

**BEFORE THE CITIZENS' COURT ON BEHALF OF
THE PEOPLE OF THE UNITED STATES**

THE PEOPLE OF THE UNITED
STATES OF AMERICA

Plaintiff,

v.

JOSEPH ROBINETTE BIDEN, Jr.
of Wilmington, Delaware

and

ROBERT HUNTER BIDEN,
of Wilmington, Delaware

and

JAMES BIDEN
Merion Station, Pennsylvania

Defendant.

**FELONY CRIMINAL
CONVICTIONS
OF JOE, HUNTER
AND JAMES BIDEN**

MEMORANDUM OPINION

Joseph Robinette Biden (“Defendant Joe Biden”), Robert Hunter Biden (“Defendant Hunter Biden”) and James Biden (“Defendant James Biden”) stand accused of solicitation of or demand for a bribe by a government official, acceptance of a gratuity by government personnel, money laundering, violation of the foreign agents registration act, honest services fraud, wire fraud, racketeer influenced and corrupt organization act (“RICO”) and seditious conspiracy for their involvement in money laundering, knowingly receiving monetary bribes, and other crimes involving Ukraine and China. Additionally, Defendant Joe Biden stands accused of criminally

negligent homicide, involuntary manslaughter, reckless endangerment and death of vulnerable children, seditious conspiracy and treason for his actions and omissions during his catastrophically ordered withdrawal of American citizens and military personnel from Afghanistan. For the reasons discussed below, after careful consideration of the parties' pleadings, criminal indictments, the representations made before this Court during the Citizens' Grand Jury proceeding, and the applicable law, this Court concludes that each Defendant is guilty as charged.

I. PROCEDURAL HISTORY.

The Citizens' Grand Jury heard extensive evidence, witnesses and other information throughout 2021, presented by Larry Klayman, Esq., Citizens' Grand Jury Prosecutor to this Citizens' Court. Each member of the jury was duly sworn in to fulfill his or her duty faithfully and based on the evidence and other information, such jury found sufficient evidence to indict each Defendant. The Citizens' Grand Jury issued the indictments in Case No. 2021-0001 and 2021-0002 on October 14, 2021, signed by the Jury's foreperson, Deborah E. Baber.¹

This Court gave notice of the indictment to each Defendant in the nature of an arraignment. The Citizens' Court notified each Defendant that he had a right to appear before this Court and he had a right to counsel. Each Defendant was notified that the Citizens' Court would hold a trial at the designated date and time. However, none of the Defendants responded in any way nor sent any counsel or representative. Indeed, none pleaded guilty, not guilty or nolo contendere, or "no contest." This Court assumed a plea of not guilty for each of the Defendants and proceeded to review the evidence available.

¹ See Citizens' Prosecutor's Exhibit 1 in Case No. 002 – Criminal Indictment regarding Afghanistan.

Accordingly, this Court relied upon the evidence and testimony that had been presented to the Citizens' Grand Jury and this Citizens' Court and took judicial notice of the entire record presented. Based not only on the Defendants' default but also the strength of the evidence and other information in the record, this Court finds each and every Defendant guilty as charged.

II. THIS COURT'S INHERENT AUTHORITY TO TRY THIS CASE.

The Declaration of Independence, signed on or about July 4, 1776, by this country's Founding Fathers, enumerated their common goals of unity, freedom and protection of individual rights. The Declaration's clarion call to self-government, a severance of following the English rule and basic freedom began this nation. From the Declaration of Independence, this nation continued to build an American society governed not by man, but by common rules of law. It states:

...[w]hen in the Course of human events it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the Powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

In other words, as the Citizens' Grand Jury Prosecutor pronounced at trial, when in the course of events, the sovereign, or here the current government, does not represent the people, the people have a right to alter or abolish that government by and for the people with equal rights for everyone in pursuit of life, liberty and happiness. This demonstrates the right of the American people to represent and take action to preserve and protect their own interests.

In this regard, former U.S. Supreme Court Justice Antonin Scalia opined in writing for the majority *United States v. Williams*, 504 U.S. 36 (1992), that the grand jury process belongs to the American people, not the three (3) branches of government.

“Rooted in long centuries of Anglo American history,” *Hannah v. Larche*, 363 U.S. 420, 490, 4 L. Ed. 2d 1307, 80 S. Ct. 1502 (1960) (Frankfurter, J., concurring in result), the grand jury is mentioned in the Bill of Rights, but not in the body of the Constitution. It has not been textually assigned, therefore, to any of the branches described in the first three Articles. It “is a constitutional fixture in its own right.” [***20] *United States v. Chanen*, 549 F.2d 1306, 1312 (CA9) (quoting *Nixon v. Sirica*, 159 U.S. App. D.C. 58, 70, n. 54, 487 F.2d 700, 712, n. 54 (1973)), cert. denied, 434 U.S. 825 (1977). In fact the whole theory of its function is that it belongs to no branch of the institutional Government, serving as a kind of buffer or referee between the Government and the people. See *Stirone v. United States*, 361 U.S. 212, 218, 4 L. Ed. 2d 252, 80 S. Ct. 270 (1960); *Hale v. Henkel*, 201 U.S. 43, 61, 50 L. Ed. 652, 26 S. Ct. 370 (1906); G. Edwards, *The Grand Jury* 28-32 (1906). Although the grand jury normally operates, of course, in the courthouse and under judicial auspices, its institutional relationship with the Judicial Branch has traditionally been, so to speak, at arm's length. Judges' direct involvement in the functioning of the grand jury has generally been confined to the constitutive one of calling the grand jurors together and administering their oaths of office. See *United States v. Calandra*, 414 U.S. 338, 343, 38 L. Ed. 2d 561, 94 S. Ct. 613 (1974); Fed. Rule Crim. Proc. 6(a).

Id. at 47. Justice Scalia continued:

The grand jury's functional independence from the judicial branch is evident both in the scope of its power to investigate criminal wrongdoing, and in the manner in which that power is exercised. “Unlike [a] [c]ourt, whose jurisdiction is predicated upon a specific case or controversy, the grand jury ‘can investigate merely on suspicion that the law is being violated, or even because it wants assurance that it is not.’ “*United States v. R. Enterprises*, 498 U. S. ___, ___ (1991) (slip op. 4) (quoting *United States v. Morton Salt Co.*, 338 U.S. 632, 642-643 (1950)). It need not identify the offender it suspects, or even “the precisenature of the offense” it is investigating. *Blair v. United States*, 250 U.S. 273, 282 (1919). The grand jury requires no authorization from its constituting court to initiate an investigation, see *Hale, supra*, at 59-60, 65, nor does the prosecutor require leave of court to seek a grand jury indictment. And in its day to day functioning, the grand jury generally operates without the interference of a presiding judge. See *Calandra, supra*, at 343. It swears in its own witnesses, Fed. Rule Crim. Proc. 6(c), and deliberates in total secrecy, see *United States v. Sells Engineering, Inc.*, 463 U. S., at 424-425.

Id. at 48. The purpose of a Citizens' Grand Jury is to investigate the operations of various officers, departments and agencies of the U.S. government and this Court, pursuant to U.S. Supreme Court precedent, has jurisdiction over this matter.

BACKGROUND

III. THE HISTORY OF DEFENDANT JOE BIDEN'S INVOLVEMENT IN AFGHANISTAN WHICH LED TO THE GRAND JURY INDICTMENT.

The Criminal Indictment² regarding Afghanistan redresses the deaths of U.S. military personnel and civilians allegedly caused by Defendant Joe Biden knowingly and willfully abandoning U.S. and Afghan citizens to terrorists and enemies of the United States. The record reflects that Defendant Joe Biden was elected to the U.S. Senate as a Senator from Delaware in 1972 and was reelected until 2008, when he was elected to serve as President Obama's Vice President.³ Defendant Joe Biden claimed to be – and was reputed to be – a national expert in foreign policy and international relations and by his own admissions, had studied the history of Afghanistan including the invasion by the Soviet Union, the coalition of Islamic jihadi fighters who defeated the Soviet Army, the terrorist attacks of September 11, 2001 and the U.S. military's response to the Taliban.⁴

The United States maintained a presence in Afghanistan since 2001, and during this time, the U.S. military trained members of the Afghan military in the use and maintenance of U.S. military equipment and vehicles, including Humvees, MaxxPro Mine Resistant Ambush Protected Vehicles ("MRAPs"), Blackhawk helicopters, sophisticated surveillance drones,

² See Citizens' Prosecutor's Exhibit 1 in Case No. 002 – Criminal Indictment regarding Afghanistan.

³ *Id.* at ¶ 3.

⁴ *Id.* at ¶ 8.

advanced night vision optics, explosive ordinances, light arms, ammunition, body armor and more.⁵

The United States' former president, Donald Trump, made plans and implemented directives to end the U.S. military presence in Afghanistan in an orderly and prudent fashion. The Trump administration negotiated detailed agreements that specified milestones and described a proposed timeline for the drawdown and withdrawal of the U.S. military in Afghanistan. The Trump administration conducted negotiations and created plans with both the legitimate, elected and constitutional government of Afghanistan and the rogue terrorist Taliban forces which threatened it. The Trump administration's terms for military withdrawal included a requirement that the Taliban acknowledge the elected government of Afghanistan as the legitimate government.⁶ However, as the Trump administration came to an end in 2020, the Taliban increasingly violated their assurances and conditions of the U.S. withdrawal, and began taking cities and provinces by force, seizing control from the legitimate government.⁷

When Defendant Joe Biden became president, he began an ill-advised dramatic and rapid-paced campaign of reversing numerous decisions and policies of the Trump administration by issuing a record-breaking number of executive orders in his first week of office, explicitly overturning Trump administration decisions and policies.⁸ Defendant Joe Biden deviated from President Trump's plans for U.S. military withdrawal. In fact, on or about April 13, 2021, the Associated Press reported that the sources within the Biden administration indicated that Defendant Joe Biden would withdraw all U.S. military from Afghanistan by the twentieth (20th)

⁵ *Id.* at ¶ 12.

⁶ *Id.* at ¶¶ 14 – 18.

⁷ *Id.* at ¶¶ 17 – 20.

⁸ *Id.* at ¶ 23.

anniversary of the terrorist attacks of September 11, 2001.⁹ This was obviously for the political expediency on the anniversary of September 11, 2001.

