SUPREME COURT OF KENTUCKY
KBA FILE 17-DIS-0121

KENTUCKY BAR ASSOCIATION — COMPLAINANT

v. — RESPONSE TO CHARGE

KAYCE RENAE POWELL — RESPONDENT

KBA Member No: 93536
Date of Admission to KBA: April 30, 2010
Bar Roster Address: P.O. Box 4, Hopkinsville, KY, 42240

The Inquiry Commission's Charges mischaracterizes the factual sequence of events which appears to be an attempt to downplay, the deliberate unconstitutional nature, and egregious conduct orchestrated and carried out by members of the judiciary to the detriment of my client, Steven Chandler and his family. With myself now being the misdirected target for the professional misconduct charges. To be true the accusations, the conduct by Attorney Downey, Attorney Moore, and Judge Rene Williams is more factually characterized as illegal conduct, rather than just professional misconduct.

There are several incomplete and mischaracterizations concerning the basic background of the will contest and correlating cases. First off, the inquiry summarization completely ignores and leaves out the fact that the will contest was filed on both lack of mental competency, and that Keith Chandler was unduly influenced to make the will.

It is true, that the Courts have in fact, found against my client, but only as a direct result of obstruction of justice and fraud upon the court, throughout. Likewise, the brief

synopsis disregards the fact that Steve Chandler's Complaint also included an Equity argument, which he was directly instructed, by the District Court Judge, Daniel Heady, on July 20, 2011, to include his claim to the undistributed household personality, which remained within the Chandler homestead, within his Will Contest Filing that he filed in Circuit Court, within his Will Contest Complaint.

As the result of incomplete and inaccurate information, I feel that the only way that I can defend myself against these misdirected accusations, is by providing the Trial Commission a complete overview pertaining to the last eight years.

## PROCEDURAL BACKGROUND

Appellant's brother, Harold Keith Chandler, at the age of 46, was found deceased in his home on July 9, 2011, cause of death remains undetermined. The Appellant herein, was Keith Chandler's sole legal heir.

The Appellees were former factory co-workers of Keith's, and Counsel of record during the past eight years of litigation. On July 20, 2011, Appellee Robinson submitted what was purported to be the will of the deceased, which bequeathed his nearly 250-acre farm to Respondent Fish's, six year-old minor son, whom he was acquainted with less than a year, before the day of execution.

Appellant initially contested the submission of a copy of the will within the District Probate Court, and further objected to the will on the grounds of undue influence and lack of mental competency. The same night that Keith's body was discovered within the Chandler Family homestead, two of the named Appellees, Mr. Robinson, and Mr. Fish, showed up to the family home with their trucks and trailers and began immediately removing personal property from the home.

The Appellant, notified the District Probate Judge that these men were removing personal property which legally belonged to him. The boy's mother, Mary Katherine Chandler equally bequeathed the content of the homestead to her two sons in 2008. All personal property remained in the homestead and was never distributed. District Court Judge, Daniel Heady, instructed the Appellant that he would have to raise the issue concerning his legal interest in the personal property, within his will contest complaint, when he filed it with the Crittenden Circuit Court. During this hearing, Judge Heady placed the Appellees under Order to not make any monetary disbursements and to secure the personal property under lock and key.

On October 7, 2011, Appellant filed a will contest action on grounds of mental competency, undue influence, as well as an equity claim for the personal property in the home. In lieu of filing an answer, Attorney Moore filed a Motion to Strike SIXTY (60%) of the paragraphs contained within the Complaint. The Circuit Court Judge, Rene Williams, held a hearing upon the motion on December 8, 2011. At which time she directly questioned the Appellant about his actions or inactions regarding protecting his mother and his brother. It was clear that Judge Williams had already formed an opinion on the case, having nothing more than a Complaint in front of her, and a Motion to Strike, filed by the Appellees. At the close of that hearing, Judge Williams, informed Attorney Moore, that she would not need to file an answer until after, she issues a ruling on Attorney Moore's Motion to Strike.

Three separate memorandums were submitted on behalf of the Appellant, laying out the relevant controlling case law. But more importantly, pointing out to the Judge that the cases being cited by Attorney Moore, all concerned various rulings which only arose sometime, after all parties had an opportunity to conduct discovery, these rulings

included, summary judgment, judgment not withstanding the verdict, and directed verdicts.

Then on April 17, 2012, Judge Williams granted Attorney Moore's unfounded arbitrary strike motion in its entirety. The strike order limited relevant admissible evidence and testimony to a narrow two-year "temporal reference" surrounding the execution of the will. Moreover, Judge Williams was repeatedly made aware that the time frame requested by Attorney Moore, just so happened to coincide with the only time that these two men had their thumbs firmly pressed upon the deceased. The two-year temporal reference in no way was an adequate indicator of Keith's mental competency. Keith had never lived alone, and more precisely, Keith was living alone for the first time in his life after his mother fell and broke her hip. At the end of July, 2006, she was placed in a nursing home for rehab. Less than two months after Mary Katherine was residing in a nursing home, Appellee Randy Fish, telephoned Attorney Moore to set up an appointment for his "friend" Keith to have a will drawn up, which incidentally left everything he owned or could own to Appellee Fish's, five year old minor son Payton Fish, to which Keith had known for less than a year.

A major point of contention and dispute throughout the eight year litigation, is the fact that Judge Rene Williams' unprecedented Strike Order, struck the Appellant's Equity claim to retrieve the personal property in the home to which he had a legal vested interest in. Judge Williams's Order, completely disregarded the equity claim all together. The Circuit Court Action is riddled with filings and oral arguments concerning the improper striking of Steve Chandler's Equity Claim.

> "Where legal and equitable issues are raised in pleadings, the case must be tired by a jury." Whitfield v. Cornelius, 554 S.W.2d 870, 1977 Ky. App. (Ky. Ct. App. 1977)

Thereafter, on April 24, 2012, the Appellant filed a KRE 103 Objection of Record, to preserve the evidence for the record. On May 7, 2012, the Appellee Attorney Moore, then filed an answer on behalf Appellee Robinson, Appellee Fish, to the few paragraphs which remained in the Appellant's Complaint. Furthermore, Appellee Moore, included a counterclaim for "abuse of process." Appellant filed a motion to dismiss the counterclaim, for failure to state any damages. At this time, Appellant also questioned Attorney Moore's ability to represent the Appellees, since she would obviously be called as a witness. Attorney Moore, emphatically proclaimed that the rule is only applicable if the case were to go to trial.

On August 9th, 2012, Judge Williams issued two separate orders. The first order denied dismissal of counterclaim, actually asserting, "that the law does not permit her to have an opinion at this stage." The second Order was a sua sponte Order, simply to Overrule Appellant's filed KRE 103 Objection, and further reiterate the time frame for which she deemed relevant and admissible for trial purposes. Judge Williams reiterated the premature temporal reference two additional times prior to the final preliminary hearings.

Judge Williams was trying to keep the record clear of factual evidence which would have prevented her from granting Attorney Moore an early summary judgment. The same holds true, as to why Judge Williams struck the Appellant's equity claim, and failed to even reference it. Throughout discovery, Attorney Moore profoundly objected to all testimony and evidence outside the two-year temporal reference established by

Judge William's Strike Order. Furthermore, on more than one occasion, Counsel brought to the attention of Judge Williams, acts of misconduct and false filings by Attorney Moore. Which also included taking the deposition of one of the Appellant's witness, without counsel being present.

After Chief Minton denied Appellant's second motion to recuse, KRS 26A.020, Appellant filed a motion to amend witness list to include four additional witnesses. The motion was filed on February 12, 2014, under CR 78(2) ten-day rule. 4 On March 13, 2014, during the last scheduled preliminary hearing Attorney Moore raised a verbal objection for the first time to the amended witness list, and never submitted any type of filing objecting to amendment.

At the March 13, 2014 hearing, Judge Williams acknowledged that according to controlling case law the case was held in abeyance pending Chief Minton's ruling. Despite prior acknowledgment, Judge Williams subsequently issued an Order on March 25, 2014, denying the amended witness list specifically asserting that Counsel was mistaken since SHE, "the Court," never held the proceedings in abeyance. Therefore, since the deadline established by the scheduling order to exchange witness list was September 7, 2013, Appellant's motion was denied as being "untimely filed" because amendment would prejudice the Respondents.

The deadline for filing motion-in-limines and submitting any objections to witnesses and exhibits were due by December 5, 2013. Despite the black and white deadline set by the Court, Attorney Moore submitted a motion-in-limine on March 13, 2014, seeking to prevent Appellants witnesses from referencing autism/Aspergers, or any traits pertaining to them.

In response, Appellant asked the Court to take judicial notice of the widely accepted definition of "intellectual disability." Obviously, the case at hand did not fall within controlling 'lucid" interval analysis, so the Appellant sought to introduce the elementary abstract traits included within the definition. Furthermore, it was at the final pretrial hearing on March 13, 2014, Attorney Moore informed the Court that Attorney Downey would be entering his appearance, "as it now appears the case is going to trial." At which time, Judge Williams, on her own accord asserts, "Okay in reference to, I would anticipate there will be some more pretrial motions."

