

**IN THE UNITED STATES DISTRICT COURT
TEXAS WESTERN DISTRICT
AUSTIN DIVISION**

**DESSIE MARIA ANDREWS,
Plaintiff,**

v.

**GREG ABBOTT, SARAH ECKHARDT,
and STEVE ADLER,
Defendants.**

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Civil Action No. **1:20 CV 0608LY**

PLAINTIFF'S ORIGINAL COMPLAINT

Dessie Maria Andrews, (hereinafter "Plaintiff"), exercising her First Amendment Right of Redress of Grievance, files her Original civil RICO claim and notices any and all parties, including but not limited to named defendants, of her RICO claim against them.

NATURE OF CLAIM

1. This is a civil RICO claim brought by Dessie Maria Andrews, (hereinafter "Plaintiff").
2. Plaintiff claims that defendants, (hereinafter "the enterprise") operated a criminal enterprise under color of law.
3. Plaintiff further claims that defendants have violated the Clayton Act and the Sherman Act by interfering with commerce.
4. Plaintiff claims that defendants have violated Section 802 of the Patriot Act and are engaging in acts of domestic terrorism.
5. For purposes of this claim, Plaintiff asserts that all the Individual Defendants operated as a continuing unit that functions with a common purpose as it relates to Plaintiff.

6. The enterprise had a purpose, that being, declaring an emergency that does not exist in order to enrich themselves or the enterprise.
7. The enterprise had relationships among those associated with the enterprise.
8. Each depended on the other in order to effectuate the scheme.
9. The enterprise had longevity sufficient to permit those associates to pursue the enterprise's purpose.
10. The enterprise caused Plaintiff to incur irreparable harm.
11. The enterprise engaged in the taking of Plaintiff's civil liberties and freedoms as enumerated in 18 U.S.C. § 1961.
12. The enterprise engaged in domestic terrorism as defined Section 802 of the USA PATRIOT Act (Pub. L. No. 107-52)
13. The enterprise used their government positions and influence to declare an emergency which did not exist and which is dangerous to human life and disastrous to the Texas economy.
14. The enterprise used their government positions to declare an emergency which did not exist in order to intimidate and coerce a civilian population, influence the policy of a government by intimidation or coercion, and to affect the conduct of a government by mass destruction, assassination or kidnapping.
15. The enterprise committed these acts within the territorial jurisdiction of the United States.
16. The enterprise has forcibly taken Plaintiff's rights, liberties and freedom.
17. The enterprise has caused and continues to cause Plaintiff harm.
18. This claim is properly brought pursuant to the Racketeer Influenced and Corrupt Organizations Act. (RICO).

PARTIES, JURISDICTION AND VENUE

19. Plaintiff is a woman who lives in Austin, Travis County, Texas and is endowed with unalienable and inviolate Rights.
20. GREG ABBOTT, who is being sued in his individual and official capacity is the Governor of Texas. Gregg Abbot resides in Austin, Texas.
21. SARAH ECKHART, who is being sued in her individual and official capacity resides in Travis County, Texas.
22. STEVE ADLER, who is being sued in his individual and official capacity, resides in Austin, Texas.
23. This is a civil action seeking damages for violations of the Racketeer Influenced and Corrupt Organizations Act, 18 U.S.C. §1961, et. seq. ("RICO"), §1964(c), RICO's civil damages provision, violations of the Constitution of the United States, including the First, Fourth, Fifth, Tenth and Fourteenth Amendments, violations of the Patriot Act, violations of the Sherman Antitrust Act and the Clayton Act, and common law causes of action for fraud, and intentional infliction of emotional distress.
24. This Court has original subject matter jurisdiction over the federal claims in this action pursuant to 28 U.S.C. §1331, 28 U.S.C. §1343(a), 18 U.S.C. §1965, 15 U.S.C. §1 and §2, 8 U.S.C. §1701(7), Section 802 of the USA PATRIOT Act (Pub. L. No. 107-52) and supplemental jurisdiction over the state claims in Texas Government Code §501.008(a)(1)(2).
25. This Court has personal jurisdiction over the defendants, all of whom, on information and belief, reside and/or do business in the State of Texas, within the Western District.
26. Jurisdiction is conveyed on this Court as a federal question pursuant to 18 U.S.C. §1331, 18 U.S.C. §1964(c), RICO's civil damages provision, 42

U.S.C. §21B, 15 U.S.C. §45 and Texas Business and Commerce Code Chapter 17, Deceptive Trade Practices.

27. Additionally, the Court has supplemental jurisdiction of the remaining Counts as they arise from the same nucleus of facts.
28. This Court has personal jurisdiction over all Defendants as their actions occurred in this judicial district.
29. Venue is proper in this District pursuant to 28 U.S.C. §1391(b)(3), in that, on information and belief, all individual Defendants reside in and do business in Travis County, Texas, which is within the Western District, and RICO's venue provision 18 U.S.C. §1965(a) and (b).

NATURE OF THE ACTION

30. This is an action for damages arising from the defendant's operation of a criminal enterprise that, through the use of issuance of deceptive instruments, commits wire fraud by sending false and misleading statements through the media, and offers distorted facts to cause terror in the citizens of Austin, Travis County and Texas.
31. The defendants have engaged in deceptive trade practices by issuing false information in order to control Austin, Travis County and Texas by terror and intimidation, for control and personal gain.
32. This pattern of conduct has inflicted enormous harm on plaintiff, as well as others.
33. The enterprise has corrupted the sanctity of the government process at its core by abusing positions of power for increased personal power and illegal financial gain.
34. The Racketeering Acts were not isolated, but rather were related in that they had the same or similar purposes and results, participants, victims, and methods of commissions.