On or about July 6, 2021, the Associated Press reported that U.S. military commanders and personnel had shut down and abandoned Bagram Air Force Base, including cutting electrical power to the base.¹⁰ No warning was given to the Afghan commanders charged with operating the base. Defendant Joe Biden misstated and lied that his U.S. military and intelligence advisors determined Bagram Air Force Base was of no significant value. Indeed, the record reflects that Defendant Joe Biden reaffirmed his decision to deliberately close a large, sophisticated, defensible air base and others one by one prior to the scheduled exfiltration of U.S. citizens, allies, military personnel and equipment.¹¹

After Defendant Joe Biden was sworn in as president, the Taliban's attacks accelerated and – in violation of their commitment to the Trump administration – the Taliban conquered more towns, cities and provinces. The record reflects that Defendant Joe Biden ignored these accelerating provocations and violations of the Taliban's commitments.¹² On August 11, 2021, the Taliban captured airports in the Afghan provinces of Farah and Kunduz as the U.S. military withdrew. Insurgents also took control of an Afghan Army Corp base in Kunduz after hundreds of soldiers surrendered to them.¹³

On August 11, 2021, at the direction of Defendant Joe Biden, the U.S. military provided the Taliban around 100 U.S.-made MRAPs as well as U.S. ScanEagle drones, hundreds of high-

⁹ See Citizens' Prosecutor's Exhibit 3 in Case No. 002 – <https://apnews.com/article/joe-biden-afghanistan-taliban-d2c54073ce67f3b162c77b4f9f2f0ddd>.

¹⁰ See <https://apnews.com/article/bagram-afghanistan-airfield-us-troops-f3614828364f567593251aaaa167e623>.

¹¹ See Citizens' Prosecutor's Exhibit 1 at ¶ 29 in Case No. 002 – Criminal Indictment regarding Afghanistan.

¹² *Id.* at ¶ 31.

¹³ *Id.* a ¶ 32.

power military automatic weapons, and \$85 Billion of other sophisticated American weaponry.¹⁴ In August 2021, the U.S. military, at the direction of Defendant Joe Biden, left behind thousands of prisoners, including Al Qaeda terrorists, who had been imprisoned at the air base. As a result of Defendant Joe Biden's directives, the Taliban released the prisoners, adding to their number of fighters and terrorists in their assault upon the elected government of Afghanistan. The U.S. military, at the direction of Defendant Joe Biden, abandoned massive quantities of military vehicles, aircraft and equipment at Bagram Air Force Base. The record reflects that Defendant Joe Biden provided the Taliban and other anti-American terrorist groups with enough military aircraft to have an air force larger than one hundred (100) countries, including Australia.¹⁵

Given the abrupt nature of the U.S. withdrawal, many Afghan military, trained by the United States, defected to the Taliban and are able to fly Blackhawk helicopters and utilize other U.S. military vehicles and equipment. Defendant Joe Biden further created an extremely dangerous situation by arming and replenishing the ranks of the Taliban forces soon attacking the capital of Kabul, Afghanistan, knowingly creating an unreasonable and extreme danger of death, torture, imprisonment, kidnapping, hostage-taking and slavery to U.S. citizens and Afghan contractors to the U.S. government.¹⁶

The record reflects that Defendant Joe Biden knew during these events that an estimated 11,000 to 49,000 U.S. citizens were present in Afghanistan and he knew that thousands of Afghan nationals worked as employees or contractors for the U.S. military in various roles such as translators, guides, advisors, drivers, support staff during the twenty (20) year occupation of Afghanistan by the coalition countries including the United States. Despite publicly stating that

¹⁴ *Id.* at ¶ 33.

¹⁵ *Id.* at ¶¶ 34 – 39.

¹⁶ *Id.* at ¶ 40.

there were at least 11,000 civilian citizens in Afghanistan, Defendant Joe Biden directed the evacuation of only about 6,000 U.S. civilian citizens.¹⁷ The record reflects that Defendant Joe Biden chose to maintain the politically motivated and contrived withdrawal deadline of September 11, 2021 at the expense of leaving U.S. citizens, including many civilians abandoned inside Afghanistan, behind enemy lines and at risk of death, injury and imprisonment.¹⁸

At the time, Republican members of Congress tried to pass legislation that would require the U.S. military to remain in Afghanistan until such time and with sufficient force to protect and transport every U.S. citizen, including diplomats and civilians, out of Afghanistan, but Speaker of the House, Nancy Pelosi, refused to allow a vote on the bill.¹⁹ Furthermore, as news continued to flow – including from contacts with U.S. members of Congress from the ground – of U.S. citizens being beaten, harassed, blocked and questioned by the Taliban trying to reach the Kabul airport to escape, Defendant Joe Biden prohibited military action outside the security ring around Kabul airport which prohibited the U.S. military from traveling out in force and rescuing those U.S. citizens from chaotic crowds out in the city dominated by the Taliban terrorists.²⁰ Indeed, when U.S. citizens showed their passports at checkpoints to try to reach the U.S. evacuation at the Kabul airport, the Taliban terrorists routinely confiscated the U.S. passports²¹ Yet, Defendant Joe Biden, as President and Commander-in-Chief, took no action and actively restrained the U.S. military from taking action. The record reflects that the number abandoned could have been between 6,000 and 40,000 U.S. citizens scattered throughout the country.²²

¹⁷ *Id.* at ¶ 43.

¹⁸ *Id.* at ¶¶ 44 – 49.

¹⁹ *Id.* at ¶ 50.

²⁰ *Id.* at ¶ 54.

²¹ *Id.* at ¶ 55.

²² *Id.* at ¶ 60.

Representative Andy Kim (D-NJ) stated during this time that his office had received more than 11,000 requests for evacuation from Afghanistan. He said: “many of them have been stuck outside the airport gates for hours, and now that the final planes have left, they are left with a lot of concern about what comes next, and they have a lot of questions.”²³

Indeed, sophisticated, private efforts to evacuate U.S. citizens and Afghans who served the U.S. military such as former U.S. military members code named “Task Force Pineapple Express” reported that the U.S. Department of State, at the direction of Defendant Joe Biden, had fought them at every step to prevent the rescue of U.S. citizens and Afghan allies. A similar effort led by Glenn Beck called the Nazarene Fund reportedly had \$28 million in donations to rescue U.S. citizens yet the U.S. Department of State stood in the way of the rescue missions.²⁴ Several neighboring countries had already stepped up to take in Afghan refugees, however the U.S. Department of State, at the direction of Defendant Joe Biden, told these governments to stop taking in the Afghan refugees.²⁵

In this regard, there are still over 27,000 Afghans who are in the pipeline for two refugee programs created in the final days of the U.S.’s presence in Afghanistan, according to the U.S. Department of State.²⁶ This does not include family members, which potentially adds tens of

²³ See Citizen’s Prosecutor’s Exhibit 1 in Case No. 002 at ¶¶ 62, 63 – Criminal Indictment regarding Afghanistan; see also <https://www.breitbart.com/clips/2021/08/31/dem-rep-kim-i-got-over-11000-evacuation-requests-from-afghanistan-some-got-left-behind-after-being-stuck-outside-airport-for-hours/>.

²⁴ See Citizens’ Prosecutor’s Exhibit 13 in Case No. 002 – <https://www.standingforfreedom.com/2021/08/nazarene-fund-airlifts-5100-christians-from-afghanistan-with-over-30-million-raised-by-glenn-becks-radio-audience/>.

²⁵ See Citizens’ Prosecutor’s Exhibit 14 in Case No. 002 – <https://www.dailymail.co.uk/news/article-9931647/Glenn-Beck-tells-Tucker-Carlson-State-Department-blocked-attempts-rescue-Afghan-Christians.html>.

²⁶ See <https://www.washingtontimes.com/news/2023/aug/11/two-years-after-fall-of-kabul-tens-of-thousands-of/>.

thousands more. But, since the United States left Afghanistan, it has only admitted 6,862 of these Afghan refugees, mostly P-1 and P-2 visa applicants, according to the U.S. State Department.²⁷

Even now, Gold Star Families (immediate family members of a fallen service member who died while serving in a time in conflict) are demanding answers from the U.S. government. On August 7, 2023, U.S. Rep. Darrell Issa (R-CA) hosted a forum where Gold Star families of the thirteen (13) U.S. service members killed in Kabul spoke out about being ignored by Defendant Biden and his administration.²⁸ One mother said, “[o]ur leaders including the Secretary of Defense, and our Commander in Chief [Defendant Joe Biden], called this evacuation a success as if there should be a celebration . . . [i]t’s like a knife in the heart of our families.”²⁹ Another Gold Star mother said, “[t]he [Defendant Biden] administration failed us.”³⁰

More damning to Defendant Biden and his administration and his culpability at issue here is that he and his administration missed, either by design or gross negligence, *two* chances to prevent the Kabul airport suicide attack.³¹ In the days before the suicide attack, U.S. military commanders were aware of the threat and ignored the chances to take out the deadly terrorist network behind the plot.³² The Taliban, having seized control of Afghanistan at this point partly because of Defendant Biden’s overt acts and omissions, refused a request to raid a hotel that was a known staging post for ISIS-K, the terrorist group that carried out the atrocity of killing thirteen (13) Americans. And, around the same time, superior officers, at Biden’s direction, vetoed a plan for a drone strike elsewhere because of the “negative response” of the Taliban to

²⁷ *Id.*

²⁸ See <https://www.newsnationnow.com/us-news/military/gold-star-families-demand-answers-after-kabul-suicide-bombing/>.

²⁹ *Id.*

³⁰ *Id.*

³¹ See <https://www.dailymail.co.uk/news/article-12400973/Kabul-Afghanistan-suicide-attack-airport-13-Biden.html>.

³² *Id.*

such a raid.³³ Taken together, the shocking conclusion is that the deaths of the thirteen (13) U.S. service persons and others killed that day could have been avoided had Defendant Biden and his administration not been reliant their enemy for protection in the final days of the evacuation. Simply put, the actions of Defendant Joe Biden resulted in the murder of thirteen (13) U.S. servicemen at the Kabul airport and ten (10) of our Afghan allies, including seven (7) children.³⁴

IV. THE HISTORY OF DEFENDANTS JOE BIDEN'S, HUNTER BIDEN'S AND JAMES BIDEN'S INVOLVEMENT IN MONEY LAUNDERING AND OTHER CRIMES WHICH LED TO THE GRAND JURY INDICTMENT INVOLVING UKRAINE AND CHINA.

The Criminal Indictment³⁵ charges Defendants Joe, Hunter and James Biden with, *inter alia*, soliciting bribes, receiving bribes, kickbacks and influence peddling for their personal gain. During the Obama administration, with Defendant Joe Biden sitting as Vice President, in the lengthy and troubled attempts to help Ukraine emerge from communism and poverty after its inclusion in the Union of Soviet Social Republics to become a modern democracy, \$1.8 Billion of international aid went missing. As PJ Media reported on March 21, 2018:

The Biden family's dealings with this Ukrainian company involved getting one of the country's most notorious mob bankers, Ihor Kolomoisky, off the U.S. government visa ban list. Under Biden's leadership, \$3 Billion in aid went to Ukraine, and his son's [Defendant Hunter Biden] company was implicated in the disappearance of \$1.8 Billion of that money.³⁶

³³ *Id.*

³⁴ See Citizens' Prosecutor's Exhibits 15, 16 in Case No. 002 – <https://www.npr.org/2021/08/26/1031330557/biden-remarks-troops-killed-kabul-afghanistan>; <https://www.cnbc.com/2021/09/17/us-airstrike-in-kabul-last-month-killed-10-civilians-including-seven-children-pentagon-says.html>.