TAKE NOTICE, that I filed to amend the witness list in early February, under the ten day rule. The Judge issued an Order on March 25, 2014, setting out that I can't amend the witness list, because it would unduly prejudice the respondent while at the same time, she is scheduling additional pretrial conference setting out, "okay in reference to, I would anticipate there will be some more pretrial motions." SO the scheduling order deadline only applied if it would benefit Attorney Moore's case.

Judge Williams held two additional full day hearings, and one telephonic conference, all less than two and half weeks before trial to accommodate the new attorney (April 1st, 11th, and 14th). At the April 1, 2014 hearing, held in Union County, Kentucky, Attorney Steven Downey entered his appearance and submitted more than 30 pages of motion-in-limines to the court. The last minute limine-motions filed by Attorney Downey just days before trial, specifically set out that it was being submitted pursuant to what the Court has determined to be admissible relevant evidence in her previous Order, entered on April 17, 2012. (STRIKE ORDER)

On April 11, 2014, less than six days before the trial, Judge Williams informed Appellant that she has reconsidered the "temporal reference" for admissible relevant evidence for trial purposes. Judge Williams allowed evidence and testimony up to and including the October 23, 2006, day of execution. However, Appellant was still prejudiced by last minute expansion, since Judge Williams was still holding the Appellant to deadlines set out within the scheduling Order she issued in December of 2012. Therefore, Judge Williams, last minute change of heart, did not benefit the Appellant

During the final two and a half weeks before trial, Appellant filed numerous memorandums in opposition to Judge Williams rulings, unequivocally arguing against the preliminary Orders because they prevented the Appellant from fully and fairly litigating his case. At the close of the second, all day hearing in Union County, Kentucky, Attorney Downey volunteered to prepare the (**Motion-in-limine Order**) for Judge Williams. Which was signed by Judge Williams three days before trial. Thereafter, on the morning of trial, Judge Williams entered a (**General Order**), to emphasize that no testimony or evidence will be admissible if it occurred after the execution of the will on, October 23, 2006.

Attorney Downey, further went on record and stated that he had been paid from the estate and had researched it first and had case law to support that upfront payments are legal. He further stated that he had case law to support that even if the money dwindles to nothing and ends up going to someone other than Payton Fish, advancement is supported by case law. In essence, Attorney Downey deliberately committed constructive fraud upon the court, when he intentionally lied to the Court, and knowingly misappropriated funds from the estate, in the amount of $25,000.00

While the Jury was deliberating, Appellant's counsel requested a time when she could submit and Avowal/proffer for review by the Court of Appeals. Judge Williams began the litigation with an unprecedented Strike Order. After trial, Judge Williams essentially granted Attorney Downey a double objection by allowing him to object to all content contained within Appellant's avowal/proffer.

Appellant's proffer was concise and specifically stated the purpose each excluded paragraph would have served. Following the unprecedented posttrial hearing, Attorney Downey submitted a proposed order, setting out the information that he declared was previously offered. Since the proposed order was entirely inconsistent with the trial court record, Counsel herein, filed a Response to the proposed order, reminding Judge Williams where the arguments were previously presented and preserved. Ultimately however, Judge Williams ignored Appellant's response and adopted the proposed proffer order in its entirety with a few extremely notable minor exceptions.

Appellant also filed a petition to reopen his mother estate, again setting out that it was being submitted to preserve his interest in the family personal property. Attorney Moore and Attorney Downey, initially acted perturbed that they were even being served with the probate motion, since they had no interest in Mary Katherine's Estate. However, Judge Heady, left the record open for ten days, just in case they decided to file a response. Around the first week of June, Attorney Moore's office submitted a response, and a tendered order for the Judge to sign, denying the Appellant's Motion to preserve his legal vested interest in the personal property, based upon the equitable defense of laches. Meaning, that the Appellant Steve Chandler waited too long to retrieve the personal content of the home, and now he has prejudiced Payton Fish, a

minor having only a contingent interest, at best. Judge Heady did not sign that Order until February, 2015.

The Appellant further appealed the laches ruling to the Circuit Court, but also filed a Motion to Recuse Judge Rene Williams from reviewing that Order, since she was already on appeal for failing to recognize the Appellant's legal vested interest in the personal property, in favor of the same exact parties. In July 2015, Judge Williams issued one Order denying Appellant's Motion to Recuse as well as affirming the District Court laches ruling, citing to an inapplicable Supreme Court case law which concerns the necessary probable cause for warrantless search under the Fourth Amendment. I then filed Discretionary Review Motion with the Court of Appeals, and it was ultimately denied by one of the same judges that somehow served on all Chandler motion and merit panels.

Please note that after trial, Appellant filed his notice of appeal and further signed a supersedes bond, which should have prevented any actions taken in the two probate estates. Obviously, Judge Williams' Strike Order, and her complete disregard of Appellant's interest, was two of the major points being appealed. Since the two probate estates were at the center of the all litigation, Appellant filed a motion to supplement the record on appeal with the two probate cases.

The (COA) passed the decision back to Judge Williams, who issued the following ruling on December 9, 2014, "because the Court did not find these Probate cases relevant to the determination of competency or undue influence, the Court did not consider these cases at trial, and they cannot be placed into the appellate record. " Appellant subsequently filed a (COA) motion to amend his appeal notice to include the

December 9, 2014 Order. Thereafter, in May 2015, (COA) passed the latter motion onto the merit panel.

Attorney Downey repeatedly presented false information to the Court of Appeals, within his filings, and in the interest of justice, counsel for the Appellant, had to seek permission to file a Reply to Appellee Downey's Responses, simply to maintain veracity of the record. In May of 2015, the Appellant's requests were all denied. Giving Attorney Downey the last word, even though the Court of Appeals was placed on notice of his fraudulent filings. A few months after the May, 2015 ruling, it was discovered that the Court of Appeals assigned those motions to the Judge who employs, Cynthia Downey, Steven Downey's sister-in-law, as his case manager.

On March 30, 2015, in conformity with the applicable statute of limitation, the Appellant filed an action against Respondents and their counsel for the illegal misappropriation of estate funds, abuse of process, conversion, among others. Appellees Steven Downey intentionally went on record concerning his advancement, in order to start the one year statute of limitations.

While the case was pending at the (COA), as the direct result of endless fraudulent filings by Appellee Attorney Downey, the named Appellees and Judge Williams used the District Probate Court cases to cutoff Appellant's legal vested interest in the personal memorabilia and to end the civil action, which is the subject of this appeal.

The Circuit Court was aware, that the Appellant's "legal standing" has been illegally cut off through the deliberate actions of the defense attorneys. It should go without saying that, that an attorney is not permitted to obtain a judgment in their

client's favor, by committing fraud upon the Court. Then subsequently, not only financially profit from their illegal conduct, but also obtain a dismissal of a civil action against them for their individual action of fraud carried out to obstruct justice.

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**MENTION ABOUT THE RETURNED ENVELOPE AND THE PHONE CALL FROM DORIS... MENTION HOW IT BECAME NECESSARY TO TAKE AN ALMOST DAILY SCREENSHOT OF THE COURT OF APPEALS LOG SINCE IT CHANGED OFTEN**

**COUNT I & COUNT II—essentially runs together.**

**COUNT I**

**See Book_____ pages _____ on page 17 of the June 24, 2018, Response previously sent to Sarah V. Coker. To summarize the content, the information was set out and part of a petition for rehearing. My client had already been denied his constitutional rights to fully and fairly litigate his claim on their complete merits in front of an impartial tribunal, for more than six years. The Court of Appeals should have taken those statements for what they were,**

**COUNT II**

**SEE BOOK _____ PAGES _____ for previous discussion of this count beginning on page 18 and 19. The rulings of Judge Williams and the Court of Appeals actually speaks for themselves. See BOOK_____ pages ONE (1) through EIGHTY-NINE (89). Pages SEVENTY-FIVE (75) through EIGHTY-NINE (89) is a direct comparison of the Appellant's Brief to the Court of Appeals opinion. The Court of Appeals Opinion is completely unrecognizable from what was actually submitted within the Appellant's Brief.**

**I stand fully beside the assertions contained within the March 2017, Petition for Rehearing as it relates to the Affirming Opinion of the Court of Appeals, and the deliberate mischaracterizations of the Appellant's Brief. The reviewing commission should read the entire Petition for Rehearing, rather than just blurbs taking out of context. The entire Petition for Rehearing can be located in Book_____pages SIXTY NINE (69) through SEVENTY-FOUR (74).**

**Please note, that I asked the sitting judges to take another look at the totality of the record. I did no request that the original panel recuse themselves. They fully did that of their own accord.**