35. Further, the Racketeering Acts were continuous, occurring continuously for the inception to the present, resulting in an unlawful taking of liberty and freedoms, deceiving citizens with hearsay and false information that cannot be verified, deliberately causing the destruction of the Texas economy, unlawfully ordering businesses to shutter, taking a means of earning a livelihood, thus causing dangerous spikes in unemployment, keeping children from attending schools, unlawfully closing the courts, and issuing orders which confine the people to their homes.
36. The Acts began on March 13, 2020 and continue to the present.

THE FACTS

37. On January 21, 2020, the U.S. reported its first case of coronavirus in Washington thought to be linked to what foreign sources had described as “new” coronavirus.
38. On January 31, 2020, HHS Secretary Alex M. Azar II, relying on information provided by foreign sources, declared a Public Health Emergency for the United States.
39. On February 4, 2020, the United States Food and Drug Administration granted the CDC Emergency Use Authorization for a kit to detect coronavirus infection for which they provided no public notice regarding the establishment of an Institutional Review Board “with the concurrence of a licensed physician who is a member of or consultant to the IRB and is not otherwise participating in the clinical investigation” as required under 21 C.R.F. §50.24.
40. On February 10, 2020, Dr. Anthony Fauci and Conspiring Associates were reported to discuss the financial benefit of the public becoming more committed to supporting research on coronaviruses in the article entitled,

“Fluctuating funding and flagging interest hurt coronavirus research, leaving crucial knowledge gaps”, in *STAT*.

41. In contravention to established, peer-reviewed medical science, the CDC, NIAID, and Conspiring Associates promulgated a national clinical epidemiologic experiment using “social distancing” and “face mask wearing” in a healthy population without establishing any clinical trial outcomes, without empaneling an institutional Review Board, defining “informed consent”, and without reviewing the ethics of such experiment in contravention to the 50 states of the United States to carry out said experiment without any independently considered ethical review board finding.
42. According to the International Committee on Taxonomy of Viruses’ (ICTV) Coronaviridae Study Group (CSG) publication on March 2, 2020, the preliminary data suggesting that there was sufficient variation to determine this as a novel virus vs. a mutation of known coronaviruses and was not based on established scientific principles but was responsive to the World Health Organization’s prior unfounded declaration of novelty of both the virus and a new disease.
43. There could be no independent verification of the epidemiologic models predicting dire infection and mortality rates as the underlying modes and data were not published, and when sought, were reportedly corrupted so as to make their examination impossible.
44. In violation of State law, no medical or scientific evidence was provided to establish **causal** links between the SARS CoV-2 and the symptoms of COVID-19 relying instead on foreign government hearsay and conjecture to conflate association with causation.

45. Based on the recommendation of the CDC, NIAID and the Conspiring Associates, no State official reviewed for accuracy or veracity any of the causal statements made in the January 31, 2020 Declaration of Emergency which contain false, misleading, and terror inducing statements.
46. In violation of well-established legal precedent from *Jew Ho. V. Williamson*, 103 F. 10, 26 (C.C.N.D. Cal, 1900) and subsequent public health law, arbitrary and capricious rules were insinuated on part of the population that were not applied generally resulting in the unlawful confinement of a healthy population with no basis in science.
47. The CDC and its affiliated organizations have routinely conflated infection endpoints from RT-PCR and serology; have repeatedly reported data flawed or unsubstantiated models projecting morbidity and mortality data for the inducement of terror in the general population in violation of §802 of the Patriot Act's prohibition of Domestic Terrorism and, through this action have sought to coerce and control a population and influence a government.
48. Governor Greg Abbott, County Judge Sarah Eckhardt, and Austin Mayor Steve Adler conspired with the above named agencies to terrorize the People of Texas, Travis County and Austin, and they are as guilty of terrorism as the initiators with whom they have conspired.

THE INDIVIDUAL DEFENDANTS WERE ALL NECESSARY ACTORS IN ORDER FOR THE ENTERPRISE TO FUNCTION

49. Between February 29, 2020 and March 11, 2020, it is believed that a script was circulated to the governors of the 50 states of the United States. This script obviously encouraged the governors to participate in the COVID-19 "pandemic" and issue emergency orders for their state, thus utilizing unsubstantiated misinformation to instill fear in the population.

50. Two governors did not avail themselves of the directive and did not participate in the hoax.
51. Texas Governor Greg Abbott, however, took the bait and on March 13, 2020, he declared a State of Disaster in Texas due to COVID-19.
52. In his declaration, he declared: “the novel coronavirus (COVID-19) has been recognized globally as a contagious respiratory virus”.
53. This opening salvo was a distortion of the truth.
54. COVID-19 is the name that was given to the *disease* that has certain symptoms, for which the causative agent is coronavirus.
55. Following reports of patients with unexplained pneumonia at the end of December 2019 in Wuhan, China, the causative agent was identified as coronavirus (SARS-CoV-2), and the 2019 novel coronavirus disease was named COVID-19 by the World Health Organization (WHO).
56. As one can see, coronavirus, which to date has had 229 documented mutations, is a virus.
57. The public has been told that this disease is new and unique when actually its symptoms are redundant to MERS and SARS.
58. There are multiplicities of different expressions of coronavirus.
59. There was an outbreak of SARS in 2002-2004 which involved severe acute respiratory syndrome, thus the name SARS.
60. In 2013, a coronavirus was the causation of MERS, middle east respiratory syndrome.
61. The current COVID-19 is the name given to this epidemic of a disease which presents severe respiratory symptoms caused by a coronavirus.
62. When Governor Abbott issued his declaration, his basis premise was wrong. COVID-19 is not coronavirus and coronavirus is not COVID-19.