³⁵ See Citizens' Prosecutor's Exhibit 1 in Case No. 001 – Criminal Indictment regarding Ukraine and China.

³⁶ See Citizens' Prosecutor's Exhibit 5 in Case No. 001 – <https://pjmedia.com/news-and-politics/tyler-o-neil/2018/03/21/did-biden-save-this-ukraine-firm-responsible-for-1-8b-in-missing-aid-his-son-is-on-the-board-n56849>.

Burisma Holdings Limited's ("Burisma") owner Mykola Zlochevsky ("Zlochevsky"), together with Ihor Kolomoisky, ran Privatbank and billions of dollars of international foreign aid went through Privatbank. However, \$1.8 Billion of the foreign aid disappeared from within Ukraine's banking system. At this time, Ukrainian and international governmental authorities investigated the disappearance of the \$1.8 Billion. Ukrainian authorities raided Zlochevsky's home and seized his assets in early 2016, however by that time, he had fled to the country of Cyprus and from there disappearing.³⁷

As Reuters reported on November 20, 2019, "Ukraine has widened its investigation into the founder of energy company Burisma to include suspicion of embezzling state funds," Prosecutor General Ruslan Ryaboshapka said on Wednesday."³⁸ Yet, Defendant Joe Biden falsely claimed that the investigation into Burisma had concluded. At this time, Defendants Joe, Hunter and James Biden faced the prospect that if Burisma's owner were prosecuted, payments to them through Burisma would have been disrupted.³⁹

The owner of Burisma, Zlochevsky, was Ukraine's Minister of Ecology and Energy.⁴⁰ Ukraine is rich in natural resources and was the breadbasket of the former USSR, putting Zlochevsky as Minister of Ecology and Energy, in a unique position to control vast wealth and direct favors to corrupt business partners in return for bribes, kickbacks and deals.⁴¹ Zlochevsky obtained considerable wealth and lucrative contacts while he was Ukraine's Minister of Ecology

³⁷ See Citizens' Prosecutor's Exhibit 1 at ¶¶ 7 – 11 in Case No. 001 – Criminal Indictment regarding Ukraine and China.

³⁸ See Citizens' Prosecutor's Exhibit 6 in Case No. 001 – <https://www.reuters.com/article/us-usa-trump-impeachment-burisma/ukraine-widens-probe-against-burisma-founder-to-embezzlement-of-state-funds-idUSKBN1XU2N7>.

³⁹ See Citizens' Prosecutor's Exhibit 1 at ¶ 15 in Case No. 001 – Criminal Indictment regarding Ukraine and China.

⁴⁰ *Id.* at ¶ 18.

⁴¹ *Id.* at ¶ 19.

and Energy. Indeed, after his term in office ended, the Ukrainian government began investigating Zlochevsky over allegations of bribery, corruption and misuse of his governmental office.⁴²

As then Vice President of the United States, Defendant Joe Biden boasted on C-SPAN that he ordered Ukraine's previous president to fire Ukraine's Prosecutor General or he would refuse Ukraine \$1 Billion in loan guarantees from the United States. Then Vice President Biden boasted:

I remember going over (to Ukraine), convincing our team ... that we should be providing for loan guarantees. ... And I was supposed to announce that there was another billion-dollar loan guarantee. And I had gotten a commitment from (then Ukrainian President Petro Poroshenko) and from (then-Prime Minister Arseniy Yatsenyuk that they would take action against the state prosecutor (Shokin). And they didn't..."

They were walking out to a press conference. I said, nah, ... we're not going to give you the billion dollars. They said, 'You have no authority. You're not the president.' ... I said, call him. I said, I'm telling you, you're not getting the billion dollars. I said, you're not getting the billion. ... I looked at them and said, 'I'm leaving in six hours. If the prosecutor is not fired, you're not getting the money.' Well, son of a bitch. He got fired. And they put in place someone who was solid at the time.⁴³

Ukraine's government then fired Ukrainian Prosecutor General Viktor Mikolajovich Shokin ("Shokin") as demanded by Defendant Joe Biden upon the threat of the loss of \$1 Billion in loan guarantees.⁴⁴

After Shokin's removal as Ukrainian General Prosecutor, Shokin filed an affidavit in a court case in Austria, swearing under oath:

The events relating to DF and Biden in 2015 reveal the extent of the US administration's interference with Ukrainian domestic affairs and the eagerness to exercise control with the aim of advancing US interests. An example confirming

⁴² *Id.* at ¶ 21.

⁴³ See Citizens' Prosecutor's Exhibit 8 in Case No. 001 – <https://www.c-span.org/video/?c4818165/user-clip-joe-biden-confesses-bribery>.

⁴⁴ See Citizens' Prosecutor's Exhibit 1 at ¶ 26 in Case No. 001 – Criminal Indictment regarding Ukraine and China.

such interference is me being forced to resign from my role as General Prosecutor solely on the demands of the US Vice President, Joe Biden, because I refused to cease my probe into Burisma (in which Biden had significant interests), and because I would never have agreed to a politically motivated, unfounded criminal prosecution.⁴⁵

Shokin continued:

Joe Biden was visiting Ukraine frequently at that time. He came again in December 2015. He met President Poroshenko on Sunday 6 December and addressed the Rada on Tuesday 8 December.⁴⁶

Ukrainian prosecutors after Shokin's removal were investigating the Anti-Corruption Action Center, backed in part by George Soros' Open Society Foundation, as the source of the corruption in Ukraine. That is, Ukrainian investigators alleged that anti-corruption organizations were actually orchestrating the corruption.⁴⁷

As reported in The Hill on March 26, 2019:

The prosecutors soon would learn the resistance they faced was blowing directly from the U.S. Embassy in Kiev, where the Obama administration took the rare step of trying to press the Ukrainian government to back off its investigation of both the U.S. aid and the group.

'The investigation into the Anti-Corruption Action Center (sic), based on the assistance they have received from us, is similarly misplaced,' then-embassy Charge d' Affaires George Kent wrote the prosecutor's office in April 2016 in a letter that also argued U.S. officials had no concerns about how the U.S. aid had been spent.

At the time, the nation's prosecutor general had just been fired, under pressure from the United States, and a permanent replacement had not been named.⁴⁸

⁴⁵ See Citizens' Prosecutor's Exhibit 10 at ¶ 38 in Case No. 001 – <https://cdn.factcheck.org/UploadedFiles/427618359-Shokin-Statement-1.pdf>.

⁴⁶ *Id.* at ¶ 32.

⁴⁷ See Citizens' Prosecutor's Exhibit 1 at ¶ 31 in Case No. 001 – Criminal Indictment regarding Ukraine and China.

⁴⁸ See Citizens' Prosecutor's Exhibit 11 in Case No. 001 – <https://thehill.com/opinion/campaign/435906-us-embassy-pressed-ukraine-to-drop-probe-of-george-soros-group-during-2016/>.

Then Vice President Defendant Joe Biden, the United States' point person in Ukraine, intervened in dueling corruption investigations and tried to prevent investigations of corruption created and orchestrated by groups funded by George Soros' political organizations.⁴⁹

Yuriy Vitaliyovych Lutsenko ("Lutsenko") replaced Shokin as Prosecutor General from May 12, 2016 until August 29, 2019.⁵⁰ As reported in The Hill on March 26, 2019, Lutsenko told U.S. reporter John Solomon that he was stunned when the ambassador "gave me a list of people whom we should not prosecute."⁵¹ Not coincidentally, in April of 2014, Defendant Joe Biden's son, Defendant Hunter Biden, was added to the Board of Directors of Burisma, the Ukrainian energy company.⁵² During this time, Burisma paid Defendant Hunter Biden \$50,000 per month, or \$600,000 per year for a part-time job.⁵³ Investigator and author, Peter Schweizer of the Government Accountability Institute, reported from the documents he uncovered that Defendant Hunter Biden was actually paid \$83,000 per month or \$996,000 per year.⁵⁴ These payments to Defendant Hunter Biden were indeed bribes paid by corrupt gangs of politicians and oligarchs to then Vice President Defendant Joe Biden.⁵⁵

Defendant Hunter Biden worked part time for Burisma, did not speak Ukrainian (or even Russian), which would be necessary in order to advise, consult with or oversee Burisma and its

⁴⁹ See Citizens' Prosecutor's Exhibit 1 at ¶ 33 in Case No. 001 – Criminal Indictment regarding Ukraine and China.

⁵⁰ *Id.* at ¶ 35.

⁵¹ *Id.*; see also Citizens' Prosecutor's Exhibit 12 in Case No. 001 - <https://www.kyivpost.com/post/10181>.

⁵² *Id.* at ¶ 37.

⁵³ See Citizens' Prosecutor's Exhibit 15 in Case No. 001 – <https://blog.watchdogresearch.com/posts/hunter-biden-was-he-paid-appropriately-as-an-independent-director/>.

⁵⁴ See Citizens' Prosecutor's Exhibit 25 in Case No. 001 – Secret Empires: How the American Political Class Hides Corruption and Enriches Family and Friends by Peter Schweizer.

⁵⁵ See Citizens' Prosecutor's Exhibit 1 at ¶ 41 in Case No. 001 – Criminal Indictment regarding Ukraine and China.

corporate activities. In fact, Burisma’s board met only once a quarter and not more than once month. Defendant Hunter Biden did not have any qualifications in energy or any expertise in the country or economy of Ukraine. Provided that Defendant Hunter Biden had no expertise, language skills or knowledge of Ukraine, his job was essentially a “no show” sham job in which he could not effectively participate in overseeing the work of Burisma. Defendant Hunter Biden could not read documents of the company in relation to his part-time job nor could he effectively ask questions of company officials, managers, or personnel, other than what those individuals chose to reveal to him in English, concealing what they did not want to disclose.⁵⁶ As such, Defendant Hunter Biden could not perform his duties for the part-time job for which he was paid as much as \$83,000 per month, being unable to supervise, review or guide the company in its practices or methods.

In 2014, the year that Burisma employed Defendant Hunter Biden, he was discharged from the military due to illegal narcotic drug use, making him unemployable at the level of a corporate board member at a fraction of the salary rates involved. Defendant Hunter Biden’s only qualification for the job was that his father, Defendant Joe Biden, was Vice President of the United States, who had been put in charge of foreign policy by former President Obama.

On December 11, 2015, The New York Times editorial published, “Burisma’s owner, Mykola Zlochevsky, has been under investigation in Britain and in Ukraine. It should be plain to [Defendant Hunter Biden] that any connection with a Ukrainian oligarch damages his father’s efforts to help Ukraine. This is not a board he should be sitting on.”⁵⁷ Indeed, the Federalist compiled a survey which stated:

⁵⁶ *Id.* at ¶¶ 42 – 46.