**COUNT III**

**SEE BOOK_____. As the Commission can plainly see, on September 13, 2016, the Court of Appeals sent out a Notice of Assignment. The notice of assignment specifically states that, "if you have reason to believe that any of the above judges should recuse from the case, you must file a motion ..... within ten (10) days....." The grounds for recusing Judge Debra Lambert was based on "sound law and litigation methods" As the commission can see, it was well founded, and not simply upon any "personal notions about the judiciary."**

> **"The Respondent violated this Rule through her Petition for Rehearing and other activity taken on the underlying case, which shows a consistent and concerted effort of objections to proposed judges and seeking to get various judges disqualified and/or recused."**

**SIX (6) of the FOURTEEN (14) Court of Appeal Judges Recused themselves from this case on appeal. There was only one that I filed to recuse, and he recused himself upon my motion. That was Judge Kelly Thompson, who does in fact employee Cynthia Downey, Steven Downey's sister-in-law as his case manager.**
**Steven Downey was facing a civil action for his misappropriation of funds from the estate, not to mention that he repeatedly lied about his misappropriation of funds. Debra Lambert served on many rulings which struck the certified bank records from the record, so Attorney Downey, can consistently lie about taking the illegal advancement within all of his filings.**

**The lengthy delay in the case, was due to false filings of Attorney Downey. I consistently had to file a motion seeking permission to file a Reply to Attorney Downey's fabricated Responses. Despite being able to unequivocally prove the false assertions contained within Attorney Downey's filings, every single request was denied. All of the Appellant's motions seeking to maintain veracity of the record, by submitting a Reply, was denied by a panel that consisted Judge Debra Lambert, and Judge Kelly Thompson.**

**Judge Janet Stumbo recused herself after the criminal indictment of Union County Judge Executive Jody Jenkins. .....**

**I filed a motion to recuse Judge Debra Lambert, since she had already taken part in repeatedly denying Steve Chandler the right to ensure veracity of the**

**record, had denied discretionary review on the illogical laches ruling, which illegally cut off Steve Chandler's right to his family's personalty.**

**Evidence concerning Steven Downey's false filings, and misappropriation of funds. As well as, Attorney Moore's failure to include $50,000 401K from the inventory of the estate, despite having knowledge of it at the inception of the case. Were repeatedly stricken from the record by rulings where Judge Debra Lambert was a member of the panel.**
**Then she gets to sit on the panel and continue to affirm decisions that she already**

**Despite the motion Judge Debera Lambert denied recusal.**
I was never given notice of the case being assigned to Judge _____he recused himself from the case, after having the entire case in his office for several months. The petition for reheading is

The complaint was filed and October 2011. Instead of filing an Answer, Attorney Moor filed a Motion to Strike from Steve Chandler's Complaint, 60% of the paragraphs. A hearing on Attorney Moore's unprecedent, "Motion to Strike Filing" was held on December 2011. Judge Williams's premature unfounded position was apparent to anyone that was paying attention in the Courtroom that day. But more on point with the charges set out within the Kentucky Bar Association Inquiry Commission Complaint, the Court of Appeals Order intentionally mischaracterized the events that took place during that hearing on page..... , see by way of comparison, Exhibit _____ which sets out the false ..... in the Court of Appeals Order.

**BIAS WAS ABUNDENTLY CLEAR DURING THE DECEMBER 08, 2011, MOTION TO STRIKE HEARING**

Judge Williams limited all admissible evidence and testimony to a narrow two-year temple reference surrounding the execution of the will. Judge Williams denied Steve Chandler the basic right of being able to fully and fairly litigate his claims from the onset. The Inquiry Commission seems to be troubled by the fact that I unapologetically proclaim that Judge Rene Williams's bias opinion was set out early on within the December, 2011, hearing, as well as within the Unconstitutional Strike Order that she issued

At the close of that hearing, Judge Rene Williams directly instructed Attorney Moore, that there was no need for her to file an answer on behalf of the Defendants until she had issued her ruling, upon Attorney Moore's unprecedented Motion to Strike from the Complaint. The Strike Order was issued on April 17, 2012. Multiple filings were submitted and ignored on behalf of my client, concerning the ability to establish theory of the case, relevance of events in time, and even motive of the Defendants between the time of the hearing and the Strike Order. All of which were ultimately ignored when, Judge Williams's granted Attorney Moore's Motion to Strike in its entirely, striking 60% of Steve Chandler's Complaint, setting out premature evidentiary reasons.

**WITH RESPECT TO THE COURT OF APPEALS ORDER**

With the respect to the Court of Appeals Order on page FIVE (5), pertaining to the December 8th, 2011, hearing, wherein Judge Williams, unequivocally and undeniably asserted that Keith, "made his will in 2006, but didn't pass away until 2011, so if he wanted to change his will be could have," the Court of Appeals Order completely ignores Appellants Brief on page EIGHT, (footnote 21), where it is exactly what it pertains to be. DESPITE THE COA's ORDER falsely asserting, on page five (5), that Steve Chandler referenced Steven Downey's closing argument. Steven Downey's closing argument was referenced, but it was in foot note #20, just above. **PAGE ELEVEN (11) OF THE DIRECT COA ORDER AND BRIEF COMPARISION**
"INFLAMMATORY RHETORIC" would just so happen to be a great phrase that I would use to describe the constant mischaracterizations of filings submitted against Steve Chandler on behalf of the defendants..

However, clarification purposes, the petition for rehearing was actually filed in March 2017, and not in May. The petition was exactly what it was purported to be, an opportunity to reconsider. The first time that I was made aware that the "Inquiry Commission" began an investigation, was more than a year later on May 4, 2018, just weeks before the upcoming Judicial primary. I left no stone unturned, I submitted thousands of pages to Sara V. Coker. There is absolutely no way, a person with genuine integrity can chose to bring charges against me, on the basis of the information that I submitted.

Please see the accompanying books, which established the veracity contained within the content of the Petition to Reconsider. First see the brief, response and reply. Read the Court of Appeals Order and the attached comparison. There was in fact, "far too many misconstrued, inaccurate and disregarded arguments within the COA Order to be a mistake. It speaks for itself.

I am not going to change my values my ethics or my morals based upon who the justice system deems to be worthy of a fair trial. I am not going to refrain from speaking the truth and speaking out against injustice because the people that the Judiciary is trying to protect has the power and connections that can take away my law license and everything I have worked so hard for.

To be able to comprehend the more than reasonableness of the listed assertions, the committee should first be made fully aware of the totality of circumstances which have taken place throughout in order to deny Steve Chandler his Constitutional Due Process Rights to a fair impartial trial, and thereafter an impartial review on his "matter of rights" appeal. I think it is safe to assume that this particular case is truly like no other. At least for the sake of the entire justice system, I pray that this was a one of a kind egregious injustice, and not a typical practice which is simply overlooked and just condoned by others.

As you will come to see, I filed the same information repeatedly throughout all seven years of litigation. The case began with an improper unprecedented motion to strike from the complaint and ended with an unfounded motion to strike reply brief. The Reply Brief unequivocally disputed, by way of direct citations and facts contained in the record, Steven Downey's response brief, which was riddled with nothing but lies.

I can't say that I was even surprised that I received a letter from the KBA questioning one of my filings. We are all too familiar with the old adage to "kill the messenger." If you are unaware of the results of the Petition for Rehearing, six of the fourteen Court of Appeals Judges Recused themselves. If I was in the wrong, even in the slightest, I would have been admonished and sanctions would have most likely been issued. Therefore, I am also not surprised that he/she who brought my filing to your attention didn't have the gumption to sign an official complaint against me. Because the facts and the laws concerning this case, despite the endless attempts to paint me and my client as irrational people, have always been 100% on our side. Please note, that for the very first time COA, Joy Kramer's name is listed as the party that brought my Petition for Rehearing to the attention of the KBA.....WHY THE HELL DID YOU RECUSE>

Both Steven Downey and Attorney Moore's filings throughout have gone to great lengths to ignore the constitutional rights of Steve Chandler. Both attorneys failed to address the arguments presented within Steve Chandler's filings which directly contradicted the false filings submitted by them. Rather their tactics from start to finish has remained the same throughout. These tactics consist of, deliberately ignoring all arguments, downplay the legitimacy of the merits, and falsely mischaracterize Judge Williams bias rulings all in an attempt to minimize the prejudicial effect it had on Steve

Chandler. Judge William's had her own ulterior reasons for giving Steven Downey extreme latitude in her Courtroom. Judge Williams knew that there was no case law or statute to support her premature striking of evidence, and she didn't want that ruling to get out amongst her peers.

You will soon learn that this case involved several rulings that were not supported by sound legal principles, common practices, civil rules of procedure, or governing case law of any kind. Not to mention being devoid of even common sense. Judge Williams allotted Steven Downey a double exclusion, by allowing him to object to Steve's submitted proffer that was entirely based upon evidence that was already improperly excluded from trial. Steven Downey insisted that he had a duty to his clients to ensure nothing new got added to the record. Accordingly, we had to have a hearing, and he was insistent on his right to be present to submit his objections. Therefore, there must be a hearing, and he was entitled to be present. Due to his scheduling conflicts the hearing did not occur until May 28, 2014. However, Steven Downey was adamant and out right insistent that Judge Williams must sign the jury verdict by May 15, 2014.