63. Even worse, Governor Abbott cites the figure of 30 confirmed cases of COVID-19 in Texas counties, with more than 50 Texans pending tests for COVID-19 in Texas.
64. Texas has a population of 29 million people.
65. It is felonious, subjective and capricious to declare a state of disaster and subject 29 million people to isolation, social distancing, loss of jobs, closure of schools and courts and broadcasting terror to 29 million people for 30 confirmed illnesses, with not one single death at that point.
66. It is presumed that Governor Abbott next based his alarm and his ensuing proclamations that COVID-19 poses an imminent threat of disaster, and his issuance of a state of disaster on the modeling of the Neil Ferguson, a mathematical epidemiologist at Imperial College in London. Ferguson designed a **computer model** which estimated more than 2.2 million deaths in the United States if no action was taken to stop the virus spreading. This prediction was released on March 17, 2020.
67. This mathematical projection appears to be the impetus for the hysteria that quickly followed.
68. When world scientists saw what Ferguson had projected and questioned the numbers, the figures were quickly lowered by a quantitative factor
69. On March 19, 2020 Gov. Abbott issued his second executive order ordering avoidance of social gatherings in groups of more than 10 people, restaurants, bars, gyms, massage parlors were to be avoided, visits to nursing homes were terminated and schools were closed.
70. Travis County Judge Sarah Eckhardt, who had announced her intention to resign in order to run for the Texas Senate seat being vacated by Kirk Watson, jumped right back in the fray and issued her first executive order on

March 14, 2020, a day after the Governor's declaration, to impose restrictions on Travis County residents.

71. Judge Eckhardt went on to issue eight more orders, her 31 page Stay Home Order consistent with and guidance beyond Governor's executive orders, on May 8, 2020, and her 9th 24 page order concerning Travis County evictions on the same day.
72. Not content to rely on the governor's orders and instructions, on March 24, 2020, Mayor Steve Adler issued his 9 page Order which ordered business closures and contained a long list of Essential business and mandated the manner in which the "essential" businesses were to operate.
73. Although the City of Austin is in Travis County and Travis County is in Texas, neither the Travis County Judge or the Mayor of Austin, could allow the Governor's order to control the actions of the citizens of Texas.
74. For their own self-aggrandizement and sense of self-importance, Sarah Eckhardt and Steve Adler had to glorify their positions with measures imposed on Texans to keep them in their homes, cancel their children's schools, not allow visits to a loved one's hospital bedside or funeral, cancel court proceedings, wear masks, only complete what were to be deemed essential tasks in violation of the people's right to assemble, right to civil liberties and exercise of freedoms.
75. The damage these bureaucrats have caused to Texas will not be calculable for a number of years.
76. What cost to small businesses which did not survive the forced closure?
77. On March 6, 2020, the City of Austin cancelled the annual SXSW events. This was before Gov. Abbott declared a disaster. We know that the cancellation incurred a loss of between \$400 and \$500 million dollars to the Austin/Travis County economy.

78. This is an unprecedented action and disastrous not only to the entertainers, staggers, movers, wait staff, restaurants, and the myriad of commerce that surrounds the event, it was devastating to the airlines, hotels, and to the people who had reservations and arranged their schedules to attend.
79. Last year over 417,400 people attended the SXSW event.
80. The annual Llano festival that is held at the same time as SXSW did not cancel its festival or events, and there is no report of any adverse medical problems occurring from attendance at the festival.
81. What cost to the 116,410 Texans who filed for unemployment in March and April when their jobs were deemed non-essential and businesses were forced to close?
82. The over-all devastation to the Texas economy will be staggering.
83. Each Defendant had to aid and abet the actions of the others, or conspire with the other defendants in order for the enterprise to function.
84. What will be the cost of closing the courts, a violation of the Texas Constitution, Art. 13?
85. The actors acted with impunity, each one overreaching the last.
86. Even if the Governor's actions could be understood or condoned, Eckhart's and Adler's manic pilings on, further restricting the freedoms and liberties that Texans are guaranteed, cannot.
87. These defendants acted with complicity to instill terror in the minds and hearts of Austinites, Travis County citizens and Texans, who trusted them as leaders.
88. Instead, conspiring with the leaders of the pack, Dr. Fauci and the others, defendants spewed propaganda and converted it to public policy.
89. It took the concerted efforts of all actors to have marked the people with the level of fear and terror now being exhibited.