⁵⁷ *See* Citizens’ Prosecutor’s Exhibit 1 at ¶ 54 in Case No. 001 – Criminal Indictment regarding Ukraine and China.

[a] 2018 survey from FW Cook, a well-regarded executive compensation consulting firm, shows that of the companies in the S&P 500, large-cap companies, which are companies with a market value of more than \$10 billion, paid individual board members a median of \$275,000 a year. Among S&P 500 companies in the energy industry, board members were compensated with a median \$213,000 a year, with those in the 75th percentile of the salary range still only bringing in \$289,000, less than half of what Hunter Biden has been reported earning at Burisma . . . Last week, Mark Hemingway of RealClearInvestigations reported on a study from Watchdog Research revealing that [Defendant Hunter Biden] was paid 12 times the amount expected at a similarly sized company, whose board members are typically paid about \$55,000 to \$83,000 for an entire year.⁵⁸

As such, the difference between the fair market value of Defendant Hunter Biden's compensation for a part time job and what he actually received constituted a bribe and/or kickback for the benefit of and to Defendant Joe Biden.

On April 1, 2019, John Solomon from The Hill quoted Ukrainian former General Prosecutor Shokin, telling him that before he was dismissed, he was leading a wide-ranging corruption probe into Burisma and that his plans included interrogations and other crime-investigation procedures into all members of the executive board, including Defendant Hunter Biden. On May 1, 2019, The New York Times reported that “[Christopher] Heinz argued to [Devon] Archer, who like Hunter Biden had joined Burisma's board, that the posts created the appearance of selling influence, according to a person familiar with the conversation.”⁵⁹ Former Ukrainian Prosecutor General Shokin wrote The Washington Post via email:

[a]ll I can say is that the appointment of Hunter Biden as a member of the Board of Directors of the energy company is rather questionable from the point of view of effectiveness. After all, this person had no work experience either in Ukraine or in the energy sector . . . I will answer that the activities of Burisma, the involvement of his son, Hunter Biden, and the [prosecutor general's office]

⁵⁸ See <https://thefederalist.com/2019/11/27/hunter-bidens-reported-burisma-payout-was-far-above-comparable-board-compensation/>.

⁵⁹ See <https://www.nytimes.com/2019/05/20/us/politics/trump-hunter-biden-china.html>.

investigators on his tail, are the only, I emphasize, the only motives for organizing my resignation.⁶⁰

As stated, President Obama delegated to then Vice President Defendant Joe Biden the lead role in the foreign policy of the U.S. government in all matters concerning Ukraine, China and other key, foreign nations.⁶¹ As such, the Grand Jury alleged that one of Defendant Hunter Biden's projects was to engage in money laundering and evasion of U.S. sanctions on behalf of wealthy foreign clients by disguising wealth from China, Russia, Ukraine and other countries as being respectable investments into the U.S. financial markets. The Grand Jury also alleged that another one of Defendant Hunter Biden's projects was to help wealthy foreigners evade U.S. sanctions and introduce money into the United States as seemingly legitimate investment funds.

The Federalist reported on September 23, 2020:

[a]ccording to the joint report released by the Senate Homeland Security and Governmental Affairs Committee with the Senate Finance Committee, Rosemont Seneca, an investment firm co-founded by Hunter Biden received a \$3.5 million wire transfer from Elena Baturina in 2014 while his father, Joe Biden was vice president.

Baturina used to be married to Moscow Mayor Yuri Luzhkov who was fired in 2010 by then-Russian President Dmitry Medvedev over allegations of corruption benefiting Baturina's enterprises.

"Luzhkov used his position as mayor to approve over 20 real estate projects that were built by a Baturina-owned construction company and ultimately generated multibillion-ruble profits for his family," Senate investigators wrote.⁶²

⁶⁰ See https://www.washingtonpost.com/politics/as-vice-president-biden-said-ukraine-should-increase-gas-production-then-his-son-got-a-job-with-a-ukrainian-gas-company/2019/07/21/f599f42c-86dd-11e9-98c1-e945ae5db8fb_story.html.

⁶¹ See Citizens' Prosecutor's Exhibit 1 at ¶ 60 in Case No. 001 – Criminal Indictment regarding Ukraine and China.

⁶² See Citizens' Prosecutor's Exhibit 22 in Case No. 001 – <https://thefederalist.com/2022/03/30/u-s-senators-reveal-ccp-controlled-company-funneled-millions-to-biden-family-to-represent-spy-chief-of-china/>; see also Citizens' Prosecutor's Exhibit 17 in Case No. 001 – <https://thefederalist.com/2020/09/23/hunter-biden-took-3-5-million-from-ex-moscow-mayors-wife/>.

This payment of \$3.5 Million in U.S. dollars has never been explained. The Grand Jury alleged that Defendant Hunter Biden was in the business of laundering funds for disreputable or corrupt individuals or funds from sources of illegal conduct and entering those funds into the U.S. financial markets, to allow said funds to be used outside of the source country and to appear to be legitimate funds invested through Defendant Hunter Biden's investment funds.⁶³

In the late summer of 2006, Defendants Hunter and James Biden purchased a hedge fund called Paradigm Global Advisors.⁶⁴ According to an unnamed executive quoted in Politico in August 2019, Defendant James Biden declared to employees of Paradigm Global Advisors on his first day, "Don't worry about investors. We've got people all around the world who want to invest in [Defendant] Joe Biden."⁶⁵ At this time Defendant Joe Biden was months away from becoming chairman of the Senate Foreign Relations Committee and launching his second bid for president of the United States.⁶⁶ The unnamed executive who spoke as a news source to Politico charged that the purchase of the Paradigm Global Advisors fund was designed to work around campaign finance laws. Indeed, Defendant James Biden made it clear that he viewed the fund as a way to take money from wealthy foreigners who could not legally give money to his older brother, Defendant Joe Biden, or his campaign account. "We've got investors lined up in a line of 747s filled with cash ready to invest in this company," the executive remembers Defendant James Biden saying.⁶⁷

⁶³ See Citizens' Prosecutor's Exhibit 1 at ¶ 65 in Case No. 001 – Criminal Indictment regarding Ukraine and China.

⁶⁴ *Id.* at ¶ 66.

⁶⁵ See <https://www.politico.com/magazine/story/2019/08/02/joe-biden-investigation-hunter-brother-hedge-fund-money-2020-campaign-227407/>.

⁶⁶ See Citizens' Prosecutor's Exhibit 1 at ¶ 68 in Case No. 001 – Criminal Indictment regarding Ukraine and China

⁶⁷ *Id.*

Defendant Hunter Biden has admitted the elements and details of the scheme of bribery and influence peddling centered in and around his father in many emails and text messages recovered, as reported in the Washington Times on October 24, 2020:

Hunter Biden went on a tirade in a June 2017 message to partner James Gilliar with complaints about Mr. Bobulinski.

‘Explain to me one thing Tony brings to MY table that I so desperately need that I’m willing to sign over my family’s brand and pretty much the rest of my business life,’ Hunter Biden says. ‘Why in gods name would I give this marginal bully the keys my family’s only asset? Why?’

The ‘only asset’ appears to be a reference to the Biden name, or the father himself.⁶⁸

The Washington Times further reported: “[a]nother was a May 2017 email from Mr. Gilliar to Hunter Biden and Mr. [Anthony] Bobulinski on a new venture with Mr. Ye in which a 10% stake would be ‘held by H for the big guy?’ Mr. Bobulinski says the ‘big guy’ is the former vice president.”⁶⁹⁷⁰ Thus, Defendant Joe Biden planned to be and – and was an undisclosed owner of – 10% of the new venture with energy oligarch Ye from China, which would require U.S. government approval of investments into the U.S. energy market.⁷¹ As declared in a statement released on October 22, 2020 by Defendant Hunter Biden’s former business partner, Tony Bobulinski, Defendant Hunter Biden often referred to his father as “my chairman and frequently referenced asking him for his sign-off or advice on various potential deals that we were discussing.”⁷²

⁶⁸ See <https://www.washingtontimes.com/news/2020/oct/24/bobulinski-texts-joe-biden-involved-son-business/>.

⁶⁹ *Id.*

⁷⁰ See Citizens’ Prosecutor’s Exhibit 18 – Tony Bobulinski Interview #1 – <https://www.youtube.com/watch?v=EqeO0ODwYCA>.

⁷¹ See Citizens’ Prosecutor’s Exhibit 1 at ¶ 73 in Case No. 001 – Criminal Indictment regarding Ukraine and China.

⁷² See <https://nypost.com/2022/07/27/hunter-biden-scandal-may-lead-right-back-to-joe/>.

In an interview provided to Fox News' former host Tucker Carlson, Tony Bobulinski ("Bobulinski") detailed his various meetings and business trips with Defendants Hunter and James Biden and how he met with Defendant Joe Biden in 2015 and 2016 while he sat as Vice President, one time after a speech that Defendant Biden had given.⁷³ Bobulinski recounted how Defendant Biden asked him to "take care of [his] son and brother."⁷⁴ Yet, at a public debate for the 2020 presidency, Defendant Joe Biden – in an effort to detract and discredit the public's attention regarding his own corrupt business dealings with Ukraine, China and other countries, including but not limited to Luxembourg, France, Romania and Oman – declared Bobulinski a person sent to promote "Russian disinformation,"⁷⁵ which is, of course, treason. U.S. Congressman Adam Schiff (D-CA) appeared on CNN's Wolf Blitzer and reiterated Defendant Joe Biden's false narrative concerning Bobulinski: "[t]his whole smear on Joe Biden comes from the Kremlin."⁷⁶

Bobulinski, a former U.S. Navy lieutenant and a well-respected business entrepreneur, having his family name severely tarred, called Rob Walker, the Biden family's associate and representative, and requested that Defendant Joe Biden retract the false statement that he, Bobulinski, is a part of Russian disinformation and therefore guilty of treason.⁷⁷ Bobulinski said that if the Biden family did not come clean, he would be forced to expose to the American people the truth about the Defendants' nefarious dealings. Bobulinski: "[i]f he doesn't come out on the record, I am providing the facts." Rob Walker: "Tony[,] you're just gonna bury all of us[,]

⁷³ See Citizen's Prosecutor's Exhibit 19 – Tony Bobulinski Interview #2 on Fox News' Tucker Carlson – <https://www.youtube.com/watch?v=2zLfBRgeFFo>.

⁷⁴ *Id.*

⁷⁵ *Id.*

⁷⁶ *Id.*

⁷⁷ *Id.*

man.”⁷⁸ Defendant Joe Biden never issued a retraction. Thus, as promised, Bobulinski came clean to the American people and shared his knowledge about Defendants Joe, Hunter and James Biden and all their unscrupulous and illegal racketeering activity.

