

John Victor Ramses

**To: United States Consulate  
Level 4 16 St George Terrace  
Perth, Western Australia 6000**

**From: John Victor Ramses  
Acacia Prison, Wooroloo, WA 6558**

August 30, 2012

Update Health and Concerns With Appeal - Transcripts Edited, Sections Omitted

This communication is to provide the Consulate with an update to my situation, the progress of the appeal, and to note specific concerns, some of which have been provided to you in detail in previous communications.

**Health and Recent Heart Attack:**

As you are aware, on July 27 2012 I suffered a near fatal heart attack, of which doctors and the cardiologist agree I survived by only minutes due to the rapid response and professionalism of all parties and individuals involved, and whom were acknowledged in previous letter mailed to you. One doctor called it 'lucky'.

While my health is currently stable, I am far from out of danger and my heart, I am told, is not only scarred, but is only operating at approximately 40% capacity, leaving me quite weak and unable to walk about but for short distances.

While addressing the causes of this heart attack the cardiologist enquired of the lifestyle, diet and conditions I was exposed to leading up to the heart attack, of which I expressed in emotional detail.

In a nutshell, aside of incarceration and poor diet, stress and heartache has been the primary contributors to this incident - the utter loneliness and absence of human communication concerning my case over the past two years; depression and hopelessness; fear and anxiety; having to prepare everything myself without any legal knowledge or assistance.

Not least of which has been the immeasurable heartache for missing my daughter, Amy, since her mother had conspired with family members to use false allegations as a means to take her away from me shortly following our separation - an act which I now know to have been planned over a several month period leading up to July 1, 2010, and of which allegations and 'evidence' I have proven to be fabricated but which has been protected from exposure through unscrupulous acts by certain members of the legal system. All of this has, of course, been documented in detail and delivered to the Consulate and Ambassador in previous communications.

Having now arrived at the realization that I could die in prison - or as the doctors have asserted I could now suffer a stroke - I am determined to ensure that every detail of my story and situation be brought to public attention via media. Mine is a case that should be exposed for the grave injustices, violation of basic human rights and fair treatment and what can happen to any US citizen or foreign national in

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Australia. I have been disregarded and buried in secrecy in this foreign country amid regular pleas for help and fair treatment.

I have provided now the certain reporters in the US and Australia with a 168 page statement including all details and history of my case, the abuse of my rights, pleas for help, copies of trial transcripts demonstrating my ineptness and extreme hardship, all evidence of perjury and misconduct by the legal system, details of the March 28 protest for help and publicity on the roof of the prison, names, dates and all parties involved. If I should die or suffer a stroke this atrocity of injustice as I have experienced it will not be buried and forgotten in obscurity. It never should have happened. Most of all, my daughter in Australia must know the truth of what her Australian mother and family did to me, how they were protected, how hard but helplessly I fought in trial for her. I want her to read those transcripts and know the truth, see the evidence. She will not go through life living a lie.

Channel 7 news has also taken interest in my case, and in particularly the incident of my March 28 2012 plea for help on the roof of the prison. Although miscommunications had prevented the news team from arriving - which would have caused a media sensation due to the political message from a US citizen - they have asked, via The West reporter, for all the details and the message that was written. This has now been delivered to them.

### **Suppression of my case**

I have recently learned through the reporter from The West newspaper, in his investigation of this case, that my name does not exist in the court records. Reporter, Mr G.A., has searched back five years through the records and cannot find any trace of me. There is no record of arrest, charges, hearings, trial, conviction or sentencing.

As a US citizen I resent that such a suppression order has been placed on me and my case in a foreign country. I will not be buried in secrecy. On the contrary. If such suppression exists it is there solely to prevent an investigation into the handling of my case, the injustices and unscrupulous acts I have experienced. As previously noted in prior communications, if the allegations against me are true it would be among the most bazaar and cultish stories of abuse in recent times - with magical 'amulets', 'reincarnated' dead girlfriends, obsessions with 'virginity' and a jealousy of a boyfriend who never existed. This should have been front page news. Both the investigating officer and the prosecutor knew it was false and also knew of evidence and witnesses that proved it to be fabricated but disregarded the evidence after I requested it for my trial. It has been and still remains prejudice against a US citizen in favor of an Australian citizen and amid a cover up through suppression to prevent the truth from being made known. This was nothing short of a pre-meditated kidnapping of my daughter by her mother through the use of false allegations and with complete and bias support of her actions by the Australian legal system.