THE PREDICATE ACTS

90. On April 25, 2003, the United States Department of Health and Human Services Centers for Disease Control and Prevention (hereinafter “CDC”) filed an application for a United States Patent entitled “Coronavirus isolated from humans”, and subsequently a U.S. Patent 7,776,521 issued.
91. A method of detecting a severe acute respiratory syndrome-associated coronavirus (SARS-CoV) in a sample, and; A kit for detecting a severe acute respiratory syndrome-associated coronavirus (SARS-CoV) in a sample provided the CDC with a statutory market exclusion right the detection and sampling for severe acute respiratory syndrome-associated coronavirus (SARS-CoV).
92. Securing this right afforded the CDC exclusive right to research, commercially exploit, or block others from conducting activities involving SARS-CoV.
93. On September 24, 2018, the CDC failed to pay the required maintenance fee on this patent and their rights expired.
94. From April 2003 until September 2018, the CDC owned SARS-CoV, its ability to be detected and the ability to manufacture kits for its assessment. During this 15 year period, the effect of the grant of this right – which was ruled unconstitutional in 2013 by the United States Supreme Court in the case of *Association for Molecular Pathology et al. v. Myriad Genetics*, meant that the commercial exploitation of any research or commercial activity in the United States involving SARS-CoV would constitute an infringement of CDC’s illegal patent.
95. During the period of patent enforcement and the Supreme Court ruling confirming that patents on genetic material was illegal, the CDC and National Institute of Allergy and Infectious Diseases led by Anthony Fauci,

(hereinafter “NIAID” and “Dr. Fauci”) entered into trade among States (including, but not limited to working with Ecohealth Alliance Inc. and with foreign nations (specifically, the Wuhan Institute of Virology and the Chinese Academy of Sciences) through the 2014 National Institutes of Health Grant R01AI110964 to exploit their patent rights.

96. During the same time, the CDC and NIAID entered into trade among States (including, but not limited to working with University of North Carolina Chapel Hill) with foreign nations (specifically the Wuhan Institute of Virology and the Chinese Academy of Sciences represented by Zheng-Li Shi) through U19ai109761 (Ralph S. Baric), U19AI107810 (Ralph S. Baric), and National Natural Science Foundation of China Award 81290341 (Zheng-Li Shi) et al.
97. During this time, the CDC and NIAID entered into trade among States (including, but not limited to working with University of North Carolina, Chapel Hill) and with foreign nations to conduct chimeric construction of novel coronavirus material with specific virulence properties prior to, during, and following the determination made by the National Institutes for Health in October 17, 2014 that this work was not sufficiently understood for its biosecurity and safety standards.
98. It is presumed that the CDC and its associates were: a) fully aware of the work being performed using their patented technology; b) entered into explicit or implicit agreements including licensing, or other consideration; and, c) willfully engaged one or more foreign interests to carry forward the exploitation of their proprietary technology when the U.S. Supreme Court confirmed that such patents were illegal and when the National Institutes of Health issued a moratorium on such research.

99. The aforementioned items appear to constitute, “contract, combination in the form of trust or otherwise, or conspiracy,” as defined under 15 US Code § 1.
100. Under 15 U.S. Code § 1 (the Sherman Antitrust Act) *“Every contract, combination in the form of trust or otherwise, or conspiracy, in restraint of trade or commerce among the several States, or with foreign nations, is declared to be illegal. Every person who shall make any contract or engage in any combination or conspiracy hereby declared to be illegal shall be deemed guilty of a felony, and, on conviction thereof, shall be punished by fine not exceeding \$100,000,000 if a corporation, or, if any other person, \$1,000,000, or by imprisonment not exceeding 10 years, or by both said punishments, in the discretion of the court.”*
101. Reportedly, in January 2018, the U.S. Embassy in China sent investigators to Wuhan Institute of Virology and found that, “During interactions with scientists at the WIV laboratory, they noted the new lab has a serious shortage of appropriately trained technicians and investigators needed to safely operate this high-containment laboratory.” The *Washington Post* reported that this information was contained in a cable dated 19 January 2018. Over a year later, in June 2019, the CDC conducted an inspection of Fort Detrick’s U.S. Army Medical Research Institute of Infectious Diseases (hereinafter “USAMRIID”) and ordered it closed after alleging that their inspection found biosafety hazards. A report in the journal *Nature* in 2003 (423(6936): 103) reported cooperation between CDC and USAMRIID on coronavirus research followed by considerable subsequent collaboration. The CDC, for what appear to be the same type of concern identified in Wuhan, elected to continue work with the Chinese government while closing the U.S. Army facility.
102. Reportedly, on December 31, 2019, the Chinese government informed the World Health Organization (WHO) that a number of cases of suspected coronavirus-associated SARS cases were being treated in the area of Wuhan.

The CDC reported the first case of SARS-CoV like illness in the United States in January 2020 with the CDC's Epidemic Intelligence Service reporting 650 clinical cases and 210 tests.

103. Given that the suspected pathogen was first implicated in official reports on December 31, 2019, one can only conclude that CDC: a) had the mechanism and wherewithal to conduct tests to confirm the existence of a "novel coronavirus"; or, b) did not have said mechanism and falsely reported the information in January. It tests credulity to suggest that the WHO or the CDC could manufacture and distribute tests for a "novel" pathogen when their own subsequent record on development and deployment of tests has been shown to be without reliability.
104. Notwithstanding, the CDC and WHO elected to commit to a narrative of a novel coronavirus – exhibiting properties that were anticipated in the U.S. Patent 7,618,802 issued to the University of North Carolina Chapel Hill's Ralph Baric – and, in the absence of testing protocols, elected to insist that SARS-CoV-2 was the pathogen responsible for conditions that were consistent with moderate to severe acute respiratory syndrome
105. On March 13, 2020, Governor Abbott appears to have violated the law of the State of Texas by declaring a State of Disaster in Texas, and followed that edict with Executive Orders 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26 to date.
106. All of these orders are in response to the COVID-19 impending disaster.
107. Governor Abbott declared the state of disaster with no evidence that threat of COVIT-19 existed as confirmed by serology or confirmed immunologic evidence.
108. Texas Government Code Chapter 418.004 does state that a disaster means the occurrence or imminent threat of widespread or severe damage, injury,

or loss of life or property resulting from any natural or man-made cause, including fire, flood, earthquake, wind, storm, wave action, oil spill or other water contamination, volcanic activity, epidemic, air contamination, blight, drought, infestation, explosion, riot, hostile military or paramilitary action, extreme heat, cybersecurity event, other public calamity requiring emergency action, or energy emergency.