Up and until late 2006, Defendant Hunter Biden had been employed as a consultant to Delaware-based bank MBNA, earning \$100,000 per year, according to The New York Times.⁷⁹ MBNA hired him directly out of Yale Law School even though he had no experience working for a hedge fund or investment firm. MBNA had already been a major contributor to Defendant Joe Biden’s political election campaigns when it hired Defendant Hunter Biden in 1996. In less than two (2) years, MBNA promoted Defendant Hunter Biden to senior vice president. During this time, Defendant Hunter Biden also worked as a lobbyist until 2018, founding the firm Oldaker Biden & Blair.⁸⁰

The following timeline proves necessary for this Court’s analysis purposes. On January 7, 2007, Defendant Joe Biden announced his bid for the presidency.⁸¹ On January 18, 2007, Defendant Hunter Biden stepped down as interim chief executive of Paradigm Global Advisors, but the company announced he would remain in his position as chairman of its advisory board.⁸² On January 3, 2008, after winning under one-percent in the Iowa caucus, Defendant Joe Biden ended his bid for presidency.⁸³ On August 23, 2008, Democrat nominee for president Barack Obama named Defendant Joe Biden as his running mate as vice president.⁸⁴ In September 2008, Defendant Hunter Biden founded Seneca Global Advisors, calling it “a boutique consulting

⁷⁸ *Id.*

⁷⁹ *See* Citizens’ Prosecutor’s Exhibit 1 at ¶ 75 in Case No. 001 – Criminal Indictment regarding Ukraine and China.

⁸⁰ *Id.* at ¶¶ 76 – 79.

⁸¹ *Id.* at ¶ 81.

⁸² *Id.* at ¶ 82.

⁸³ *Id.* at ¶ 83.

⁸⁴ *Id.* at ¶ 84.

firm” which “helps small and mid-sized companies expand into markets in the U.S. and other countries.”⁸⁵ On January 9, 2009, Defendant Joe Biden was sworn in as vice president of the United States. In June of 2009, Defendant Hunter Biden co-founded Rosemont Seneca (“Rosemont Seneca”) Partners with Christopher Heinz (the stepson of John Kerry and heir to the Heinz fortune) and Devon Archer, who had been friends with Heinz at Yale Law School.⁸⁶

During 2010 and 2011, Rosemont Seneca grew rapidly through its unusual ability to secure meetings with wealthy Chinese investors. During this time, in April of 2010, Defendant Hunter Biden, representing Rosemont Seneca, met with senior officials of state enterprises including the Postal Savings Bank, China Investment Corp. and Founder Group in China. James Bulger, the politically connected co-founder of the Thornton Group, an Asia-oriented financial services firm, joined Defendant Hunter Biden to China during the April 2010 trip.⁸⁷

In his book Secret Empires: How the American Political Class Hides Corruption and Enriches Family and Friends, Peter Schweizer details the circumstances surrounding the China trip:

Less than a year after opening Rosemont Seneca’s doors, Hunter Biden and Devon Archer were in China having secured access at the highest levels. Thornton Group’s account of the meeting on their Chinese-language website is telling: Chinese executives ‘extended their warm welcome’ to the ‘Thornton Group, with its U.S. partner Rosemont Seneca chairman Hunter Biden (second son of the now Vice President Joe Biden).’ The purpose of the meetings was to ‘explore the possibility of commercial cooperation and opportunity.’ Curiously, details about the meeting do not appear on their English-language website.

Also, according to the Thornton Group, the three Americans met with the largest and most powerful government-fund leaders in China — even though Rosemont was both new and small. To put these meetings in perspective, it was as if the son of the Chinese premier held a single meeting with the heads of Goldman Sachs, Bank of America, J.P. Morgan, Merrill Lynch, and Blackstone. Except, in this

⁸⁵ *Id.* at ¶ 85.

⁸⁶ *Id.* at ¶ 87.

⁸⁷ *Id.* at ¶ 90.

case, these were government entities with trillions of dollars of capital to invest. The delegate spent two days meeting with the top executives of China’s sovereign wealth fund, social-security fund, and largest banks.

Hunter posed with them for a series of pictures.⁸⁸

It was also reported in 2021 by The Daily Mail that 2010 emails between Defendant Hunter and his business partner detail payments for “JRB” – likely Defendant Joseph Robinette Biden.⁸⁹ These bills included a \$190-a-month AT&T phone bill and thousands of dollars in repairs on Defendant Joe Biden’s lakeside home in Wilmington, Delaware. The payments were described in a 2010 emails, when Defendant Joe Biden was earning \$225,000-a-year as Vice President.⁹⁰ Indeed, Defendant Hunter Biden complained that “half” of his salary went to paying his father’s bills while he was Vice President, casting serious doubt on Defendant Joe Biden’s previous claim that he’s never benefited from his son’s business dealings. In a text to his daughter, Naomi, Defendant Hunter Biden – who at this point had been battling drug addiction for years – complained: “I hope you can all do what I did and pay for everything for this entire family for 30 years. It’s really hard. But don’t worry, unlike Pop [Defendant Joe Biden], I won’t make you give me half your salary.”⁹¹

As reported, in Breitbart on October 6, 2020, the Grand Jury charged that:

[i]n a 2011 email, Hunter Biden’s business associates also discussed developing relations with what one called “China Inc.” as part of a ‘new push on soft diplomacy for the Chinese.’

These emails are completely unconnected to the Hunter Biden emails being released by the *New York Post*.

⁸⁸ See Citizens’ Prosecutor’s Exhibit 25 in Case No. 001 – Secret Empires: How the American Political Class Hides Corruption and Enriches Family and Friends by Peter Schweizer.

⁸⁹ See <https://www.dailymail.co.uk/news/article-9757117/Hunter-Biden-complained-half-salary-went-paying-Joes-bills.html>.

⁹⁰ *Id.*

⁹¹ *Id.*

These and more explosive never-before-revealed emails were provided to Schweizer by Bevan Cooney, a one-time Hunter Biden and Devon Archer business associate. Cooney is currently in prison serving a sentence for his involvement in a 2016 bond fraud investment scheme.

In 2019, Cooney reached out to Schweizer after becoming familiar with the revelations in his 2018 book *Secret Empires*. Cooney explained that he believes he was the “fall guy” for the fraud scheme and that Archer and Hunter Biden had avoided responsibility.⁹²

As reported in the same article by Breitbart on October 16, 2021, the Grand Jury charged that:

The emails offer a unique window into just how the Biden universe conducted business during the Obama-Biden Administration. These associates sought to trade on Hunter Biden’s relationship with, and access to, his father and the Obama-Biden White House in order to generate business . . .⁹³

For instance, on November 5, 2011, one of Archer’s business contacts forwarded him an email teasing an opportunity to gain ‘potentially outstanding new clients’ by helping to arrange White House meetings for a group of Chinese executives and government officials. The group was the China Entrepreneur Club (CEC) and the delegation included Chinese billionaires, Chinese Communist Party loyalists, and at least one ‘respected diplomat’ from Beijing. Despite its benign name, CEC has been called ‘ a second foreign ministry for the People’s Republic of China—a communist government that closely controls most businesses in its country. CEC was established in 2006 by a group of businessmen and Chinese government diplomats . . .

Before contacting Hunter Biden’s associates, the CEC had been trying to get meetings with top Obama-Biden administration officials to no avail. “From the DC side as you will see below they [CEC] have written letters to several members of the administration and others and have so far not had a strong reaction.”

‘This is China Inc.,’ wrote Khashoggi in the email, referring to the delegation of Chinese billionaires.

‘Biggest priority for the CEC group is to see the White House, and have a senior US politician, or senior member of Obama’s administration, give them a tour... If your friend in DC can help, we would be extremely grateful,’ Khashoggi emphasized.

⁹² See <https://www.breitbart.com/politics/2020/10/16/exclusive-this-is-china-inc-emails-reveal-hunter-bidens-associates-helped-communist-aligned-chinese-elites-secure-white-house-meetings/>.

⁹³ *Id.*

Hunter Biden and Devon Archer apparently delivered for the Chinese Communist Party-connected industrial elites within ten days.⁹⁴

The New Yorker reported that during 2012, Devon Archer and Defendant Hunter Biden began meetings with “Jonathan Li, who ran a Chinese private-equity fund, Bohai Capital, about becoming partners in a new company that would invest Chinese capital in the Untied States.⁹⁵ Defendant Hunter Biden accompanied his father, Defendant Joe Biden, on a long trip to China from Washington, D.C. on board the prestigious Air Force Two on or around December 4, 2013.⁹⁶ During this trip, Defendant Joe Biden planned to meet with Chinese president Xi Jinping on behalf of the United States.⁹⁷ On the same trip, Defendant Hunter Biden arranged for Jonathan Li of Bohai Capital to shake hands with his father, Defendant Joe Biden, in the lobby of the American delegation’s hotel.⁹⁸

Less than two (2) weeks after Defendant Joe Biden’s trip to China with his son Defendant Hunter Biden, Defendant Hunter Biden’s firm signed a \$1 Billion private equity deal with a subsidiary of the Chinese government’s Bank of China.⁹⁹ In fact, this deal was later expanded to \$1.5 Billion of funds from businesses and wealthy individuals in China to be invested in the U.S. financial markets. The Grand Jury concluded that one aspect of this \$1.5 Billion deal was to launder the source of funds and make funds in the U.S. financial markets appear to be legitimate investments, as well as to purchase and influence U.S. companies. Moreover, investments in the U.S. energy markets by foreign companies or foreign investors would normally require approval

⁹⁴ *Id.*

⁹⁵ *See* Citizens’ Prosecutor’s Exhibit 20 in Case No. 001 – <https://www.newyorker.com/magazine/2019/07/08/will-hunter-biden-jeopardize-his-fathers-campaign>.

⁹⁶ *See* Citizens’ Prosecutor’s Exhibit 1 at ¶ 98 in Case No. 001 – Criminal Indictment regarding Ukraine and China.

⁹⁷ *Id.* at ¶ 99.

⁹⁸ *Id.* at ¶ 100.

⁹⁹ *Id.* at ¶ 101.

by the U.S. government. Thus, general approval by then vice president Defendant Joe Biden would be a valuable aspect of an investment in the U.S. energy market by foreigners.

In this regard, just recently when Devon Archer testified in front of the Committee on Oversight and Accountability, he testified that there was value in adding Defendant Hunter Biden to Burisma's board to promote "the brand" and that then Vice President Biden brought the most value to "the brand." He further testified that Burisma would have gone under if not for "the brand."¹⁰⁰ Moreover, Devon Archer testified that Defendant Joe Biden "lied" about his knowledge of Defendant Hunter Biden's business dealings as he was put on the phone "more than twenty [20] times" with Burisma's board.¹⁰¹

Between December 2016 and April 2017, Defendant Hunter Biden met the Chinese energy tycoon Ye Jianming. As CNN described, "at its height, Ye's company, CEFC China Energy, aligned itself so closely with the Chinese government that it was often hard to distinguish between the two."¹⁰² In May 2017, Chinese energy oligarch Ye Jianming and Defendant Hunter Biden met privately at a hotel in Miami, Florida. After the dinner, Ye Jianming sent a 2.8 carat diamond to Defendant Hunter Biden's hotel room with a card thanking him for the meeting.¹⁰³

In the summer of 2017, Defendant Hunter Biden began negotiating a deal for Ye's company CEFC to invest in a liquified natural gas project in Louisiana.¹⁰⁴ In October of 2017,

¹⁰⁰ See <https://www.foxnews.com/video/6332202097112>.