If this suppression order on my case exists, which it appears to be, it is against my rights as a foreign national in Australia. My name and case should not be buried in secrecy. Nor should the US Consulate permit such continuation of abuses and cover-ups of a US Citizen in Australia.

### **Appeal and Change of Lawyer**

It has been over two years now since I was wrongfully arrested on a accusation alone with no evidence to support the wild accusations. It has been over a year since "conviction" and nearly one year since I first requested of lawyer David Fort to begin the appeal process - a process of which I have had to involve the consulate regularly to achieve to any degree.

As noted in previous communications, until Mr Stephen Gabriel took notice of my case, only a token effort had been spent on my appeal, with almost no communication concerning my case. My former lawyer, Kristine Warman - like a growing number of defence lawyers in Western Australia - resigned from criminal law after at long last completing the basic grounds for appeal. Lawyers are reluctant to challenge the DPP or acknowledge mistakes made by judges which show cause for miscarriage of justice.

Following my heart attack, and after leaving the hospital for Casuarina infirmary, I contacted the office of TalbotOlivier to inform Mr Darryl Ryan of my heart attack and status. On August 26 2012 I received a notice from Legal Aid informing me that Mr Ryan was no longer available to work on my appeal, but that I had now been granted Mr Stephen Gabriel as my lawyer for the appeal.

While the transfer to Mr. Gabriel is welcome, it is odd that after so much effort to secure Mr Gabriel after the resignation of Kristine Warman, Mr Gabriel has now been granted, and without any written notice to me from Mr Ryan. As stated in previous communications I trust Mr Gabriel's sincerity, professionalism and knowledge in this matter, and whom I am glad to see will finally receive (some) payment for his time on this case.

Please note that Mr Stephen Gabriel is now listed as my lawyer concerning the appeal.

### **Other issues of concern : Edited Transcripts / Omissions**

After reviewing my own transcripts from trial I have discovered a disturbing fault with the transcripts causing grave concern.

It appears that the transcripts from the trial have been edited with certain sections / minutes omitted.

I was first alerted to this problem in a letter from lawyer Kristine Warman who noted that certain events of the trial, of which I had complained of, were not found by herself in the transcripts, and thus could not be validated.

This curiosity caused me to carefully review the transcripts myself. I discovered that Ms Warman was correct, and that certain relevant sections of the trail demonstrating a potential miscarriage of justice had been omitted from the trial transcripts. However, the omitted incident is later alluded to in another part of the trail transcripts, confirming that the now missing incident had occurred.

Other minutes of the trial, which I clearly recall, have also been omitted.

The transcripts of my trial - of which an appeal lawyer must rely upon to locate and prove potential miscarriages of justice or other faults - is not a true and accurate account of the minutes of the trial, whereby making it impossible to thoroughly and correctly utilize as a means of assessing a fault within the trial proceedings. Equally disturbing is the questions: who authorized such omissions? when and why?

In particular, now missing from the transcripts, is a section of the trial at which I had requested of the judge to please dismiss the friends and family of the complainant (and witnesses) if the questions I had prepared were to be read aloud in front of them and the prosecutor.

### **Brief Background:**

Due to not having a lawyer I was not permitted to personally cross examine the complainant and thus was made to use a third party mediator. The judge required me to pre-write all the questions I intended to ask to the complaint the week before trial, and without knowing what was actually going to be said in the trial itself. The judge required these questions for pre-approval prior to trial and to cross-examination of the complainant. I only had the statements to police from which to form questions. This I did, not knowing how to cross examine nor even which accusations I were relevant for trial. I believed I would be required to address everything said in the statements, which I learned too late, was not required.

### **Public reading of my questions:**

I had assumed that the judge would have read and pre-approved the intended questions privately prior to trial. I was surprised and somewhat demoralized when the judge waited until the trial to go over the questions.

In the open court room, and in the presence of the complainant's family and friends the judge read aloud the questions I had prepared for the complainant, and my defence. This caught me off guard, as I had assumed that such would have been done in a private hearing or at least in the absence of the family of the complainant. I felt intimidated and frustrated.