A hearing was held on May 28, 2014, wherein Steven Downey maintained control of the proceedings, and objected to nearly every piece of evidence being submitted as proffer on the false premise, that according to his carefully crafted Limine Order, which the Judge signed, Steve Chandler was supposed to give Judge Williams the opportunity to change her mind on every piece of evidence or purported testimony excluded by the October 23, 2006 cut-off date. At the close of the hearing, Steven Downey requested permission to file a response to address the proffer submitted by Steve Chandler.

Thereafter, he submitted a response which falsely denied the fact that most of the proffer was ever brought to Judge William's attention. After receiving his response, I submitted a Reply disputing his false assertions with direct proof of previous declarations. Steven Downey then submitted a tendered order for Judge Williams to sign. On June 12, 2014, Judge Williams issued a nearly verbatim Order, with just a few minor changes. One major thing that establishes direct evidence of her intentional and deliberate bias, as well as efforts to obstruct justice, is the fact, that Judge Williams began swapping the term Limine Order out with the term General Order. Which will be explained in greater detail later.

At the end of Book #__2__, you will find a copy of two envelopes. Steve's Notice of Appeal was due on June 13, 2014. I mailed it to the Circuit Clerk on June 11, 2014. Wherein she stamped and filed and on the day of receipt, and then mailed me back a stamped copy. On Monday, June 16, 2014, I received the stamped copy from the clerk at my P.O. Box, in Hopkinsville, KY. During the post-trial-hearing, Judge Williams kept trying to discourage Steve Chandler from even submitting a proffer at all. Stating that, "well the Court of Appeals is simply going to say that I was wrong, and should have allowed information in past October 23, 2006, or say that I was right." Therefore, she saw no purpose for proffer.

Recall that the Notice of Appeal deadline was June 13, 2014. This was the first time that I noticed the fact that something was amiss concerning the use of the postal service. According to the Crittenden County Clerk, once mail is prepared and ready to go out it gets placed in a small basket at the end of the counter until the end of the day, when everything gets dropped off at the postal service. The Order which was signed by Judge Williams, contains the postal marking of June 12, 2014, but somehow didn't arrive to my P.O. Box until Thursday, June 19, 2014.

Please take notice that the stamped copy of the notice of appeal was mailed a day later and yet arrived three days before the June 12, 2014, Order. As I said before, the proffer order was not your typical post trial ruling. Steve Chandler's 30 day timeline to file a notice of appeal would not be tolled pending the Court's Order. The envelope in question had the wrong zip code and contained no additional mail markings other than the label printed by the Crittenden County Clerk's office.

Steven Downey has consistently attempted to deflect attention back on me and my client trying to make it appear as though we are both just sore losers who are just crazy and simply obsessed with conspiracy theories. Obviously, this method can come back to bite someone, should they come across someone who is just crazy enough to thoroughly document and keep detailed records of all interactions and filings. Once it became abundantly clear that Steven Downey had strong connections with someone at the Court of Appeals, I sent each filing that I filed, and the ones filed by Steven Downey to Federal

Bureau Investigator Mike Brown, just in case the official record at the CoA failed to reflect the true nature of both parties submissions.[1]

Judicial cover-up and obstruction of justice are the only ways that can be used to describe the past seven years pertaining to this most egregious miscarriage of justice that I am personally aware of. This case essentially boils down to an extremely dishonest attorney, with a bias accommodating judge, who thought that they could bend all the applicable laws and proceedings in their favor, on the account that opposing counsel was a relatively new attorney, at that time. Brucie Moore filed an unheard of illogical, arbitrary motion to strike from the complaint and Judge Williams issued an unconstitutional, and an extremely premature evidentiary bias Strike Order in Attorney Moore's favor.

Furthermore, Judge Williams' Strike Order directly ignored and essentially dismissed Steve Chandler's Equity claim pertaining to the personal property which remained in the Chandler Family Homestead. Judge Williams never even addressed Steve's Equity Claim, and discounted Steve Chandler's legal vested interest in the content all together.[2]

This box contains all the filings within the cases which directly support the story that I am about to share with you. I have included a flash drive of all filings, hearings, the trial and related hearings of all cases. You will find telephone conversations that I began recording with the Court of Appeals, further establishes my version of the sequence of events. So, I am going to start from the beginning, and try to interject when applicable which book something can be found in.

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I filed a will contest complaint in October of 2011. Attorney Brucie Moore filed a Motion to Strike from the complaint. She requested the Court to strike 60% of the Complaint. There was a hearing held in December 2011, wherein Judge William's premature opinion was clear to everyone present in the Court room that day. Judge Williams requested both parties to file a motion in support of, or in opposition to the

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[1] Will be addressed more fully below.

[2] Post –trial – Steve Chandler filed a motion to reopen his mother's estate, in order to protect his legal interest in the personal family memorabilia which he inherited from his mother's will. Judge Williams took the first opportunity to cut off Steve's legal interest all together when she affirmed District Court Probate Ruling that latches barred Steve from claiming interest in the personal content.

Motion to Strike. I submitted three filings vehemently disputing Attorney Moore's extremely narrow interpretation of relevant evidence in a will contest.

Thereafter, on April 17, 2012, Judge Williams issued an unprecedented Strike Order, which struck 60% of Steve Chandler's complaint on various evidentiary grounds. I immediately filed a KRE 103 Objection for Preservation of the Record, since Judge Williams was obviously making evidentiary rulings. Attorney Moore did not file anything in response to Steve's KRE 103 Objection.[3] Instead, Attorney Moore filed an answer to the few remaining allegations in Steve Chandler's Complaint, and also included a counterclaim against Steve Chandler. In her counterclaim she attempted to use the fact that I filed a KRE 103 Objection in order to assert that it was a direct threat by my client that if he didn't win, he would be appealing it.

I then filed a Motion to Dismiss the Counterclaim for failure to state any actual damages. Furthermore, I let Judge Williams know how frivolous the counterclaim was, since it contained nothing but false and fraudulent assertions throughout. As well as placing Judge Williams on notice, that Attorney Moore previously threatened Steve Chandler directly with an abuse of process counterclaim. During the July 20, 2011 probate hearing, as my client was directly standing behind me, Brucie said, "you should advise your client that he has a farm of his own, and so he has a lot to lose if he continues with his will contest." She further stated that she would consider it an abuse of process if he filed a complaint contesting the will.

The counterclaim was full of false allegations trumped up against Steve Chandler. Once again, Judge Williams asked both sides to brief the issue. In response to the memorandum submitted by Attorney Moore, I directed the Court's attention to the false assertions set out within her fillings, and requested that Judge Williams take the necessary measures to prevent future flagrant filings by Attorney Moore. Moreover, this would have been the first of many times that I questioned Ms. Moore's ability to represent the estate, since obviously she would be a necessary witness at trial. Attorney Moore refused to recuse herself and vehemently stated that it would only become an issue, if this case were to go to trial.

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[3] There would obviously be no reason to file response to KRE 103 Objection.

Judge Williams issued two ORDERS on August 9, 2012. First, one denying Steve Chandler's Motion to Dismiss, setting out that she was not allowed to have an opinion on the matter at this time and that if the defendants could prove the allegations during trial, they had a sustainable claim. (PLEASE SEE BOOK #2 "Strike Order" dated 4-17-12; anyone can see that she clearly expressed an opinion on several paragraphs, stricken from Steve's complaint.)

The second Order was a sua sponte Order which OVERRULED Steve Chandler's KRE 103 Objection of Record filed on April 22, 2012. Judge Williams' Order specifically set out that Steve Chandler had not asked the Court to alter, amend, or vacate it's previous Order. (contrary to CoA opinion.) Judge Williams was letting it be known, that she intended to enforce her previously declared two-year temporal reference time frame for admissible evidence.

I repeatedly attempted to bring the Court's attention to the false filings and misconduct of Attorney Moore, but efforts were met with what I would characterize as snickering skepticism. Judge Williams refused to yield on her prematurely set "two-year temporal reference" surrounding the execution of the will.

After being left with no other choice, I filed a KRS 26.015A in May of 2013 on several grounds, but the most prevalent being, the extreme bias that she has shown in favor of Brucie Moore. As well as, her rulings which denied Steve Chandler the ability to fully and fairly litigate his claims at the onset.

In October of 2013, Judge Williams issued an Order denying Steve's Motion to Recuse, and once again reinforced the two-year temporal reference of relevant admissible evidence surrounding the day of execution. I knew I couldn't possibly win at trial with just the evidence and testimony for the two years prior to the day the will was executed. Especially, since this time frame happened to be the exact two years that these men had control over Keith. Judge Williams was eliminating any possible means to show motive, and to present Steve Chandler's legal theory of his case. But perhaps most importantly, she excluded evidence that would have allowed him to defend himself against the fabricated slanderous allegations set out by the Defendants who claimed that Keith told them that his brother Steve was a bully.