¹⁰¹ See <https://www.foxnews.com/politics/devon-archer-confirms-joe-biden-lied-about-knowledge-hunters-business-dealings-comer-says>.

¹⁰² See <https://www.cnn.com/interactive/2018/12/asia/patrick-ho-ye-jianming-cefc-trial-intl/>.

¹⁰³ See Citizens' Prosecutor's Exhibit 21 in Case No. 001 – <https://www.dailymail.co.uk/news/article-10251277/Hunter-Biden-agreed-spread-Chinese-influence-10-MILLION-year-80-000-diamond.html>.

¹⁰⁴ See Citizens' Prosecutor's Exhibit 1 at ¶ 114 in Case No. 001 – Criminal Indictment regarding Ukraine and China

after having an unpaid role on BHR's board since 2013, Defendant Hunter Biden acquired a ten-percent (10%) interest worth \$430,000 as of July 2019 in BHR, the private investment fund founded by Bohai Industrial Investment Fund Management Co., Ltd., controlled by the Bank of China Limited.¹⁰⁵ According to Defendant Hunter Biden's lawyer, George Mesires, at least half of the firm is owned by Chinese entities. On November 18, 2017, Patrick Ho Chi-ping, the man Ye had employed to lead his non governmental organization, was charged with money laundering and violating the Foreign Corrupt Practices Act.¹⁰⁶ Patrick Ho Chi-ping called Defendant James Biden, Defendant Joe Biden's brother, to arrange a lawyer for him.¹⁰⁷

On or around April 12, 2019, Defendant Hunter Biden took three (3) liquid-damaged Macintosh computers to John Paul Mac Isaac's ("Mac Isaac") Apple repair shop in Wilmington, Delaware.¹⁰⁸ Defendant Hunter Biden signed the work order and provided his phone number and address.¹⁰⁹ One of the laptops presented was beyond repair. Another had a fried keyboard and the last was salvageable but needed attention. After Defendant Hunter Biden brought Mac Isaac an external hard drive the following day as requested, he never stepped foot in Mac Isaac's repair shop again.¹¹⁰

After ninety (90) days, as per the work order signed by Defendant Hunter Biden, the laptop and his contents were deemed "abandoned" and became Mac Isaac's legal property. In August of 2019, Mac Isaac, a Republican voter, heard about a leaked phone call in which President Donald Trump had asked Ukraine's president to investigate Defendants Joe and Hunter

¹⁰⁵ *Id.* at ¶ 115.

¹⁰⁶ See <https://www.cnn.com/interactive/2018/12/asia/patrick-ho-ye-jianming-cefc-trial-intl/>.

¹⁰⁷ See Citizens' Prosecutor's Exhibit 1 at ¶ 117 in Case No. 001 – Criminal Indictment regarding Ukraine and China.

¹⁰⁸ See Citizens' Prosecutor's Exhibit 24 – Laptop From Hell by Miranda Devine, Chapter 21, pg. 198.

¹⁰⁹ *Id.*

¹¹⁰ *Id.* at pg. 199.

Biden's involvement with the energy company Burisma.¹¹¹ That name rang a bell for Mac Isaac as he remembered seeing it on Defendant Hunter Biden's laptop. So, he did a word search and began to read the numerous emails and documents that sprang from his search.¹¹²

On December 9, 2019, Delaware FBI agents Joshua Williams and Mike Dzielak arrived at Mac Isaac's laptop shop with a subpoena and took the laptop away.¹¹³ Mac Isaac kept a copy of the material in order to protect himself.¹¹⁴ At the time, Mac Isaac listened to the impeachment trial against President Donald Trump in the Senate and wondered why the FBI sat on the materials he provided him, as it exonerated Trump. Mac Isaac finally contacted Rudy Giuliani after he heard him speak about Burisma via an email he found online. Mac Isaac wrote to Giuliani:

"I own and operate The Mac Shop in Wilmington Delaware. Hunter came into my shop on April 12th 2019 and commissioned me to recover data from his Macbook pro. I recovered the contents of his Mac to my store server and he dropped off an external drive to transfer everything back. He never stepped foot in the shop again. After repeated attempts to collect payment and to return his property I waited until the 90 day abandonment time period expired and started to go thru the drive and see what was on it . . . As I read deeper into the drive I started to realize what I was sitting on and who was involved and at what level. I figured the safest thing to do was to reach out to the FBI and have them collect the drive and the mac so I could wash my hands of it and they might be able to offer me some level of protection should someone come looking for it and come after me because I knew what was on it. The FBI did show up and . . . over the next few days they contacted me for help in accessing the drive and cable related questions because their tech guy didn't know macs. That kinda threw up a red flag . . . They also said that nothing ever happens to people that don't talk about this stuff. So that got me a little concerned . . . There is some very incriminating videos on the drive . . . I live and work in Wilmington, Delaware, and my life here, as well as my business, would be destroyed if people found out what I was involved in. I have been trying to keep things quiet . . . but I feel time has been running out."¹¹⁵

¹¹¹ *Id.*

¹¹² *Id.*

¹¹³ *Id.*

¹¹⁴ *Id.*

¹¹⁵ *Id.* at pg. 200.

Bob Costello, Giuliani's attorney, vetted the emails sent to Giuliani's inbox and within two (2) days, he had the laptop hard drive Federal Expressed to his home in Long Island. He began accessing the data.¹¹⁶

Aside from the laptop shedding light on the allegations here, other material extracted from the laptop included a raunchy, twelve (12) minute video that appears to show Defendant Hunter Biden smoking crack cocaine while engaged in a sex act, as well as numerous other sexually explicit images.¹¹⁷

Moreover, just in the last few days, news outlets provided the American people with confirmation that Defendant Joe Biden, his Transition Team and the Secret Service were warned about an interview supposedly to be conducted by the ("Internal Revenue Service") IRS to interview Defendant Hunter Biden. As reported by Fox News, the agent in question is more than a two-decade veteran of the FBI who retired last year.¹¹⁸ He made these revelations during closed-door testimony with the House and Oversight Committee on July 17, 2023. This testimony follows similarly damning testimony from other government whistleblowers, including IRS Supervisory Agent Gary Shapley, who claimed that Defendant Biden, his administration and the Secret Service had been "tipped off" about such an interview, leading it to ultimately be cancelled entirely.¹¹⁹

The testimony by the former FBI agent substantiates a piece of testimony from Gary Shapley who raised an alarm about how the tax crimes investigation into Defendant Hunter

¹¹⁶ *Id.* at pg. 201.

¹¹⁷ See <https://nypost.com/2020/10/14/email-reveals-how-hunter-biden-introduced-ukrainian-biz-man-to-dad/>.

¹¹⁸ See https://amgreatness.com/2023/08/15/fbi-agent-biden-transition-team-secret-service-were-warned-about-2020-plans-to-interview-hunter/?utm_medium=email&utm_source=act_eng&seyid=83028.

¹¹⁹ *Id.*

Biden was conducted, specifically about how a planned attempt to interview Defendant Hunter Biden at his home in California December 8, 2020 unfolded.¹²⁰ The former FBI agent said that he was notified the evening before, December 7, 2020, that FBI headquarters had contacted the Secret Service headquarters – which upset both the FBI agent and Shapely from the IRS.¹²¹ On the day of December 8, 2020, the plan changed and the agent was told his information would be given to the Secret Service, but that he was to stay away from Defendant Hunter Biden’s home while he awaited further contact, which he said he had never been instructed to do before.¹²² He was never able to interview Defendant Hunter Biden.

All of this evidence, direct and circumstantial, factors into my findings below:

ANALYSIS

V. THIS COURT FINDS DEFENDANT JOE BIDEN GUILTY AS CHARGED FOR HIS INTENTIONAL AND RECKLESS ERRORS AND OMISSIONS IN AFGHANISTAN.

The Citizens’ Grand Jury Prosecutor, by and through his witness and by this Court taking judicial notice of the record, provided sufficient evidence and other information for this Court to render Defendant Joe Biden guilty of each offense that led to his indictment regarding his involvement in Afghanistan. The record reflects that Defendant Joe Biden was elected to the U.S. Senate as a Senator from Delaware in 1973, and re-elected continuously through the November 2008 election, when the nation elected him as Vice President in President Barack Obama’s administration.¹²³ Defendant Joe Biden has been celebrated for decades as a top foreign policy expert and as such, President Obama delegated his authority to Defendant Joe Biden over

¹²⁰ See <https://thehill.com/homenews/house/4152046-gop-releases-transcript-from-fbi-agent-involved-in-hunter-biden-investigation/>.

¹²¹ *Id.*

¹²² *Id.*

¹²³ See Citizens’ Prosecutor’s Exhibit 1 in Case No. 002 at ¶¶ 4, 5 – Criminal Indictment regarding Afghanistan.

the United States international relations and foreign policy management concerning certain important nations.¹²⁴

This Court uses the expert testimony of U.S Army Major General Paul E. Vallely, Retired, in part to render its decision. Major General Vallely, Retired, graduated from the United States Military Academy in 1961 and served over thirty-one (31) years in the military. He served in the Vietnam War and retired in 1993 as Deputy Commanding General, Pacific Command. In 2005, Major General Vallely founded and now chairs Stand Up America Foundation, which focuses on citizenship, supporting the U.S. Constitution and national security matters. As a military expert, Major General Vallely continues to provide interviews on television and radio shows regarding national security, focusing on threats both foreign and domestic.

Major General Paul Vallely testified that Defendant Joe Biden, as Commander in Chief, ordered through the Defense Department and Joint Chiefs of Staff, an evacuation of Afghanistan in what is called a surrender, a substantial deviation from former President Trump's calculated withdrawal plan. This deviation from former President Trump's plan had serious consequences for U.S. servicemen and its Afghan allies, including death.

A. Count I – Criminally Negligent Homicide

The crime of criminally negligent homicide involves causing someone's death by acting in a manner that was reckless, inattentive or careless, covered by 18 U.S.C. § 51. By the actions of Defendant Joe Biden, tens if not hundreds of U.S. nationals and Afghan allies have suffered death, and many will suffer death, imprisonment, torture, beatings and enslavement. The evidence and other information presented showed that Defendant Joe Biden knowingly and willfully created an unjustified and foreseeable dangerous circumstance at the airport in Kabul,

¹²⁴ *Id.* at ¶ 7.