109. The only word in that section of the code that applies here is “epidemic”, but since Gov. Abbott could only list 30 cases of confirmed cases of COVID-19, there is no evidence of an epidemic.
110. At that time, neither the CDC nor the WHO had sufficient testing in place to: a) confirm and isolate “a novel coronavirus” from other coronaviruses; b) Texas did not have pathology data to suggest that an epidemic was imminent; and, c) the rest of the United States was equally incapable of making any such assessment as a result of the aforementioned conspiring parties actions. Governor Abbott’s Declaration of Disaster, followed by numerous other Executive orders, are all based on the threat of a thing that may or may not exist.
111. Around March 12, 2020, in an effort to enrich their own economic interests by way of securing additional funding from both Federal and Foundation actors, the CDC and NIAID’s Dr. Fauci elected to suspend testing and classify COVID-19 by capricious symptom presentation alone. Not surprisingly, this was necessitated by the apparent *fall in cases* that constituted Dr. Fauci’s and others’ criteria for depriving citizens of their 1st Amendment rights.
112. At present, the standard, according to the Council of State and Territorial Epidemiologists Interim-20-ID-01 for COVID-19 classification is:

In outpatient or telehealth settings at least two of the following symptoms: fever (measured or subjective), chills, rigors, myalgia, headache, sore throat, new olfactory and taste disorder(s)

OR

at least one of the following symptoms: cough, shortness of breath, or difficulty breathing OR Severe respiratory illness with at least one of the following:

- Clinical or radiographic evidence of pneumonia, or*
- Acute respiratory distress syndrome (ARDS).*

AND No alternative more likely diagnosis

Laboratory Criteria for Reporting

- Detection of SARS-CoV-2 RNA in a clinical specimen using a molecular amplification detection test.*
- Detection of specific antigen in a clinical specimen.*
- Detection of specific antibody in serum, plasma, or whole blood indicative of a new or recent infection. * *serologic methods for diagnosis are currently being defined*

AND No alternative more likely diagnosis

Laboratory Criteria for Reporting

- Detection of SARS-CoV-2 RNA in a clinical specimen using a molecular amplification detection test.*
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- Detection of specific antibody in serum, plasma, or whole blood indicative of a new or recent infection. * *serologic methods for diagnosis are currently being defined*

113. After inflicting grave harm to the citizens of the United States of America in economic hardships resulting from their allegation of an “epidemic” or “pandemic”, the CDC and the NIAID set forth, and the President of the United States and various Governors in the respective States, including Gov. Abbott, promulgated standards for lifting conditions in violation of the 1st Amendment to the Constitution that serve exclusively to enrich them.

114. Both the presence of a vaccine or treatment and, or, the development of testing – both that solely benefit the possible conspiring parties and their co-conspirators – are set as a condition for re-opening the country. This appears to be an unambiguous violation of the Sherman Act and, if so, should be prosecuted immediately to the full extent of the law.
115. Judge Eckhardt and Mayor Adler, rather than sitting back and allowing the Governor to issue Orders concerning the “emergency/pandemic”, issued copious orders of their own, without evidence or authority, to further restrict the rights and freedoms of Texans, and to further terrorize these people with fraudulent cries of “Fire”, in order to reassure their positions of power.

COUNT 1:

**VIOLATION OF THE RACKETEER INFLUENCED
AND CORRUPT ORGANIZATIONS ACT (RICO) AGAINST THE
INDIVIDUAL DEFENDANTS FOR CONSPIRACY TO COMMIT
A PATTERN OF FRAUDS IN VIOLATION OF RICO**

116. The preceding paragraphs are incorporated herein as though fully set forth below.
117. Although it was necessary to enumerate all the actors and their predicate actions, this suit is brought against only the three Texas actors who have conspired and whose actions have directly impacted the liberties, freedoms and life of plaintiff.
118. Governor Greg Abbott, Judge Sarah Eckhardt, and Mayor Steve Adler, for purposes of this suit, comprise the enterprise.
119. The enterprise conspired to engage in a series of events that stripped plaintiff of her peaceful way of life, her liberty, her freedom, and her protected Rights.

120. The enterprise, issued Order after Order, ever tightening the noose around the neck of plaintiff, her family, friends and acquaintances.
121. The enterprise promulgated more and more restrictions, making ordinary everyday tasks a nightmare to accomplish and constituted an abrupt departure from life as plaintiff knew it.
122. The enterprise engaged in domestic terrorism which was so effective that the ordinary man or woman who hides behind their mask and believes they will die if they approach anyone closer than 6 feet is so totally frightened by the propaganda that their actions border on insanity.
123. It is the duty and obligation of anyone who assumes a government position to protect the people and their property. Instilling abject fear through false propaganda is contrary to the purpose of government.
124. The Governor, the county judge and the mayor could not have known that there was a virulent outbreak caused by a single pathogen (reportedly SARS CoV-2) when declaring the State of Disaster/Emergency and issuing executive orders and directives.
125. No scientific evidence has been offered justifying the declaration – mere reporting of mortality and morbidity based on pneumonia symptoms does not make an epidemic or pandemic.
126. The enterprise failed to provide adequate testing to confirm or deny the presence or absence of “a novel coronavirus” and, based on recent reports from incarcerated persons, it would appear that positive test COULD NOT have been based on community transmission as 96% of confined persons have tested positive according to Reuters.
127. No evidence has been made by the enterprise or regional health authorities to overturn the established science published in JAMA that facemasks should not be worn by healthy individuals

(<http://jamanetwork.com/journals/jama>) and that social distancing that involves the confinement of healthy individuals has neither been tested nor validated with any science whatsoever.