Thereafter, Steve Chandler filed a KRS 26.020 Motion to Recuse with the Kentucky Supreme Court. Steve Chandler didn't stand a chance at trial given Judge Williams

unprecedented, arbitrary, unfounded, unfair premature evidentiary ruling. Both Steve Chandler and myself filed JCC and KBA complaints, attempting to prevent the prejudicial injustice that would result in Steve Chandler not being able to present any testimony or evidence, which fell outside the two-year temporal reference surrounding the execution of the Will on October 23, 2006.

The trial was set for April 17 & 18, 2014, with the last scheduled pretrial conference being March 13, 2014. Judge Williams denied the defendants summary judgment motion on March 7, 2014. During the final hearing, Attorney Moore stated that since it appeared that the case would now be going to trial she had already spoken with Attorney Downey, and he would be entering his entry of appearance on behalf of the estate. For the sole benefit of new counsel, Judge Williams set another pretrial conference for April 1, 2014, in Union County, Kentucky, since in her own words, "I assume that he would like to file subsequent motion in limines."

Attorney Downey entered his entry of appearance on April 1, 2014 and submitted 30 plus pages of Motions in Limines, resulting in two additional all day pretrial conferences. The Motion In limine submitted by Attorney Downey, directly set out, that it was based upon Judge Williams' previous April 17, 2012 Strike Order, which pre-determined what time frame would be relevant and admissible at trial. Attorney Downey demonstrated reprehensible conduct from the start. He consistently and publicly belittled and demeaned both me and my client. In open court and in front of my client he kept questioning my character and my integrity. Multiple times throughout pretrial, the trial and even post trial, he got directly in my face to chastise me like a child. → Judge Williams never once called him out on it or addressed his behavior.

On April 11, 2014, less than a week before trial, Judge Williams slightly changed her prematurely set temporal reference time frame. Setting out that, she was now going to allow evidence and testimony up to the day of execution, but still restricted admission of testimony and evidence to her previous Scheduling Order, which set the deadline for list of exhibits and witnesses in September 2013. To be clear, less than a week before the trial, Judge Williams expanded the time of admissible testimony and evidence to include anything up to and including October 23, 2006, the day of execution. However, since neither myself or my client were psychic and were unable to predict the eleventh-hour change, this was of little to no benefit for Steve Chandler.

Steven Downey announced in open court that he had been paid from the estate, and that he had researched to make sure that it was legal for him to be paid an advancement from the estate, no matter who ultimately prevailed in the case. Relevance of this being, this announcement started Steven Chandler's one-year statute of limitation to file suit on the illegal advancement. Henceforth, the misappropriation of funds claim against the attorneys and defendants filed on March 30, 2015. BOOK # 6

A three-day trial resulted in a jury verdict for the defendants, since the court refused to allow Steve Chandler to present evidence and testimony that occurred after October 23, 2006. Steven Downey turned the trial into a circus of sorts with me personally being the clown. Over the course of three days he made endless (mostly meritless) objections, and requests to approach the bench, just to interrupt the flow of information and to appear superior in front of the jury. (SEE back of BRIEF BOOK # 1 ) →A detailed chart containing his objections and the direct time that they can be located on the video. Please note that the chart was among the information struck with Steve's Reply.

The defendants presented nothing more than self-interested testimony, concerning alleged conversation that they have claimed to have had with the deceased. Wherein, Keith Chandler allegedly told them that his brother acted like a boss and he didn't like his brother. As stated above, Steven Downey insisted that even post-trial, he be allowed to object to Steve Chandler's proffer of the previously excluded evidence. Steven Downey submitted a proposed Order to the Court concerning Steve Chandler's proffer. Judge Williams ignored Steve Chandler's Reply, and ultimately adopted Steven Downey's tendered order, in its entirety, despite the numerous false assertions pertaining to evidence that had previously and repeatedly presented to the Court. (Please see Circuit Court filing BOOK #2)

Without question, Steve Chandler consistently presented arguments to Judge Williams concerning her unfounded arbitrarily two-year temporal reference. Likewise, Steve presented the exact same evidence to the Court from start to finish, and even argued the purpose and relevancy of various testimony and evidence throughout. Book # 2 entitled Circuit Court Filings, contains just a few examples, where I vehemently protested Judge Williams ridiculous "relevant evidence" opinion. Also, the videos will reflect, that on April 1, 2014, April 11, 2014, and the telephone hearing of April 14, 2014, I spent hours

battling Steven Downey and Judge Williams, regarding what they considered to be relevant and admissible evidence in this case for trial. This was Kangaroo Court at its finest.

After Steve filed his Notice of Appeal, unbeknownst to Steve Chandler, Attorney Moore, on behalf of the defendants, filed a Motion for Executor Fee, i.e. attorney fees, in District Probate Court without giving any notification to Steve Chandler or myself. Soon after, Steve filed a motion to supplement the record on appeal, with the two probate cases that has been at the center of the entire litigation throughout. Steven Downey filed a response, wherein he intentionally lied to the Court of Appeals, setting out that neither probate cases were ever brought to the Court's attention and did not play any part in the will contest on appeal.

Trying to ensure veracity of the record, I submitted a request to file a reply to Downey's false filing. Thereafter, the Court of Appeals passed the decision back to the Circuit Court, and instructed Steve Chandler to resubmit his motion with the lower court. Steve Chandler submitted his motion and set a hearing for September 11, 2014. Steven Downey completely altered his response to the motion within his Circuit Court filing. Now, recognizing that the handling of both estates had previously been an issue before the Court, but fervently protested the inclusion of the entire probate files. (SEE COURT OF APPEAL FILLINGS, BOOK # _3__)

At this point in time, the real reason Downey was protesting the inclusion of the probate files, became clear to me. Steven Downey was trying to prevent the Court of Appeals from learning about the improper advancement he had taken from the estate. As well as, his direct and deliberate false assertions that he made directly to the Court and on the record, pertaining to his ability to take an advancement from the estate.

Furthermore, Brucie Moore had deliberately and intentionally failed to disclose a $36,000 401K, within the inventory of the estate, despite having knowledge of the 401K even prior to submitting the will to probate. I directly confronted Brucie Moore about the attempt to conceal the 401K more than a year prior to trial back in January, 2013. At which time, she shifted the blame onto Mr. Clements from Rayloc, for his failure to give her the entire personnel file during his deposition, and further falsely set out that she had no direct knowledge until March 2012. Regardless, the inventory was never amended, and

this amount was not included until more than a year after trial and was included only after Steve Chandler requested an accounting of Keith Chandler's Estate.

Attorney Brucie Moore was present on July 20, 2011, when Judge Daniel Heady placed the Defendants under strict Order to not disperse any money from the estate. Consequently, the only logical reason for Steven Downey to relentlessly fight against supplementing the record with the two complete probate files, would be to conceal his misappropriation that he illegally took, wherein he was obviously aided by Attorney Moore in this endeavor.

Also, during the September 11, 2014, hearing in front of Judge Williams, I questioned her concerning the inaccuracies set out within her Proffer Order, which was nearly verbatim to Steven Downey's tendered avowal order. I further questioned Judge Williams about the fact, that by the end of the Order, she was inappropriately swapping out the phrase limine order for the phrase general order. This was yet another intentional bias ruling of the court to conceal the actual evidence that has been presented by Steve Chandler since the onset in 2011.

On December 9, 2014, Judge Williams issued an Order, setting out that she recognized that a great deal of evidence had been presented concerning both probate matters, and that the argument pertaining to the mishandling of those estates, had been properly preserved for appeal. HOWEVER, her order went on to say, that because she didn't consider either probate cases relevant to mental competency and/or undue influence, they couldn't be included.[4]

Judge Williams ruling was obviously another false representation of the events that had taken place. The arguments presented by Steve Chandler relating to his Equity claim, and arguments concerning his ability to show motive and present his theory of the case, were entirely disregarded and once again ignored by Judge Williams. I subsequently filed a motion to amend Steve Chandler's Notice of Appeal, to include Judge Williams' most recent Order, which denied Steve Chandler the ability to supplement the record.

Thereafter, Steven Downey filed a Response containing direct and deliberate false assertions, about the September 11, 2014 hearing, which he didn't even attend. This began

[4] Please Note That An Equity Claim Concerning Steve Chandler's Legal Vested Interest in Mary Katherine's Estate Has Been Completely Disregarded By The Circuit Court And The CoA.

a serious of motions by Steve Chandler, followed with a response from Steven Downey, always containing deliberate false assertions and intentional mischaracterization of facts and sequence of events, pertaining to this case at hand, as well as, all subsequent related cases. Steve Chandler had to request permission to file a reply to each fabricated response placed in the record by Steven Downey. The first series of filings in 2015 ended on February 2, 2015.