Afghanistan by besieging Taliban fighters. By surrendering the rest of the country, Defendant Joe Biden created a circumstance in which the Taliban fighters throughout the country were able to concentrate their efforts in Kabul to surround, harass and terrorize the evacuation effort from the Kabul airport.

By creating a “kill zone” in the packed crowds around the civilian Kabul airport, Defendant Joe Biden negligently caused the foreseeable death of at least thirteen (13) U.S. marines and roughly one hundred (100) Afghan nationals when a Taliban or ISIS suicide bomber and other terrorist shooters – aligned with the anti-American and anti-Afghan terrorist interests of the Taliban – attacked, maimed and killed members of the crowds assembled around Kabul airport trying to escape the country. Defendant Joe Biden also ordered a drone strike, an effort that his administration has since publicly declared a mistake, which killed an additional ten (10) Afghan allies, including seven (7) children.¹²⁵

This Court finds that when Defendant Joe Biden ordered the surrender and departure of Afghanistan in such a haphazard way in the midst of a Taliban takeover of the Kabul airport, he acted recklessly, inattentively and carelessly when the thirteen (13) U.S. servicemen were killed. Moreover, when Defendant Joe Biden ordered the drone strike for political purposes and killed ten (10) people, seven (7) of whom were children, Defendant Joe Biden acted recklessly.

Thus, on the charge under Count I, this Court finds on behalf of the American people that Defendant Joe Biden is guilty of criminally negligent homicide.

¹²⁵ See Citizens’ Prosecutor’s Exhibits 15, 16 in Case No. 002 – <https://www.npr.org/2021/08/26/1031330557/biden-remarks-troops-killed-kabul-afghanistan>; <https://www.cnbc.com/2021/09/17/us-airstrike-in-kabul-last-month-killed-10-civilians-including-seven-children-pentagon-says.html>.

B. Count II – Involuntary Manslaughter

Involuntary manslaughter is defined as an unintentional killing that stems from a reckless act which constitutes a criminal level of negligence. The element of recklessness requires that the defendant knowingly acts or acts with willful indifference or “willful blindness” to the serious risks of his or her acts or omissions.

Here, the evidence in the record reflects that people were killed as a result of the actions of Defendant Joe Biden. The record shows that Defendant Joe Biden’s acts and omissions were inherently dangerous to others and thus was done with a reckless disregard for the safety of the people who could be affected. Defendant Joe Biden knew or should have known that his actions and omissions were a threat to the lives and safety of others.

Defendant Joe Biden caused the foreseeable death of at least thirteen (13) U.S. marines and roughly one hundred (100) Afghan nationals when a Taliban or ISIS suicide bomber and other terrorist shooters – aligned with the anti-American and anti-Afghan terrorist interests of the Taliban – attacked, maimed and killed members of the crowds assembled around Kabul airport trying to escape the country. Defendant Joe Biden also ordered a drone strike, an effort that his administration has since publicly, callously and albeit falsely, declared a simple “mistake,” which killed an additional ten (10) Afghan allies, including seven (7) children.

Major General Paul Vallely testified that the drone strike ordered by Defendant Joe Biden was committed in a grossly negligent, if not intentional manner, and a number of people affected by that drone strike are still unaccounted for.

Thus, on the charge under Count II, this Court finds on behalf of the American people that Defendant Joe Biden is guilty of involuntary manslaughter.

C. Count III – Reckless Endangerment of Vulnerable Children

A person is guilty of reckless endangerment of a child either by (1) wanton or reckless conduct creating a substantial risk to a child or (2) wantonly and recklessly failing to take reasonable steps to reduce such a risk.

The record reflects that Defendant Joe Biden knowingly placed children – U.S. citizens, families of U.S. citizens and families of Afghan national employees and contractors of the U.S. military – in the hands of vicious terrorists who will mete out revenge by murdering, tormenting, enslaving, kidnapping and imprisoning these children. Moreover, the record reflects that at the direction of Defendant Joe Biden, the drone strike he issued and has since publicly and falsely declared a simple “mistake,” killed seven (7) children.

Thus, on the charge under Count III, this Court finds on behalf of the American people that Defendant Joe Biden is guilty of reckless endangerment of vulnerable children.

D. Count IV – Seditious Conspiracy

18 U.S.C. § 2384 states in pertinent part:

[i]f two or more persons . . . conspire to overthrow, put down, or to destroy by force the Government of the United States, or to levy war against them, or to oppose by force the authority thereof, or by force to prevent, hinder, or delay the execution of any law of the United States, or by force to seize, take, or possess any property of the United States contrary to the authority thereof, they shall each be fined under this title or imprisoned not more than twenty [20] years, or both.

18 U.S.C. § 2384. The criminal act element required for sedition is either advocating, aiding, organizing or publishing, or circulating written matter that advocates, aids, or teaches the overthrow of the U.S. government or any state, district or the territory thereof by force or violence.

Here, the record reflects that Defendant Joe Biden acted to arm the enemies of the United States including but not limited to the Taliban, Russian, China and Iran. The Taliban can sell approximately \$85 Billion of U.S. military hardware and equipment to the enemies of the United

States to study and reproduce the United States' best military technology.¹²⁶ As such, Defendant Joe Biden has armed to a stunning level equal to or greater than Australia and one hundred (100) other nations not only the terrorist group of the Taliban now in control of Afghanistan, but also many other anti-American terrorist groups. The record reflects that Defendant Joe Biden is working actively against the United States government in pursuit of his radical policies of destroying the United States as a separate sovereign, in violation of 18 U.S.C. § 2384.

Thus, on the charge under Count IV, this Court finds on behalf of the American people that Defendant Joe Biden is guilty of seditious conspiracy.

E. Count V – Treason

18 U.S.C. § 2381 states:

“[w]hoever, owning allegiance to the United States, levies war against the or adheres to their enemies, giving them aid and comfort within the United States or elsewhere, is guilty of treason and shall suffer death, or shall be imprisoned not less than five [5] years and fined under this title but not less than \$10,000; and shall be incapable of holding any office under the United States.”

18 U.S.C. § 2381. The record reflects that Defendant Joe Biden has directly armed not only the Taliban but also other anti-American terrorist groups by abandoning \$85 Billion worth of military equipment.¹²⁷ He also took these actions to directly benefit China, which has bribed him through his son, Defendant Hunter Biden.

Afghanistan has an estimated \$1 Trillion worth of rare minerals and metals, notably lithium, which the Afghans do not have the technology or expertise to extract. China, however, has already moved to obtain those rare minerals, and rare metals and rare earth for the benefit of

¹²⁶ See Citizens' Prosecutor's Exhibits 4, 5, 6 in Case No. 002 – <https://www.dailymail.co.uk/news/article-9898177/How-Joe-botched-Afghanistan-Biden-ignored-Pentagon-warnings-Taliban-over.html>; <https://www.reuters.com/business/aerospace-defense/planes-guns-night-vision-goggles-talibans-new-us-made-war-chest-2021-08-19/>; <https://www.youtube.com/watch?v=0PVVasUnMws>.

¹²⁷ *Id.*

China's economy and military expansion program in return for funds needed by the Afghan people. Simultaneously, Defendant Joe Biden is working to force American drivers to switch to electronic vehicles, requiring rechargeable batteries, i.e., lithium to operate, even though the U.S. supply of lithium is too small meet this demand.

Defendant Joe Biden is shepherding the U.S. economy into dependency upon China, including the necessity of acquiring batteries made with lithium, lithium that Defendant Joe Biden gifted to China through the fall of Afghanistan and the financially strapped Taliban.

Major General Paul Vallely testified that when Defendant Joe Biden abandoned and essentially armed the Taliban and other terrorist organizations with \$85 Billion worth of U.S. military equipment and technology, including but not limited to tanks, helicopters, computers, and sensitive photography equipment, he aided and abetted a nation against the United States and that Defendant Joe Biden's actions constitute treason. Moreover, this Court finds that when Defendant Joe Biden abandoned over 1,000 U.S. citizens and countless Afghans who had supported the U.S. military operation, Defendant Joe Biden committed treason in that he adhered to the enemy and indeed gave comfort and aid, in strict violation of 18 U.S.C. § 2381.

Thus, on the charge under Count V, this Court finds on behalf of the American people that Defendant Joe Biden is guilty of treason.

VI. THIS COURT FINDS DEFENDANTS JOE, HUNTER AND JAMES BIDEN GUILTY AS CHARGED FOR THEIR INVOLVEMENT IN MONEY LAUNDERING AND OTHER CRIMES REGARDING CHINA AND UKRAINE.

The Citizens' Grand Jury Prosecutor, by and through witnesses and by this Court taking judicial notice of the record, provided sufficient evidence and other information for this Court to

render Defendants Joe, Hunter and James Biden guilty of each offense that led to their indictment in their involvement in money laundering and other violations regarding China and Ukraine.

A. Count I – Solicitation of or Demand for a Bribe by Government Official

18 U.S.C. § 201(c)(1)(B) states:

(c)[w]hoever – (1) otherwise than as provided by law for the proper discharge of official duty - . . . (B) being a public official, former public official, or person selected to be a public official, otherwise than as provided by law for the proper discharge of official duty, directly or indirectly demands, seeks, receives, accepts, or agrees to receive or accept anything of value personally for or because of any official act performed or to be performed by such official or person;

18 U.S.C. § 201(c)(1)(B). The record reflects that Defendant Joe Biden, acting through his agents Defendants Hunter and James Biden, knowingly and willfully received monetary bribes from government-controlled enterprises and business interests and oligarchs in the Ukraine and China. Defendant Joe Biden acted upon those bribes by altering U.S. foreign policy for the benefit of the bribery payors, including removing the national Prosecutor General of the Ukraine, Viktor Shokin, overstepping the United States’ national authority over Ukraine, to protect certain corrupt groups and misdirecting prosecutorial investigations to other, rival corrupt groups associated with the owner of Burisma and supporting George Soros’ organizations within the Ukraine suspected of furthering the corruption with Ukraine and getting one of the country’s most notorious mob bankers, Ihor Kolomoisky, off the U.S. government visa ban list.

Moreover, Defendant Joe Biden acted upon those bribes by harmfully and dangerously altering U.S. foreign policy for the benefit of the bribery payors, including defending China and Chinese interests and furthering and promoting China’s business interests and territorial expansion. Defendant Biden also deceived the American people by preventing scrutiny and preparation against the military and economic threats posed by China by trying to persuade

government leaders political leaders and the public that China posed no threat to the United States.

The record reflects that Defendants Joe Biden accepted bribes, which were meant to influence his future actions in favor of China and Ukraine if elected president, and while he was Vice President under President Barak Obama. Defendants Joe, Hunter and James Biden all participated in this scheme to corruptly funnel bribes from foreign countries and business interests to U.S. Senator and later Vice President Joe Biden to influence him in the conduct of his duties assigned to him on behalf of the United States.

