UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA,

Plaintiff, CASE NO.: 21-20242-CR-ALTONAGA

v.

MARK SCOTT GRENON

Defendant

FILED BY MC D.C.
SEP 23 2022
ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - MIAMI

DEFENDANTS MOTION FOR RECONSIDERATION AND REHEARING ON THE DEFENDANT'S MOTION TO DISMISS FOR PROSECUTORIAL MISCONDUCT FOR FAILURE TO PROVIDE DISCOVERY

DEFENDANT, MARK SCOTT GRENON respectfully moves the Court to reconsider its denial of his Motion to Dismiss on the grounds that this Court overlooked the fact that the Prosecution has failed to provide evidence in its possession as it ordered them to provide. That the Court denied the motion dismiss relying on the response by the prosecution that the time had not run, but both the Court and the Prosecution totally ignored the Defendant's motion to dismiss for the Prosecutions intentional concealment of exculpatory evidence. The Prosecution was ordered to turn over all exculpatory evidence. The Prosecution received by certified mail exculpatory evidence. The Prosecution did not share the exculpatory evidence. The Defendant included that proof of service in their motion and the Motion was ignored by the Prosecution. The Prosecution then misled this court by only responding to the issue of time, and concealed from the court that the Prosecution did not provide to the Defendant, who is incarcerated, with the exculpatory evidence.

the above-entitled cause on the grounds that this case has been pending for years and I have not received a speedy trial.

1. Defendant made his first appearance in SEPTEMBER 2020, and it is NOW SEPTEMBER OF 2022. He has been incarcerated, without bail, without a hearing, without appearing by zoom, without a trial. He never stipulated to any delays due to covid or any other reason.
2. The Defendant admits that on December 29th, 2021, the Defendant made his initial appearance. That means that from September 2020 to December 2021, when the court saw the Defendant in person, the court did not order an evaluation, did not question the Defendant about the soundness of his mind, and did not obtain any sort of consent from the Defendant for a delay after incarcerating him for more than a year without bail, without bond, and without offering him home confinement.
3. I am informed, believe, and thereon allege that the People are in possession of videos, books and records which show the substance for which I am accused of possessing is in fact, a cure for many illnesses, and the information in their possession shows that the material would save others lives.
4. The concealment of that information they possess deprives me of the affirmative defense of defense of others.
5. The information they possess shows that the substances are not dangerous, and the pharmacy companies have suppressed patents to prevent this medical cure from being distributed, and that information would be and is a material affirmative defense.
6. That the Prosecutor, in addition to concealing material evidence, has continued to keep me incarcerated by different motions and means, depriving me of a speedy trial, and the most recent tactic is the use of a psychiatric evaluation without any cause or evidence that

I am now suddenly in need of such an evaluation after being in their custody for more than a year.

7. Studies exist which are exculpatory and the Defendant has learned that the prosecution was provided that information from an amicus group who believes in the safety and effectiveness of the substances which the Defendant is being charged with possessing.
8. That information could have, and should have been shared since the People were ORDERED by this Court to share ALL exculpatory evidence.
9. The attached shows that the information was provided by CERTIFIED MAIL, RETURN RECEIPT to the People, and they did NOT share the same with the Defendant.
10. As a result, the Defendant is entitled to an immediate dismissal of this action.

POINT ONE

THE COURT NEEDS TO RECONSIDER AND REHEAR THE DEFENDANT'S MOTION TO DISMISS ON THE GROUNDS THAT THE PROSECUTION (AND THE COURT) DID NOT ADDRESS THE SIMPLE FACT THAT THEY CONCEALED EVIDENCE IN THEIR POSSESSION, DID NOT SURRENDER IT ACCORDING TO THE ORDERS OF THIS COURT, AND THE CASE SHOULD BE DISMISSED FOR PROSECUTORIAL MISCONDUCT.

11. As alleged in my motion and not contradicted by the Prosecution, the Prosecution has concealed material evidence in the case which could be exculpatory and vital to my defense.
12. Because the Prosecution failed to address the grounds, failed to deny concealing the evidence, the Court must presume the motion is true and has merit.



13. While the Defendant was incarcerated, his case became a matter of public interest and concern to individuals who believe that the arrest was wrongful, and in their efforts to aid in his defense, sent exculpatory information and studies to the Prosecution, with the understanding that the information would be shared with the Defendant who was incarcerated and clearly sheltered from the world. This belief of these organizations that the prosecution would share the exculpatory information was also done in reliance on the order of this Court compelling the prosecution to share all potentially exculpatory information.

14. The Prosecution, however, was in possession of this evidence related to the charges and the case name and number, and did NOT share the information it received. That as a result of their failure to share the information and their failure to defend against these serious charges made in the Defendants motion dictate the need for an immediate dismissal.