Because Steven Downey purposefully and intentionally placed Steve Chandler on notice of being paid out of the estate funds, Steve Chandler had to file a civil action against the attorneys and defendants within the one-year-statute of limitations. PLEASE KEEP IN MIND, that Steven Downey on more than one occasion deliberately and in front of counsel informed the COURT, that he had been paid and had case law to show that his advancement was legal. (DIRECT MISREPRESENTATION TO THE COURT) Steve Chandler filed a civil action on March 30, 2015. Steven Downey retained Landrus and Shouse LLP., out of Lexington, Kentucky, to file an answer on the behalf of all named Defendants, including attorney Brucie Moore. (SEE CIVIL ACTION BOOK #_6_)[5]

The 3-motion panel judges, made up of Judge Kelly Thompson, Judge Debra Lambert, and Judge Maze, issued an Order on May 18, 2015, denying every request of Steve Chandler to file a Reply in order to ensure the veracity of record on appeal. Thus, giving Steven Downey the last word every single time. Steve Chandler's Motion to Amend Notice of Appeal to include Judge Williams December 9, 2014 Order, which denied the inclusion of the probate files, was passed to the 3-judge merit panel. Immediately following the Order, I filed a motion for clarification concerning the probate records.

The CoA places the burden on the complaining party to place into the record, the evidence and/or proposed testimony that the trial court improperly excluded. Supplementing the record or attaching the probate files to the appendices, would be the

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[5] That case was filed in accordance to statute of limitations. The case was on pause, pending the appeal. Routine court procedure of dismissal was generated in Jan 2017. Considering Judge Williams history of bias toward opposing party, I filed a response to the court generated motion and so did Erin Sammons. A hearing was held since Defense attorneys argued that the entire case should be dismissed. I subsequently submitted a motion to recuse Judge Williams, since she has consistently failed to afford Steve Chandler his Constitutional rights to present any claim or argument in front of an impartial tribunal. Despite having a hearing scheduled, Judge Williams circumvented the recusal hearing by simply denying Steve motion in the last paragraph of her April 6, 2017, Order. Thereafter, I filed a motion to reconsider and set a date for another hearing. It was at this time that I brought to her attention the fact that she truly has no business sitting on any of Attorney Moore cases, much less when she is named Defendant, since she has been signing off on Ms. Moore's fraud for more than a decade. See BOOK #_7_

only way that the CoA can determine whether the exclusion created a prejudicial effect on Steve Chandler. Consequently, passing the motion to amend and/or supplement to the merit panel, clearly left Steve Chandler in a predicament of sorts pertaining to the arguments he would be able to submit.

Having received no ruling upon Steve's Motion for Clarification, and due to a previously scheduled family vacation, I filed a Motion for Extension of Time to File Brief on July 9, 2015. Obviously, motions for extension to time are routinely granted, unless the opposing party objects. Once the deadline became closer, I telephoned the court of appeals and spoke with a clerk who advised me that since Downey's time for filing was not yet up, that I should at least get something in by the deadline. Immediately after I left the UPS Store, I stopped at my P.O. Box, which contained Downey's Response where he had agreed to a 15-day extension. Considering his filing, I didn't place his copy in the mail, because I knew my brief would be returned as a nonconforming brief. Steven Downey repeatedly tried to make an issue of the fact that I never mailed him my deficiency brief. Truth be told, Steven Downey desperately tried to get a dismissal on several minute things he deemed in appropriate, or as a technical defect warranting dismissal. [6]

On July 22, 2015, the Court of Appeals returned the nonconforming brief and granted the typical 10 days to correct deficiencies. The non-conforming brief arrived at my office on Monday, July 27, 2015. Tragically, on that same morning, my mother unexpectedly passed away. Both Steven Downey and Attorney Moore received notice of my mother's passing on the day she passed. I had a hearing previously scheduled on July 29, 2015, with Attorney Moore, regarding Steve's Exceptions to Accounting of Harold Keith Chandler, that I filed earlier in the month. A colleague of mine filed an emergency motion on my behalf, requesting an extension up and including September 1, 2015, to resubmit a conforming brief.

Immediately after trial, I filed a motion to reopen the probate estate of Mary Katherine, to preserve Steve Chandler's interest in the personality of the estate. Over ten months later, the District Court Judge signed the tendered Order submitted by Brucie Moore's Office, denying Steve's legal interest on the grounds of laches. In July, 2018,

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[6] Downey never addressed allegations concerning his deliberate mischaracterization and fraudulent representations that he made to both Courts, but was insistent on dismissal for what he considered to be instances that Steve's Brief failed to comply with various rules. BUT OFFERED NO DEFENSE TO HIS FRAUD.

Judge Williams denied Steve's Motion to Recuse from his laches appeal, and affirmed the District Court's ruling, citing to and misquoting, an inapplicable case regarding necessary probable cause under the 4th Amendment for a warrantless search. Judge Williams was currently on appeal for ignoring and improperly dismissing Steve Chandler's equity claim concerning the exact same parties and subject matter. A judge is not permitted to reaffirm a decision that they are currently being appealed on or take steps to eliminate a party's legal interest in the subject matter. Her affirmation of Judge Heady's Laches Ruling, ultimately barred my clients legal interest in the personal property of his mother's estate. [7]

Therefore, my colleague also filed two other Court of Appeals filings with the Court of Appeals, seeking additional time for me to file a Motion for Discretionary Review on the improperly affirmed latches ruling by Judge Williams. As well as, an extension to file an appeal on Judge Williams refusal to recuse herself from reviewing an issue that she was already being appealed upon. Please note that she affirmed the decision of latches and denied motion to recuse all in the same ORDER. (SEE ESTATE OF MARY KATHERINE BOOK #_5__)

The events which transpired next still leave me reeling. Recall that I was given 10 days to correct deficiency brief from July 22, 2015. This would have made August 3, 2015, the due date for resubmission. On August 4, 2015, a lady by the name of Doris telephoned my office, and my colleague Allison Coffeen, who submitted the emergency filings on my behalf just happened to be there. Doris claimed to be calling on behalf of Samuel Givens. She stated that she wanted to apologize that the Clerks of the Court had misinformed her about being able to file an emergency motion on my behalf. She said that Samuel Givens stated that because she was not an attorney of record that she could not file anything in this case.

Thereafter, Allison met me halfway for me to sign and resubmit my own emergency motion requesting additional time. The day following this telephone conversation, my office received an Order dated August 3, 2015, wherein D. Lambert, K. Thompson, and Maze denied my Motion for Clarification. Coincidently, it was the same day that the

[7] PLEASE NOTE→ it makes absolutely no sense for a person to file an appeal on a will contest and sign a supersedes bond on appeal → then subsequently allow the defendants to use probate courts to cut off someone's legal interest that was direct property and subject matter they signed a supersedes bond for.

deficiency brief was due. **HOWEVER**, if the three judge motion panel met on August 3, 2015, why wasn't my July 9, 2015, Motion for Extension of time ruled upon. (PLEASE SEE THE COURT OF APPEALS FILINGS Book # _3_ & CoA Record Log BOOK # __8__).

For several days, I attempted to reach both Doris and Samuel Givens by phone. Considering the events that transpired, I began to record those conversations. Thereafter, my colleague received a hand written envelope, which was allegedly from the Court of Appeals, at her office, returning the emergency petition that she had filed on my behalf. Inside the envelope was nothing but a post-it note which read, "PER OUR CONVERSATIONS – THESE ARE BEING RETURNED."

The CoA never placed a notation in the record log that Allison even submitting an emergency petition on my behalf in this case, or its subsequent return. HOWEVER, most peculiar of all is that the Court of Appeals accepted and filed the other two emergency request for additional time to file a discretionary review on the ruling in Mary Katherine's Estate.[8] When I was finally able to reach Samuel Givens, he denied having any knowledge of the events, or why Doris would have called and said that. He further instructed me to send the envelope and the filings directly to him, and he would place it in the record. **(I SENT HIM A COPY OF THE ENVELOPE, BUT I KEPT THE ORIGINAL)**

Thereafter, the CoA logs were amended to reflect Allison's filing, with a note saying per SPG. The CoA did not send a receipt notice of Allison's filing until mid-August, 2015. Recall that I submitted my own Emergency request for additional time on August 4, requesting up to and including September 1, 2015, to submit filings in all pending matters which include discretionary review of Mary Katherine's Estate, and this appeal.[9] On August 11, 2015, Steven Downey responded to the motion that I filed, demanding that my brief be filed by the close of business on August 21, 2015, or Steve Chandler's entire appeal should be dismissed.

Steven Downey was also mailed a copy of my colleague's emergency petition. Ironically, he didn't submit any response to the one she mailed. How did he know that it

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[8] Point being.... The emergency filing -- in this case was the only one rejected, because the defendants were not aware that the other two were being filed.