128. The acts of the enterprise were acts of domestic terrorism, a violation of Section 802 of the Patriot Act.
129. Sarah Eckhardt published a statement which said, “the virus that causes COVID-19 is contagious and spread through person to person contact, especially in group settings”.
130. Eckhardt had no scientific basis on which to instill the fear that was generated from that statement.
131. The misinformation was meant to frighten and terrorize, and it did, in fact, terrorize the people of Travis County and others.
132. Therefore, Plaintiff asserts claims against each individual Defendant in the enterprise for RICO conspiracies.

COUNT II:
VIOLATIONS OF THE U.S. AND TEXAS VIOLATIONS
THE SUPREME LAW OF THE LAND

133. We, as Americans were endowed by our Creator with unalienable rights.
134. No government entity or one claiming to represent a government entity can interfere with those rights.
135. No government has the right to interfere with commerce.
136. At Art. 1, Sec. 8, Clause 3, the Congress is given the power to regulate Commerce.
137. No act or law gives government actors the right to arbitrarily declare businesses closed.
138. No act or law gives government actors the right to arbitrarily determine which business and workers are “essential” and which businesses are not.

139. There is nothing in the law that could be construed to allow a government agency to declare that a man or woman with a job cannot go work in that job.
140. There is no logic, much less no law, rule, regulation or statute that allows a governmental entity to, with the stroke of a pen, take a paying job from a man or woman and force them into unemployment.
141. The enterprise declared an emergency when one did not exist and against all law, against all reason, forced hundreds of thousands of Texans to be without work or ability to earn a living.
142. That shocking act by itself is unthinkable and heinous.
143. The enterprise is guilty of violations of Art. 1, Sec. 8, Clause 3 of the U. S. Constitution.
144. The First Amendment enumerates that Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.
145. The Texas Constitution, Art 1, Sec. 6 gives all men a natural and infeasible right to worship,
146. Although Gov. Abbott did not force churches to close or decree that they could not worship as usual, the other culprits in the enterprise did. Their actions could not have been viable had not Gov. Abbott declared the disaster.
147. The enterprise forbade the people the right to peaceably assemble.
148. The enterprise violated the First Amendment and Art. 1, Sec. 6 and 27 of the Texas Bill of Rights violated the Fourth Amendment and Art. 1, Sec. 9 of the Texas Constitution. The right to freedom and liberty was seized and the people were denied the right to be secure in their persons, houses, papers and possession.

149. The enterprise violated the Fourth Amendment and Sec. 9 of the Texas Constitution.
150. The enterprise violated the Fifth Amendment and Art. 1, Sec. 19 of the Texas Constitution by depriving the people, without due process, of life, liberty, property, privileges or immunities and totally disfranchised them.
151. The enterprise violated the Eight Amendment and Art. 1, Sec. 13 of the Texas Constitution by imposing upon them cruel and unusual punishment. It is a form of cruelty to take a simple errand like going to the grocery store, and turning it into a punishment. Long waits in line, dictating where they can stand when they finally get in the store, telling them they must wear masks when there is evidence to the contrary that masks, outside of medical procedures and lab regimens are not conducive to good health.
152. The enterprise violated the Ninth Amendment and Art. 1, Sec. 29 of the Texas Constitution. The Bill of Rights is excepted out of the general powers of the government and shall forever remain inviolate.
153. The enterprise violated Art. 1, Sec. 13 of the Texas Constitution. The courts in Travis County were closed and no hearings could be held. Government buildings were locked and closed to the people.
154. The enterprise committed acts of domestic terrorism when they engaged in activity that involved act dangerous to human life that violate the laws of the United States or any state and appear to be intended (i) to intimidate or coerce a civilian population, or (ii) to affect the conduct of a government by mass destruction, assassination, or kidnapping.
155. Texans were given false and frightening information to coerce them into giving up their employment, "sheltering" in their homes, scaring them into submission with threats of death and dying, and destroying their everyday life as they knew it.

156. All of these violations took place when Gov. Abbott determined that the fact that there were 30 confirmed cases of COVID-19 in multiple Texas counties was enough to engage in domestic terrorism.
157. The reward to the enterprise for terrorizing Texas citizens was at least \$11.2 billion in federal funds for the State of Texas and at least \$917,500,000 between Travis County and City of Austin in federal funding.