Imposition of Sanction of Dismissal

The federal district courts of this nation possess the inherent power to regulate litigation and to sanction litigants for abusive practices. *Telectron, Inc. v. Overhead Door Corp.*, 116 F.R.D. 107, 126 (S.D.Fla.1987); *see also Aoude v. Mobil Oil Corporation*, 892 F.2d 1115, 1118 (1st Cir.1989) (District Court possesses the inherent power to deny court's processes to one "who defiles the judicial system by committing a fraud on the court"); *Sun World, Inc. v. Lizarazu Olivarria*, 144 F.R.D. 384, 389 (E.D.Cal.1992) (district court has inherent power to impose sanction of dismissal or default judgment). The power of any court to manage its own affairs, which necessarily includes the authority to impose reasonable and appropriate sanctions on the parties to litigation before it, is deeply rooted in the common law tradition. *Malautea v. Suzuki Motor Co., Ltd.*, 987 F.2d 1536, 1545-6 6 (11th Cir.1993), *cert. den.*, ___ U.S. ___, 114 S.Ct. 181, 126 L.Ed.2d 140 (1993).[13]

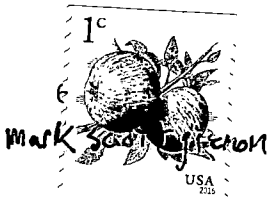
Dismissal is appropriate where:

a party has sentiently set in motion some unconscionable scheme calculated to interfere with the judicial system's ability impartially to adjudicate a matter by improperly influencing the trier or unfairly hampering the presentation of the opposing party's claim or defense.

15. Here, the Prosecution was ORDERED BY THIS COURT to share exculpatory evidence.
16. The evidence they had in their possession was not in the possession of the Defendant and the Defendant has yet to see the information.
17. Instead, the Defendant was told that the information was exculpatory and was shared with the prosecution and that it would be shared with him in turn.
18. That information was concealed by the Prosecution. That information was not shared.
19. That information was and is exculpatory and vital to the Defendant's defense.
20. That the concealment of that information from the Defendant is in contempt of this Court, and a violation of the due process and equal protection rights of the Defendant.
21. The People have concealed that information in order to obtain an advantage at trial.
22. I am informed, believe, and thereon allege that the People are in possession of videos, books and records which show the substance for which I am accused of possessing is in fact, a cure for many illnesses, and the information in their possession shows that the material would save others lives.
23. The concealment of that information they possess deprives me of the affirmative defense of defense of others.
24. The information they possess shows that the substances are not dangerous, and the pharmacy companies have suppressed patents to prevent this medical cure from being distributed, and that information would be and is a material affirmative defense.



25. That the Prosecutor, in addition to concealing material evidence, has continued to keep me incarcerated by different motions and means, depriving me of a speedy trial, and the most recent tactic is the use of a psychiatric evaluation without any cause or evidence that
26. Clearly, the Prosecutorial misconduct is exacerbated by the fact that they are intending to cause severe emotional distress by placing me in an institution with dangerous psychotic individuals and subjecting me to unnecessary medical treatment, drugs, and testing solely to delay my right to a speedy trial and to prevent me from having a fair trial.
27. Studies exist which are exculpatory and the Defendant has learned that the prosecution was provided that information from an amicus group who believes in the safety and effectiveness of the substances which the Defendant is being charged with possessing.
28. That information could have, and should have been shared since the People were ORDERED by this Court to share ALL exculpatory evidence.
29. The attached shows that the information was provided by CERTIFIED MAIL, RETURN RECEIPT to the People, and they did NOT share the same with the Defendant.
30. "The Hyde Amendment is "targeted at prosecutorial misconduct, not prosecutorial mistake." *Id.* at 1304. Therefore, to succeed in obtaining an award for fees and expenses under the Hyde Amendment, "[a] defendant must "show that the government's position underlying the prosecution amounts to prosecutorial misconduct." *Gilbert*, 198 F.3d at 1299." Here, we have a prosecutor who not only deprived the Defendant of a speedy trial, deprived him of bail, deprived him of bond, held him in custody for two years; but now has intentionally concealed from the Defendant exculpatory evidence and refused to justify the same.
31. As a result, the Defendant is entitled to an immediate dismissal of this action.



CONCLUSION

Because of the continued abuse of processes by the prosecutor by concealing exculpatory evidence this Court to immediately dismiss this complaint and order the immediate release of the Defendant.

Respectfully submitted this 20TH DAY OF SEPTEMBER, 2022.