[9] Please note this was still less time than the original Motion for extension of time filed on July 9, 2015, but for some strange reason was not ruled upon on August 3, 2015 when the panel allegedly met to rule upon my clarification motion.

was going to be returned or not made part of the record? The whole idea to use the excuse that "not an attorney of record" had to have come from Steven Downey directly. Please see the email that he attached to his August 24, 2015 filing. Wherein my colleague made a point to reiterate that she was not filing an entry of appearance in the case. In that same filing, Steven Downey, when referencing his email with Allision, Downey specifically set out, "(who was helping Ms. Powell but not of record)." He obviously was still hoping for that dismissal, so he could cover up his conduct by taking advantage of my mother's death.

Remember that at this exact same time, both Brucie and Downey were named defendants in a civil action filed by Steve Chandler for among other things, misappropriation of estate funds. Immediately after filing the civil action on March 30, 2015, I filed a request for an accounting in District Probate Court and scheduled a hearing. At which time Brucie Moore vehemently protested the fact that my client had any interest in obtaining an accounting from the estate because of the jury verdict.

In early July, after I received the first ever accounting of the estate, I filed an Exception to Accounting of Keith Chandler's Estate, making it a point to object to the $25,000.00 paid to Steven Downey a couple weeks before trial, without court approval. The July 29, 2015, District Court Probate Hearing was rescheduled for the last week of August, 2015.

Brucie Moore filed one of many fraudulent response filings within Keith Chandler's District Court Probate case. Brucie Moore or someone acting upon instruction of Brucie Moore began driving to my P.O. Box in Hopkinsville, Kentucky, to avoid the actual use of the mail when she knows that she was intentionally submitting false filings within the court records. Although that may sound a little absurd at first, keep in mind that her county was currently under federal investigation for knowingly purchasing stolen equipment in a 1.5 million equipment theft scandal. Not only that, but just a few weeks earlier, the FBI announced its "End Corruption Now Campaign" in Kentucky, after Harvard named Kentucky the number one most corrupt state in the Nation.

I can only assume that she was under the assumption, that by not actually placing something in the mail, she would be able to avoid the filing from being routed from one state to another, as it is designed to do, she could avoid the FBI gaining jurisdiction in the case. FBI Agent Mike Brown directly informed me that statute of limitation for obstruction of justice is longer than mail fraud and carries a much stiffer penalty.

Regardless, this began a series of false filings in the probate court, specifically concerning the accounting of the estate and Steven Downey's illegal advancement. All defaced envelopes with the sole exception of the Defendant's Response, signed by Steven Downey, and submitted to the Court of Appeals, pertained to the Probate Estate of Harold Keith Chandler. By this point, at the District Court and Circuit Court level, the Defendants had already unlawfully cut off Steve Chandler's legal vested interest in the personal property bequeathed to him by his mother. **SEE BOOK #_____**

I submitted my Reply on January 15, 2016, with a Motion seeking permission to file additional pages. Steven Downey objected to additional pages but made no mention of specific exhibits. I then submitted a second reply where the Court of Appeals sent it back, because on pages 3 and 5 there was a paragraph on each page that was 1.5 spacing instead of doubled spaced.[10] I then submitted my third reply. Steven Downey filed a motion to Strike Reply entirely or strike the exhibits which came about as the direct result of his mischaracterization and false information which riddled his Response brief.

Steven Downey's motion subsequently became yet another attempt to achieve the last word on record. Steven Downey mailed the filing to me on April 4, 2016, which was the date on the envelope. He put March 31, 2016 on his certificate of service. Once I saw this, I checked the CoA website which revealed they received it on April 4, 2016. That has been subsequently changed, but the nearly daily screenshot log that I kept in this case will reflect the original receipt date. (See the RECORD LOG and Receipt notice BOOK # 8 )

I submitted my response on April 12, 2016, and my response was sent back under the false pretense that it was a late filing. Obviously, this prompted more filings. Judge Acree eventually issued an Order accepting the Reply, but passed to the 3-judges assigned to the merits panel, to make the determination of remaining part of Steven Downey's Motion to Strike Reply. Again, please note that the Reply provided undisputable proof that Steven Downy lied throughout the course of the appeal, and throughout the Response that he submitted.[11]

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[10] Please note that one of the exhibits to the second Reply contained the handwritten envelope allegedly mailed back by someone with the Court of Appeals.

[11] Someone with the CoA was looking out for him. He always got the last word despite the veracity or the egregious injustice effect. Steven Downey's sister in law is Cynthia Downey. She is the court of appeal case manager who works for Kelly Thompson, the judge who signed most of the motion orders. Steven Downey has

Judge Taylor was among the initial three-merit panel judges assigned. I never received any type of notice of the original panel. The file was in his office for two months before he recused himself, with no explanation. Thereafter, I was given the opportunity to object to the second assigned panel. I strenuously objected to Judge Debra Lambert. She has consistently disregarded the rights of Steve Chandler. She was a Judge on all previous Orders, and even one of the three-judges who denied the discretionary review motion for Mary Katherine's Estate, which ultimately took away my client's family history/family legacy. See Objection BOOK with yellow cover Book #_1-B___.

The reasons were spelled out in great detail. Moreover, the attached exhibits prompted a peculiar response from Steven Downey. The one other time that I had previously included a copy of the handwritten envelope was within my second Reply which was subsequently returned to me by the Court of Appeals on their own accord. Furthermore, with my second reply, a clerk at the CoA inserted a fictitious note in court docket log, setting out that only the brief had been scanned, because the exhibits contained non-removable tags. So, this was the second time that I included a copy of the handwritten envelope within one of my filings.

Steve Chandler had the right to object to members of the panel who had previously ruled upon this case. Those who had repeatedly denied Steve the opportunity to ensure the veracity of the record on appeal. Those who previously issued rulings against Steve Chandler in this case, as well as, other separate but related cases. Steve had the right to object to members of the panel, who consistently denied Steve Chandler his due process rights. Accordingly, the Court of Appeals would be hard pressed to find a valid reason to return these documents. Which no doubt was the reason why for the first, and only, time throughout the seven-year ordeal, Steven Downey submitted his response and mailed it in a handwritten envelope as if to say, "it wasn't my handwriting on that envelope."

Despite Judge Debra Lamberts previous involvement in all things Chandler, the original panel still denied Steve Chandler's recusal motion. Then on February 17, 2017, the Court of Appeals issued an Order which was completely devoid of any valid comparison to the actual brief submitted by Steve Chandler. Moreover, two days before

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other relatives employed by the Court of Appeals as well. PLEASE NOTE THAT Steven Downey and his sister-in-law maintain joint ownership interest in real property. It would not be to her advantage for her brother-in-law to lose the civil case that Steve Chandler had filed against him and face the risk of a huge civil judgement.

the Opinion was issued, the panel ruled that Steven Downey made valid points in his motion to strike reply, and therefore Steve Chandler's Reply brief would not be considered on appeal.

So to be clear at this point, the Court of Appeals never took issue or showed any concern to Steven Downey's endless lies and false assertions he directly placed in the record throughout his filings, or Response Brief. However, they seemed deeply concerned about the vertical and horizontal lines that appeared on Steve's exhibit within the form of a table which was created solely to dispute the endless false assertions set out by Steven Downey within his Response brief. Not to mention their complete lack and total disregard to his misappropriation of estate funds. As well as, Brucie Moore's failure to include Keith's 401K in his original inventory. Which was followed up by years of refusing to disclose it at all, until Steve filed a motion demanding an accounting of the estate.

The CoA Opinion chose to DECLINE to review the illogical, unconstitutional strike order which was issued by Judge Williams, who has obviously been playing the role of a gatekeeping rainmaker for many years now. The Court of Appeals seemed to be more concerned by Steve's additional horizontal and vertical lines in the form of a table, than they were by out right fraud and misconduct of Judge Williams and defense counsel alike.

Before I even submitted the Petition for Reconsideration, I thoroughly compared arguments properly submitted in Steve Chandler's Brief to the inaccurate and incomplete characterizations of Steve Chandler's arguments, as set out within the Court of Appeal's Opinion. Steve's Petition to Reconsider did not contain any statement made with careless or reckless disregard to the truth contained therein.[12]

By now, you should know that the CoA's Opinion was not the first indication or direct evidence that establishes that the Court of Appeals or someone employed by the Court of Appeals had been working overtime to deny Steve Chandler his constitutional rights to a fair, just and impartial review on its merits. The true filings submitted to the Court of Appeals would no doubt leave any neutral minded individual, insulted and even outraged at the great extent that the Kentucky Judiciary, (i.e. employees thereof) went, to

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[12] For the convenience of the committee, I am including both Petition to Reconsider as well as Defendants Response I am attaching a copy of the Appellant's Brief, Appellee's Response, and Appellant's Reply that was stricken three times. In the back of the Court of Appeals filings you will find original copy of the Court of Appeals Opinion, as well as a direct contrast with what was actually asserted within Appellant's Briefs Book. BOOK # 1 .

help two con-artist steal a 200-year-old family farm which had been passed down for five generations.