FRAUD

158. The enterprise declared a State of Disaster on March 13, 2020 when none existed.
159. The enterprise did not have a single medical or scientific scrap of information that would have justified proclaiming a disaster or an emergency.
160. The enterprise, using computer modeling and not actual statistics, pummeled the public with over 20 executive orders and declarations, generated media articles and interviews warning of the dangers and the “second wave”, all meant to terrorize the public.
161. The enterprise continually updated the COVID-19 deaths.
162. The public every day was informed about the number of new cases of those who tested positive and those who died.
163. Never was any subject approached from a relative position, i.e., how many deaths in relation to the population.
164. To date the number of deaths attributed to COVID-19 in Texas is 1,716. This is in a population of 29 million. That figure reflects that 0.0059% of Texans have died from COVID-19.
165. Had the numbers of deaths been reported in the percentage of deaths as it relates to the population in general, the percentage is not alarming at all.

166. In Texas in 2017, .065% of the population died. 184,380 deaths in a population of 28.3 million.
167. The manner in which these alleged COVID-19 deaths were reported was fraudulent, misleading and meant to terrorize.

**FIRST CLAIM FOR RELIEF FOR
VIOLATION OF THE RACKETEER INFLUENCED AND
CORRUPT ORGANIZATIONS ACT [“RICO”]**

(18 U.S.C. §1961)

[Against all Defendants]

168. Plaintiff incorporates by reference the allegations above as if fully set forth herein.
169. The Defendants are all “persons” pursuant to 18 U.S.C. §1961.
170. Collectively, the Defendants operated as an “enterprise” through which declarations, executive orders, and distribution of propaganda was published and distributed.
171. The enterprise engaged in domestic terrorist acts for personal or private gain.
172. The defendants deprived plaintiff of Life, Liberty and the Pursuit of Happiness.
173. By and through the above described acts, as set forth above, the Defendants operate a criminal enterprise in which each of the parties plays a specific role.
- i. Governor Abbott declared the State of Disaster in Texas and began systematically to issue executive orders to contain and frighten the people
 - ii. Travis County Judge Sarah Eckhardt immediately after the governor declared the emergency began to throw her rules and regulations lariat and round up the people’s freedoms.

- iii. Mayor Steve Adler, a man who has never met a Texas law he didn't overthrow or over reach, continued with press conferences to frighten the people with propaganda and issue every restrictive unlawful orders in order to keep the citizens of Austin in a tight headlock.
174. The Defendants' enterprise has a defined decision-making structure. Each Defendant works in coordination with the other Defendants. Each having his/her own particular contribution to the overall crime.
175. The coordinated decision-making structure has been firmly entrenched since before March 13, 2020 and continues to keep the people under their thumbs to this day.
176. The Defendants have used the mails and wires on behalf of themselves to communicate fraudulent propaganda in pursuit of their enterprise.
177. The Defendants have received money and property from their enterprise in order to generate revenue.
178. By the above described acts, the Defendants have intentionally inflicted substantial and serious injury on plaintiff.

**SECOND CLAIM FOR RELIEF FOR
AIDING AND ABETTING PRIMARY CONTRAVENTION
OF RICO SECTION 1962(c)
(18 U.S.C. §1962)
[Against all Defendants]**

179. For Plaintiff's Second Claim for Relief, she re-alleges and incorporates Paragraphs 1 through 178, and each and every claim for relief asserted pursuant to the Federal Racketeer Influenced and Corrupt Organizations Act of 1970 ["RICO"] [Title 18 U.S.C. §§ 1961 et. seq.].
180. Plaintiff alleges that the Defendants employed the federal mails and/or federal interstate wires, engaged in federal extortion, and as well as engaged in racketeering activity as alleged herein, to aid and abet the primary RICO

§ 1962(c) contraventions committed by the Defendants as alleged herein above.

181. Plaintiff alleges that the Defendants were knowledgeable and aware of the commission of the primary RICO contraventions committed, and that the Defendants substantially assisted in the commission of the primary RICO contraventions by the Defendants, thereby deriving a monetary benefit as a result, to Plaintiff's detriment.
182. Plaintiff is entitled to recover, pursuant to Title 18 U.S.C. §1964(c), treble damages in the amount to be determined by offer of proof at time of trial.
183. Plaintiff is also entitled to recover attorneys' fees and costs of this litigation, as well as damages arising from lost use of Plaintiff's freedoms and liberties which are priceless, and which are attributable to the activities engaged in by the Defendants committed in furtherance of the Racketeer Influenced and Corrupt Organizations Act of 1970 ["RICO"] [Title 18 U.S.C. §1961 et. seq.].

**THIRD CLAIM FOR RELIEF FOR
AIDING AND ABETTING A RICO SECTION 1962(d) CONSPIRACY
IN CONTRAVENTION OF RICO SECTION 1962(c)
(18 USC §§ 2(a)-(b) and §§1962(c)-1962(d))
[Against all Defendants]**

184. For the Third Claim for Relief, Plaintiff re-alleges and incorporates Paragraphs 1 through 183, and each and every claim for relief asserted pursuant to the Federal Racketeer Influenced and Corrupt Organizations Act of 1970 ["RICO"] [Title 18 U.S.C. §§ 1961 et. seq.].
185. Plaintiff alleges that the Defendants' conduct constituted aiding and abetting a RICO §1962(d) conspiracy inasmuch as the Defendants were:
 - iv. associated with a criminal venture as alleged herein;

- v. that the Defendants participated in the criminal venture as something the Defendants wished to bring about; and,
 - vi. that the Defendants sought by their actions to make it succeed.
186. Plaintiff alleges that the Defendants are conspiratorially liable under application of the *Pinkerton* Doctrine [*Pinkerton, v. United States*, 328 U.S. 640 (1946) and *Salinas, v. United States*, 522 U.S. 52 (1997)] for the substantive RICO Section 1962(c) contraventions committed by defendant inasmuch as:
- vii. The Defendants engaged in the fraudulent activities that constitute the RICO §1961(5) pattern of racketeering activity;
 - viii. The Defendants are members of the RICO §1962(d) conspiracy designed and intended to contravene RICO § 1962(c);
 - ix. The Defendants engaged in activities in furtherance of advancing and promoting the RICO §1962(d) conspiracy.