Signed reserving all my rights, without prejudice, and demanding a speedy trial and release: mark-scott:grenon

BY: grenon, mark-scott, WITHOUT UNITED STATES – FOR NAMED DEFENDANT

DBA MARK SCOTT GRENON





CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing was sent to the following people in the specified manner on the 21TH DAY OF SEPTEMBER, 2022

Prosecutor ___ Delivered or Certified Mail 7018 3090 0002 3301 8508

Michael Homer

John Shipley Jr. 99 NE 4th St, Miami, FL 33132

Clerk of the Court Delivered or certified mail EJ 878763016 US

Angela E. Noble

400 N. Miami Ave., Miami, FL 33128

Signed reserving all my rights, without prejudice, and demanding a speedy trial and release: mark-scott:grenon

BY: grenon, mark-scott, WITHOUT UNITED STATES – FOR NAMED DEFENDANT

DBA MARK SCOTT GRENON



Health and healing one step at a time SSM
a Private Member Association
980 Rogers Lake Road
Suite B
Kila Montana 59920

Prosecuting attorneys
MICHAEL B. HOMER
Assistant United States Attorney
Court ID No. A5502497
99 Northeast 4th Street
Miami, Florida 33132-2111
and John Shipley Jr.
99 NE 4th st
Miami, Florida 33132

regarding case number 21-20242-CR-ALTONAGA

Greetings Prosecuting attorney Michael Homer and Prosecuting attorney John Shipley jr,

i believe you are attempting to prosecute individuals who believe in the validity of these studies and are concerned that the public health is at great risk because the big pharmaceutical companies are concealing how life-saving this product is. It clearly is a valid argument that the possession, distribution or use of this product is intended not to cause harm, but to save lives. You are aiding and abetting the concealment of a cure for many diseases.

men and women from our group have some information that we felt should be brought to your attention;

enclosed is an 80 page book called:

"The Universal Antidote/The Science and Story of Chlorine Dioxide"

and included is a study on "Alcide UDDERgold Platinum" 10 pages
By Health Products Regulatory Authority

Our men and women investigate cures that are being kept from mankind by Big Pharmacy;

Our goal is to bring about health and healing for mankind one step at a time; August 17-2022

All rights reserved, without prejudice

Sincerely, by: authorized

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11c
jonathan david [illegible]
USA

Money-back Guarantee: If the mailer submits an item at a designated USPS® Priority Mail Express® acceptance location on or before the specified deposit time, the Postal Service will deliver or attempt delivery to the addressee on or before the applicable delivery date and time. Mailer may request the addressee's signature from the addressee upon delivery of the item by checking the "signature required" box at the time of mailing. If the Postal Service does not deliver or attempt delivery by the specified time and the mailer files a valid claim for a refund, the Postal Service will refund the postage, unless an exception applies. See *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM®) 604.9.6.5 which is available at *pe.usps.com*.

Note: The Postal Service does not offer money-back guarantee for military or DPO shipments delayed due to customs inspections or the item was destined for an APO/FPO/DPO that was closed on the intended day of delivery or the delay was caused by one of the situations in DMM 604.9.6.5. Consult USPS.com® or your local Post Office™ for information on delivery commitments and Priority Mail Express Military Service (PMEMS). For details, see DMM 703.2.6, which is available at *pe.usps.com*.

When a mailer submits a Priority Mail Express item requiring a signature and the Postal Service cannot deliver the item on the first attempt, the Postal Service leaves a notice for the addressee. If the addressee does not claim the item within 15 calendar days, the Postal Service returns the item to the sender at no additional charge.

Insurance coverage: The Postal Service provides insurance only in accordance with postal regulations in the DMM, which is available at *pe.usps.com*. The DMM sets forth the specific types of losses that are covered, the limitations on coverage, terms of insurance, conditions of payment, and adjudication procedures. Certain items are not insurable. The DMM consists of federal regulations, and USPS personnel are not authorized to change or waive these regulations or grant exceptions. A mailer who requires information on Priority Mail Express insurance may contact the Postal Service before submitting an item. Limitations prescribed in the DMM provide, in part, that:

1. Insurance coverage extends to the actual value of the contents at the time of mailing or the cost of repairs, not to exceed the insured limit for the item.
2. The Postal Service insures the contents of Priority Mail Express "merchandise" items (with "merchandise" defined by postal regulations) against loss, damage, or missing contents. The Postal Service includes coverage up to $100 per mailpiece at no additional charge. Additional merchandise insurance up to $5,000 per mailpiece may be available for purchase. Additional insurance for Priority Mail Express items is not available unless a signature is required.
3. The Postal Service insures "nonne
regulations) against loss, damage,
reconstruction, subject to additions
catastrophic occurrence. Docume
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mailer should not attempt to purch
document insurance is void.
4. The Postal Service insures "nego
be converted to cash without forg
5. The Postal Service does not prov
or delay of Priority Mail Express i
and articles improperly packaged