Steve Chandler's Petition to Reconsider did not make any statements with reckless disregard. In fact, please see the first page of Steve Chandler's Reply Brief. Ironically, it set out the exact same information that the KBA seems to feel is unprofessional. I feel that I have been more than professional throughout. Despite having no respect for individuals who obstruct justice, engage in the acts of corruption, or perpetuate a fraud on the court by failing to uphold their sworn to duties, I have consistently been respectful to the judiciary itself.

As mentioned above, immediately following the death of my mother someone claiming to be calling on behalf of Samuel Givens with the Court of Appeals, deliberately attempted to assist Steven Downey in obtaining a swift dismissal of Steve's appeal. If Steve's appeal was dismissed, then Steven Downey would never have to answer for his misappropriation of funds with the KBA. Steven Downey and Attorney Brucie Moore will never have to face the possibility of a large civil judgment awarded against them. Steven Downey showed how desperate he was to conceal his conduct, or he is just simply heartless and cruel, when less than a week after I buried my mother, he demanded that Steve's brief be filed by close of business on August 21, 2015, or Steve's appeal dismissed entirely.

A friend of mine, who is a retired KSP officer came by my office to check on me during this difficult time and was outraged at this conduct. Thereafter, my friend went straight to the local FBI's Office, himself. Please note, my friend was well versed on this case. He had previously watched the entire trial, and all pretrial hearings. Like most individuals would be, he was appalled at the way Judge Williams allowed Steven Downey to speak to me, but especially the times that he got directly in my face, and she chose to do and say nothing.

Furthermore, the letter is inquisitive about the material being sent to Governor Bevin's Office. A

good friend of mine happened to work on Governor Bevin's campaign and was later appointed the field rep of her region, she gave copies of all filings to him. I personally had several conversations with FBI Agent Dustin Deterding. He was the first agent to point out that the misappropriation of funds, was actually a wire fraud charge. Not long after

my initial contact with Agent Deterding, he put me in touch with Agent Mike Brown since he was already working an investigation in Union County.

I don't recall exactly what was said during the initial meeting, but there was something that sparked my curiosity concerning Brucie Moore and her connections with the local banks. I am thinking it had something to do with the actual unusual banking transactions surrounding the purchase of the stolen equipment. (But don't quote me on that, because I can't say for sure what exactly sent me digging into Brucie Moore and banking)

But not long after that, I hit pay dirt as to the exact reason why Judge Williams would stick her neck out for Brucie Moore and go out of her way to deny Steve and his family the rights afforded to him by the constitution of this state and of this nation. See Book #__7_for greater detail and explanation. It contains multiple JCC Complaints filed by myself and Steve Chandler both before and after trial.

Furthermore, when it became apparent that someone at the Court of Appeals had full intention of denying Steve Chandler a right to even a fair and impartial review on its merits, I personally began sending all Court of Appeals filings to the federal agent, and directly sent him every subsequent filing thereafter. This way, even if someone has messed with the filings at the Court of Appeals, the FBI agent has received the filings from both sides throughout. Moreover, I further sent him a copy of everything from the Circuit Court as well.

The May 4, 2018 cites to the last paragraph on the introduction page. The Commission's first listed purported act of unprofessional conduct, SCR 3.130(3.4)(f) states, "A lawyer shall not present, participate in presenting, or threaten to present criminal or disciplinary charges solely to obtain an advantage in any civil or criminal matter." "Thus, this Petition for Rehearing should be viewed as an opportunity to reevaluate the entire case file, and to avoid possible criminal indictments and/or civil charges. "

The statement was taken out of context and the letter failed to also include the Judicial Conduct Rule 4.3 Canon which was cited directly above the statement. More importantly the statement was exactly what it was purported to be, "an opportunity," not a threat. Likewise, you will see that the Court did completely disregard arguments in Steve's Brief. The few arguments that the CoA even halfway addressed were presented

under complete false context. The Court was repeatedly placed on notice of the false filings by Steven Downey, as well as the misappropriation of estate funds. Instead of addressing these matters and concerns, the Court struck the evidence and direct proof which established the misappropriation of funds and struck the Reply and its exhibits which negated Downey's false assertions.

Consequently, the CoA has proven to be far more concerned with protecting the reputation of Judge Williams and preventing the defense attorneys from having to answer for their misconduct and their illegal conduct. Ultimately, the CoA's ordered directly perpetuated a fraud, and allowed for both attorneys to illegally profit for their continuous lies. All at the expense of Steve Chandler constitutional rights, and the 200-year family legacy which was stolen from him without due process.

The FBI's investigation initiated prior to 2015. At the end of July, 2015, the FBI announced an end corruption campaign throughout Kentucky, after a Harvard study determined Kentucky to be ranked the number one corrupt state in the nation. The filing in question was submitted long after the federal investigation began and more importantly, after the Court of Appeals issued its Opinion affirming. The egregious miscarriage of justice that has persisted throughout this case, would be blatantly obvious to any neutral fact finder. Informing the Court of the existing FBI investigation was simply to afford the COA an opportunity to reevaluate the entire case file and avoid possible charges as well as the negative public perception that this case will no doubt bring about. The information provided to the FBI had nothing to do with obtaining an advantage in this case. It was turned over to the FBI long before the Court's Order was issued. Everything that has been submitted to the FBI, has been presented in the interest of justice, not for any advantage. Both myself and Steve wanted nothing more than a full and fair opportunity to litigate his case in front of a non-biased judge.

SCR 3.130(3.5)(d) states, "A lawyer shall not ... engage in conduct intended to disrupt a tribunal." No statements presented in the Petition to Reconsider were "intended to disrupt a tribunal." In fact, the Court of Appeals had already rendered their decision on the case. Although, a Motion to Reconsider is rarely granted the Civil Rules of Procedures do allow for one to be filed, when the Order contains mischaracterizations and countless unaddressed arguments. However, I am unable to locate any case or former KBA opinion which sets out that statements and arguments presented within a Petition

to Reconsider amount to conduct disruptive to the tribunal. If the KBA wants a fuller analysis on this point, I will need some clarification as to how it is applicable.

**The next point of concern involves SCR 3.130(8.2) "A lawyer shall not make a statement that the lawyer knows to be false or with reckless disregard as to its truth or falsity concerning the qualification of integrity of a judge...."**

Please take notice that I address the latter paragraph with extreme caution. The commission seems to be upset by the statement that, "the Court's Order seemed more concerned with protecting the reputation and previous rulings of Judge Rene Williams, who has demonstrated prejudicially bias rulings during litigation, during the course of trial and even within her unfounded post trial rulings." With all due respect for both assertions, the evidence more than speaks for itself even with a cursory review of the in depth comparison of Steve's actual brief, compared to the Opinion of the Court.

**SEE BRIEF BOOK COMPARISON ORDER BOOK #1**

Again, please see Book # 7 . which contains the JCC filings. Judge Williams' actions throughout this case alone would leave anyone questioning her integrity and whether she is fit to hold office. Not to mention that she has been directly signing off on Attorney Moore's fraud for more than a decade. Attorney Moore has been self-dealing for financial gain for many years. In direct violations of numerous KBA rulings and ethical opinions.

However, once I submitted my last JCC Complaint and gave the JCC specific case numbers and charges applicable to the parties, the KBA board, this board, overturned 50 years of precedent concerning conflicts of interest, and the appearance of impropriety, within its KBA Opinion KBA E-444. That singular ruling seemed to focus primarily upon the role as a county attorney. I have no doubt that these individuals have extremely high connections in just the right places. However, I mean no disrespect to the reader of this letter, but I will have to answer to a much higher judge someday for all of my actions or inactions. That being said, I am far more concerned about doing the right thing, by standing up against the injustices of this world, than I am about making judicial connections.

I don't think that all of the judges on this case were ever fully informed of the true nature of the filings and events surrounding this case. If in fact, I am wrong on my

assumption and all the judges involved received true accurate copies of the submitted filings, but still issued the egregiously unjust opinion, then I would have no problem questioning their integrity either.

There is so much more that I could share with the board. However, for the sake of submitting a Response to the May 4, 2018 letter, I have to end somewhere. Steve's Petition for Rehearing does in fact speak for itself. Please compare the Opinion Order of the Court with the actual submitted brief. Furthermore, please see Book #1, wherein I have already made that comparison for you.

Please find the flash drive which will allow anyone to confirm record citations set out within Steve's Brief. As well as, ascertain the false information contained within Steven Downey's Response. Should you have any more questions concerning these matters and/or all related matters, I would be happy to assist you anyway that I can. I honestly couldn't make this story up even if I tried. Who would believe it? Thank you for your considerable amount of patience and understanding in my lengthy delay. I am sure once you begin going through the box and the books, you will understand the reason for the delay.

Warmest Regards,

Kayce R. Powell
Attorney at Law

IF YOU WANT THE BACK STORY OF THE CASE

LAMB AMONG WOLVES
https://www.youtube.com/watch?v=k52bACYfDnQ