FOURTH CLAIM FOR RELIEF
CIVIL RIGHTS ACT OF 1871 DEPRIVATION OF RIGHTS,
PRIVILEGES, AND IMMUNITIES UNDER COLOR OF STATE LAW
(42 U.S.C. § 1983, 1985, & 1986)
[Against All Defendants]

187. Plaintiff incorporates by reference the allegations contained above as if fully set forth herein.
188. By the above described conduct, Defendants, in their official roles, have deprived Plaintiff of property, freedom and liberty interests acting under color of law without the procedural and substantive due process rights enumerated by the Declaration of Independence and guaranteed under the First, Fourth, Fifth, Eighth and Fourteenth Amendments to the United States Constitution and Article 1, Section 19 of the Constitution of the State

of Texas and the International Covenant on Civil and Political Rights, which Plaintiff has executed.

189. All actors conspired to falsely claim a disaster and pandemic and then to unlawfully take Plaintiff's Rights without due process of any kind.
190. As a direct and proximate result of Defendants' conduct in violation of 42 U.S.C. §1983, Plaintiff has sustained injury and damages for which she seeks redress.
191. Upon information and belief, unless permanently enjoined by this Court, Defendants will continue to injure Plaintiff and others, in a manner for which there is no adequate equitable remedy.

**FIFTH CLAIM FOR RELIEF
FRAUD**

192. Plaintiff incorporates by reference the allegations contained above as if fully set forth herein.
193. The Defendants, by and through the conduct described above, committed fraud in each instance in which they deliberately misrepresented the truth to Plaintiff, the media and the general public, or others persons described above.
194. Plaintiff suffered injury and damages from each instance of fraudulent propaganda committed by the Defendants, both individually and cumulatively.

**SIXTH CLAIM FOR RELIEF
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

195. Plaintiff incorporates by reference the allegations contained above as if fully set forth herein.

196. The Defendants intended, by the unlawful actions described above, to inflict severe emotional distress upon Plaintiff.
197. Plaintiff is an 80 year old healthy woman who manages her own health and enjoys the company of others.
198. Plaintiff has learned that association is a requisite of herd immunity and defendants deprived her of that right.
199. Further, it is extremely depressing for one who is steeped in the beauty and rights enumerated in the Declaration of Independence to witness, on a daily basis, Texans who aren't as educated or informed as plaintiff, bow to the yoke of tyranny. She need only open her eyes to sees the marks of false propaganda and effects of the terrorization, the masks.
200. It hurts her heart to see them.

**SEVENTH CLAIM FOR RELIEF
DECEPTIVE TRADE PRACTICES**

201. The Defendants, who, all the while collecting salaries, gratuities, even pensions, while the less fortunate Texans are going without and have lost more in the past three months than they will ever be able to recover, deliberately put my fellow Texans and myself in precarious circumstances by committing the dissemination of information based on hearsay.
202. Texas citizens, constituents of the elected, in reality sit in the capacity of consumer. They consume the words and deeds said and proffered by politicians. Just as the politician spewed falsehoods and terror, the people believed them and didn't do their own research and expose the fraud.
203. Defendants disguised their real intent, to subjugate and impress the people, all the while making it possible for Dr. Fauci, to gain more funding and financing for government grants in order for him to retain his control.

204. There is no question that Dr. Fauci, with the help of coconspirators has bamboozled the American people and Texans and instilled them with such fear that he must have realized his goal, namely, “the financial benefit of the public becoming more committed to supporting research on coronaviruses”.

205. This is an act of deception in a quasi-commercial transaction.

REQUEST FOR RELIEF

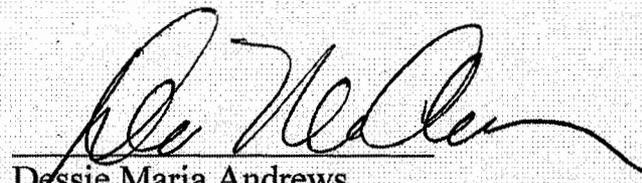
Wherefore, Plaintiff requests judgment against the Defendants, as follows:

1. That the Defendants be held liable for all damages, in the liquidated amount of \$100,000 per day or a more substantive amount proved at trial, for each day Plaintiff has been or will be deprived of her liberties and freedoms resulting from the acts alleged herein;
2. For an award of treble damages pursuant to the First Cause of Action, as, provided by statute;
3. For an award of punitive damages to be determined at trial against each of the Defendants;
4. For the return of Plaintiff’s liberties and freedom and her Rights;
5. For an award of Plaintiff’s costs and reasonable attorneys’ fees;
6. For such other and further relief as the Court deems just and proper.

DEMAND FOR JURY TRIAL

Plaintiff, Dessie Maria Andrews, demands a jury trial of all matters so triable as a matter of Right pursuant to Rule 38 of the Federal Rules of Civil Procedure.

Respectfully,



Dessie Maria Andrews

6715 Skynook Drive

Austin, Texas 78745

(512) 416-7139

dessie.andrews@gmail.com