During the course of reading and approving of my questions aloud in the court, I witnessed certain family members whisper among themselves then leave the court room only to return a short time later. This occurred at intervals throughout the reading of my questions. I realized that these family members were very likely warning the complainant and witnesses of the questions and subject matter I had intended to ask during cross examination (via the 3rd party mediator).

### **Missing from the transcripts:**

After becoming more aware of the family member's activity, and becoming myself more anxious and concerned, I asked the judge to please dismiss the family and friends of the complainant if she was going to continue reading the questions aloud. I explained to the judge my reasons why, citing that I believed the family to be fore-warning the complainant and witnesses of the subject matter of my questions for defence, whereby providing them a chance to collude or fabricate answers to the questions.

The judge refused my request to dismiss the friends and family, explaining that this was a public trial and that they did not have to leave. I was demoralized by this and felt cheated.

It is this section above where I asked the judge to dismiss the family, and her response, that is now missing from the transcripts.

There was absolutely no possible way to have ensured that said family members could not relay messages to the complainant and witnesses. Further, the answers given by the complainant and her mother were similar in nature. The trial was tainted by this means and is suspicious that this section is now omitted from the transcripts.

Nonetheless, this section is alluded to later on the 10th of August, while attempting to cross examine my former wife. Further, it is apparent in the transcripts that my questions were read aloud in an open court.

### **Other appeal issues: Grounds for Appeal**

While Kristine Warman (TalbotOlivier) did review transcripts and noted grounds for appeal, there are still other issues of concern, such as the reading of questions aloud in court resulting in a real risk of collusion on answers to said questions, which should be made known to the appeal judges, which appear to be avoided by lawyers working on the appeal.

These include, but not limited to:

- The afore mentioned risk of collusion due to the reading of questions aloud in court in front of complainant's family and friends;
- Prewriting questions for approval by the judge one week before trial, without knowing what was to be said in trial;
- Evidence proving perjury, collusion and conspiracy to commit perjury;
- Amber Brown was not admissible propensity, nor was I allowed the proper time to respond to Amber being called as witness. I objected strongly to Amber being allowed to testify for reason outlined elsewhere in these documents;
- Evidence I required and requested for trial (in front of the judge and prosecutor during hearing), and which I asked the arresting officer to help in securing for my defence, was not secured, but which absence of said evidence was used to discredit my only witness;
- This evidence, proving perjury and fabrication of events as alleged by my former wife and stepdaughter, become new evidence;
- Transcripts are edited with relevant sections omitted rendering said transcripts as incomplete, and are not a true and accurate account of the minutes of the trial. Appeal lawyers rely on transcripts for finding grounds for appeal.

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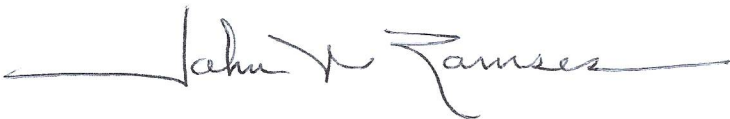
- Transcripts clearly show my hardship and ineptness with the judge needing to coach me, correct me or reiterate rules / procedures, to which I once responded, "I'm just learning through this, but I'm catching on".
- Transcripts show my pleas to the judge under emotional duress that ~~that~~ "I don't know what to do", "I don't know where to go", "I'm not a lawyer", "I can't defend myself, your Honor".
- Emotional breakdown while attempting to cross examine my wife, in a situation I should not have been put in, and which breakdown caused prejudices in the minds of the jury.

What has happened to me through this ordeal in Australia - a country I have loved and promoted since first arriving in 1999 - is equally an injustice against my family and children in America, as well as my young daughter in Australia.

While I have been railroaded to prison by unjust acts, so to has my family been inducted into an emotional and psychological prison of heart and loss of their son / father in a distant foreign country.

It is of the utmost important, naturally, that any appeal judge be fully aware of the conditions leading to and during trial in order to expose a full picture.

Sincerely, John Victor Ramses  
August 30 2012.

A handwritten signature in cursive script that reads "John Victor Ramses". The signature is written in black ink and is positioned below the typed name and date.

Copies for record to:

Stephen Gabriel, Australia  
Jerry Dewsnap, USA  
Sarah Higginbotham, USA  
Titta Gisselberg, Finland (Suomi)  
U.S. Ambassador, J. Bleiche, Aust  
U.S. Consulate, Perth, Aust