Thus, on the charge under Count I, this Court finds on behalf of the American people that Defendants Joe, Hunter and James Biden are guilty of solicitation of or demand by a government official.

B. Count II – Acceptance of a Gratuity by Government Personnel

48 CFR § 3.101-2 states:

[a]s a rule, no Government employee may solicit or accept, directly or indirectly, any gratuity, gift, favor, entertainment, loan, or anything of monetary value from anyone who (a) has or is seeking to obtain Government business with the employee's agency, (b) conducts activities that are regulated by the employee's agency, or (c) has interests that may be substantially affected by the performance or nonperformance of the employee's official duties. Certain limited exceptions are authorized in agency regulations.

48 CFR § 3.101-2. As set forth in Count I of the indictment, Defendant Joe Biden accepted financial bribes through Defendants Hunter and James Biden. The record reflects that Defendant Joe Biden accepted gratuities to alter his conduct of governmental actions and authority in his position as Vice President and to influence his future actions in favor of China and Ukraine, if elected President. Defendants Joe, Hunter and James Biden all participated in this scheme to corruptly funnel gratuities and bribes from foreign countries and business interests to U.S.

Senator and later Vice President Defendant Joe Biden to influence him in the conduct of his duties assigned to him on behalf of the United States.

Thus, on the charge under Count II, this Court finds on behalf of the American people that Defendants Joe, Hunter and James Biden are guilty of acceptance of a gratuity by government personnel.

C. Count III – Money Laundering

18 U.S.C. § 1956 states in pertinent part:

[w]hoever, knowing that the property involved in a financial transaction represents the proceeds of some form of unlawful activity, conducts or attempts to conduct such a financial transaction which in fact involves the proceeds of specified unlawful activity . . . with the intent to promote the carrying on of specified unlawful activity; or . . . knowing that the transaction is designed in whole or in part . . . to conceal or disguise the nature, the location, the source, the ownership, or the control of the proceeds of specified unlawful activity . . . shall be sentenced to a fine of not more than \$500,000 or twice the value of the property involved in the transaction, whichever is greater, or imprisonment for not more than twenty years, or both.

18 U.S.C. § 1956. The record reflects that at the request of and participation of Defendants Joe, Hunter and James Biden, and Defendant Hunter Biden's associates such as Devon Archer, each took bribes meant for Defendant Joe Biden channeled through Defendants Hunter and James Biden, disguised as investments and business deals and provided half of these funds directly to Defendant Joe Biden.

Moreover, Defendants Hunter and James Biden funneled monies to Defendant Joe Biden from foreign sources as investments to be managed in the United States in U.S. capital markets in order to evade sanctions and to disguise the results of illegal activity (including conversion of their foreign country's government resources and embezzlement) as legitimate accounts within the U.S. financial markets. As such, Defendants Joe, Hunter and James Biden all participated in a scheme to corruptly funnel bribes from foreign countries and business interests to U.S. Senator

and then Vice President Joe Biden, disguised as managing investment funds, to influence Defendant Joe Biden in the conduct of his duties assigned to him on behalf of the United States.

Thus, on the charge under Count III, this Court finds on behalf of the American people that Defendants Joe, Hunter and James Biden are guilty of money laundering.

D. Count IV – Foreign Agents Registration Act

22 U.S.C. § 612 states in pertinent part:

No person shall act as an agent of a foreign principal unless he has filed with the Attorney General a true and complete registration statement and supplements thereto as required by subsections (a) and (b) of this section or unless he is exempt from registration under the provisions of this subchapter. Except as hereinafter provided, every person who becomes an agent of a foreign principal shall, within ten days thereafter, file with the Attorney General, in duplicate, a registration statement, under oath on a form prescribed by the Attorney General. The obligation of an agent of a foreign principal to file a registration statement shall, after the tenth day of his becoming such agent, continue from day to day, and termination of such status shall not relieve such agent from his obligation to file a registration statement for the period during which he was an agent of a foreign principal.

22 U.S.C. § 612. The record reflects that Defendants Joe, Hunter and James Biden represented the interests of China and certain factions within the Ukraine as well as foreign owned businesses to influence U.S. government actions and foreign policy in return for payment by the same for his services.

Defendants Hunter and James Biden failed to register as foreign agents as required by Foreign Agents Registration Act (“FARA”) within the relevant time periods, but instead illegally acted as a foreign agents representing the interests of foreign countries and interests to corruptly influence the actions and omissions to benefit foreign countries and wealthy businesses and oligarchs politically connected in those foreign countries.

Thus, on the charge under Count IV, this Court finds on behalf of the American people that Defendants Joe, Hunter and James Biden are guilty of violating the FARA.

E. Count V – Honest Services Fraud

Honest Services fraud under 18 U.S.C. § 1346 is a federal crime involving the misuse of an individual's position or authority for personal gain or advantage. It is a scheme to defraud another of the intangible right to honest services through a scheme to violate a fiduciary duty by bribery or kickbacks. The fiduciary duty described here is a duty to act only for the benefit of the public, an employer, shareholders or a union.

Defendant Joe Biden, acting in concert with his agents Defendants Hunter and James Biden, had a fiduciary duty to the public as a public official of the United States to perform duties and obligations on behalf of the United States for the benefit of the United States and its citizenry. The record reflects that Defendant Joe Biden knowingly and intentionally devised and participated in a scheme to defraud the public of the intangible right to honest services through bribery or kickbacks. Defendant Biden violated his fiduciary duty by continuing a scheme of bribery and kickbacks. Various third parties being corrupt businesses and oligarchs in China and Ukraine often as affiliates of their country's governments who were not deceived by the scheme provided bribes and kickbacks to Defendants Joe, Hunter and James Biden.

Thus, on the charge under Count V, this Court finds on behalf of the American people that Defendants Joe, Hunter and James Biden are guilty of Honest Services Fraud.

F. Count VI – Wire Fraud

18 U.S.C. § 1343 states in pertinent part:

Whoever, having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, transmits or causes to be transmitted by means of wire, radio, or television communication in interstate or foreign commerce, any

writings, signs, signals, pictures, or sounds for the purpose of executing such scheme or artifice, shall be fined under this title or imprisoned not more than 20 years, or both.

18 U.S.C. § 1343. The record reflects that Defendants Joe, Hunter and James Biden devised an on-going scheme undertaken for many years to solicit and receive bribes to see access to Defendant Joe Biden as U.S. Senator and then Vice President of the United States. Defendants Joe, Hunter and James Biden participated in and affected international commerce and interstate commerce when they communicated fraudulent and false misrepresentations by means of fraudulent wire communications.

Thus, on the charge under Count VI, this Court finds on behalf of the American people that Defendants Joe, Hunter and James Biden are guilty of Wire Fraud.

G. Count VII – Racketeer Influenced and Corrupt Organizations Act

18 U.S.C. § 1962(c) provides:

[i]t shall be unlawful for any person employed by or associated with any enterprise engaged in, or the activities of which affect, interstate or foreign commerce, to conduct or participate, directly or indirectly, in the conduct of such enterprise's affairs through a pattern of racketeering activity or collection of unlawful debt.

The other two subsections of 18 U.S.C. § 1962 provide in pertinent part:

[i]t shall be unlawful for any person [1] who has received any income derived, directly or indirectly, from [2] a pattern of racketeering activity or through collection of an unlawful debt [3] in which such person has participated as a principal, . . . [4] to use or invest, directly or indirectly, any part of such income, or the proceeds of such income, in acquisition of any interest in, or the establishment or operation of, [5] any enterprise which is engaged in, or the activities of which affect, interstate or foreign commerce. . . .

(b) It shall be unlawful for any person [1] through a pattern of racketeering activity or through collection of an unlawful debt [2] to acquire or maintain, directly or indirectly, any interest in or control of [3] any enterprise which is engaged in, or the activities of which affect, interstate or foreign commerce.

18 U.S.C. § 1962(a) and (b) [numbers added in brackets to indicate the elements of the offenses].

The record reflects that Defendants Joe, Hunter and James Biden maintained a scheme of influence peddling, which was a RICO enterprise, and this enterprise engaged in and affected interstate and foreign commerce. Each Defendant conceived of, planned and ran the enterprise and participated, either directly or indirectly, in the conduct of the affairs of the enterprise. In this regard, Defendants Joe, Hunter and James participated in the affairs of the enterprise through a pattern of racketeering activity or collection of an unlawful debt, specifically soliciting bribes, receiving bribes, kickbacks and influence peddling for personal gain.

Thus, on the charge under Count VII, this Court finds on behalf of the American people that Defendants Joe, Hunter and James Biden are guilty violating RICO.

H. Count VIII – Seditious Conspiracy

18 U.S.C. § 2384 states in pertinent part:

[i]f two or more persons . . . conspire to overthrow, put down, or to destroy by force the Government of the United States, or to levy war against them, or to oppose by force the authority thereof, or by force to prevent, hinder, or delay the execution of any law of the United States, or by force to seize, take, or possess any property of the United States contrary to the authority thereof, they shall each be fined under this title or imprisoned not more than twenty [20] years, or both.

18 U.S.C. § 2384. The criminal act element required for sedition is either advocating, aiding, organizing or publishing, or circulating written matter that advocates, aids, or teaches the overthrow of the U.S. government or any state, district or the territory thereof by force or violence.

The record reflects that Defendant Joe Biden advocated for the overthrow of the U.S. government by supporting, promoting and defending anarchist riots and insurrection led by self-avowed, trained communist revolutionaries and opposed efforts to restrain, police or prosecute the rioters, from the riots in Ferguson, Missouri in 2014 up and through riots in Portland, Oregon in February 2021, and thereafter.

Moreover, Defendant Biden, acting through his agents Defendants Hunter and James Biden, as Vice President, a presidential candidate and now as President of the United States, has solicited and taken bribes and kickbacks from – and supported and furthered the objectives of – the enemies of the United States, such as China, a communist regime bent on destroying and overthrowing the United States through pandemics such as COVID-19 and other nefarious criminal means.

Thus, on the charge under Count VIII, this Court finds on behalf of the American people that Defendants Joe, Hunter and James Biden are guilty of seditious conspiracy.

CONCLUSION

Accordingly, this Court finds Defendant Joseph Robinette Biden, Jr. guilty of Counts I – V, criminally negligent homicide, involuntary manslaughter, reckless endangerment and death of vulnerable children, seditious conspiracy and treason, respectively, for his acts and omissions in Afghanistan. This Court additionally finds Defendants Joseph Robinette Biden, Jr., Robert Hunter Biden and James Biden guilty of Counts I – VIII, solicitation of or demand for a bribe by government official, acceptance of a gratuity by government personnel, money laundering, FARA, honest services act, wire fraud and RICO and seditious conspiracy, respectively, for their involvement in money laundering, racketeering and other offenses regarding China and Ukraine.

Dated this 17th day of August, 2023



Mike Pendleton
Judge of the Citizens' Court