Coverage, terms, and limitations are
coverage, consult the DMM, which i

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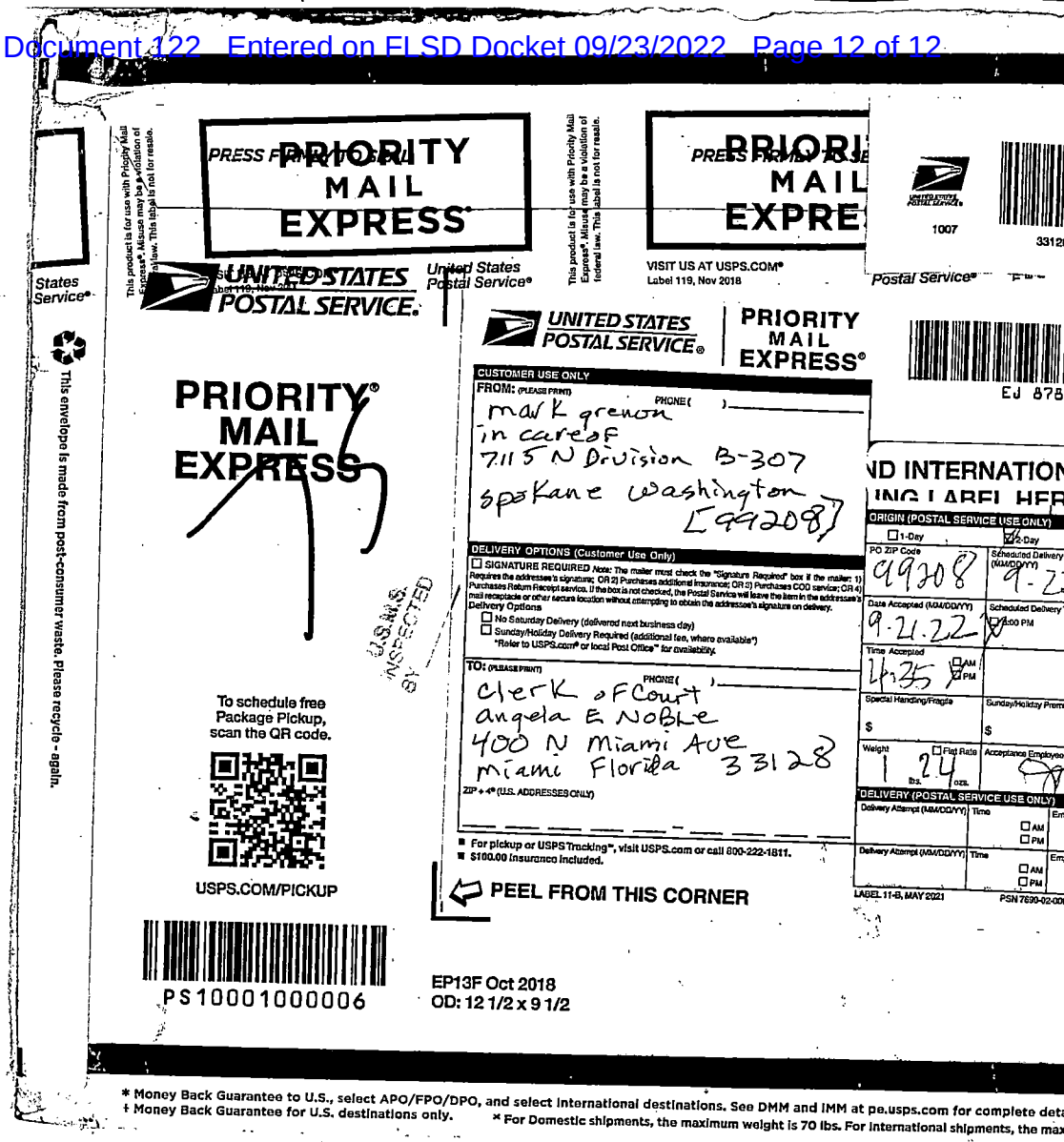
Dear Barb, Mark, Jordan, Jonathan, and Joseph,
in care of Barb

Health and Healing one step at a time SSM would like to inform you that the men and women her at this PMA are behind you and would like to send donations and support in any way possible;
we would like to thank you for helping us to fix thousands of men and women with your share of the Miracle Chlorine Dioxide;
we have sent all of this research USPS # EI 073 040 442 US to the Prosecuting attorneys in hopes that they can see the mistake that they are making with prosecuting men for trying to help save peoples lives;
We sent The book: The Universal Antidote/The Science and Story of Chlorine Dioxide
sent links to all of the videos for the PA to watch
sent the study on Alcide uddergold platinum and it states "the safety of the product for humans and the environment is acceptable"

Blessings anthony

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Time Accepted 4:35
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This envelope is made from post-consumer waste. Please recycle - again.
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