$\qquad$ (fsf)

Case Name: Dean Kibe V. USA
Name:_ Dean R. Gibe
Address: 1223 Union Street
City $\qquad$ State: MI Zip Code: $\qquad$

## PRO SE APPELLANT'S BRIEF

Directions: Answer the following questions about the appeal to the best of your ability. Use additional sheets of paper, if necessary, not to exceed 30 pages. Please print or write legibly, or type your answers double-spaced. You need not limit your brief solely to this form, but you should be certain that the document you file contains answers to the questions below. The Court prefers short and direct statements.

Within the date specified in the briefing letter, you should return one signed original brief to:

United States Court of Appeals For The Sixth Circuit<br>540 Potter Stewart U.S. Courthouse<br>100 East Fifth Street<br>Cincinnati, Ohio 45202-3988

1. Did the District Court incorrectly decide the facts?

X Yes
$\square$ No
If so, what facts?
My testimony proves data and spy activities exist. Record keepers white listed spy activities and search was not in good faith. McAfee proves DODNIC hacking. Essential pages in Complaint were redacted unlawfully in district court, (See attached unredacted versions). Veterans with PTSD are not moot.
2. Do you think the District Court applied the wrong law?
$\mathbf{X}$ Yes


If so, what law do you want applied?

## 44 U.S.C. Chapter 31

Roe v. Wade

3. Do you feel that there are any others reasons why the District Court's judgment was wrong?

X Yes $\square$ No
If so, what are they?
Findings of fact are presumed to be true for purposes of summary judgment. If this story was reported as fact in the news, no reasonable jury would say that $I$ have no cause of action. The constitution is a bunch of statutes which makes promises of justice, even if it requires judicial construction in equity...
4. What specific issues do you wish to raise on appeal?
J.F.K. autopsy reports alone, Doc \#1 Pg ID 20 and Pg ID 22 verify "Crack and Splatter" method in J.F.K. assassination. Pg ID 20: "...Upon reflecting the scalp multiple complete fracture lines are seen to radiate from both the large defect at the vertex and the smaller wound at the occiput...", findings of fact outside the area of expertise of lawyers and court judges. I carried those files to a chopper daily. My testimony proves those records are priceless enough to preserve to extremes and do exist. Affidavit of a librarian nearly 50 years later has no credibility. Librarian is an agent of record keepers. Since the record keepers white listed and deceitfully misfiled data, the search is not in good faith. Motion for Perpetual Mandatory Injunction and combat veterans with PTSD are not moot, as without medical Marijuana my reply was lost, the case is still alive in appeal, and PTSD continues for myself and others. Unredacted McAfee trace verifies DODNIC hacking...
5. What action do you want the Court of Appeals to take in this case?
(1) Grant my Motion for Perpetual Mandatory Injunction;
(2) Grant a Permanent Injunction according to paragraphs 21 and 22, (Doc \# 1 Pg ID 9 and 10); and,
(3) Grant Order for defendants to provide all spy records for 1st CAG, 11-1968


Signature (Notary not required)


# UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT 

DEAN R. KIBBE,

Plaintiff-Appellant<br>Case No. : 18-1292

vs.

UNITED STATES OF AMERICA

Defendant-Appellee

## COVER SHEET

Following are twenty pages of unredacted versions of essential pages in the original Complaint, (Doc \#1), in the district court, which were unlawfully redacted in the Eastern

District of Michigan. Please note that it is critical that these documents be scanned at a high resolution in full color.

KEYS TO SCHEMATIC DIAGRAMS LABELED II M-III N 1 ,II 0 Il U=up, $D=$ down, L=left, $R=r i g h t, 1=o n e ~ m a j o r ~ g r i d ~ s q u a r e, ~$ . $1=$ one minor grid square

Key to: $\ln M=$
from point A:
[to D 4.5:bottom floor of bunker.
to L 3.0:interior wall of bunker.
D 1.0, L2.0:point on wall (exterior)
(D 2.2.L 3.2:point on vertical roof pillar.
D 2.2.4 3.7:point on horizontal roof pillar.
D 2.2.L 4.4:point on roof of bunker.
(D 4.0.L . 5 :point on doorway threshold.
D 4.0.L 2.0:point on wall (interior).
D $6.0 . \mathrm{L} 2.4$ : point on raised floot.
Key to: II N1:
from point A:
U 3.0:point on roof of bunker.
U.8.L 2.8 to U .8.R 1.8: raised floor.

U 2.0:point on horizontal roof pillar.
U 1.6. R 2.0:point on vertical roof pillar.
D 1.6:point on bottom floor.
D.1.1.R 2.0:point on doorway threshold.

U . 8.R. 1.0: improvised pillow axea.
point A:point on wall (exterior).
Three dashed lines beginning at left of diagram (slightly
shorter dashes_ and raising upward to right: potential
field of fire from direction of outside of perimeter.

Four dashed lines beginning at right of diagram (slightly larger dashes) and lowering downward to left:potential field of fire from direction of center of compound.

Key to II 0 1:
from point A:
U 2.0: point on ripped coty in bunker
U 1.O.R. 2.5: point on horizontal roof pillar
D.1.L 3.0 : point on $M-60$ machine gun
D. 7. 5 . 3 : point on wall toward perimeter
D.9.5 3.1: point on claymore trigger

D 3.4: point on bayonet fixed $M-16$ rifle
D 2.55.R.2.95 ta D 2.40.L.95: functional trajectory
D 2.40.R 1.80 to D 3.0.R 1.8: pillow area
(D 2.50.R 1.95: point of aim, point on position of head at time of aim; (bull's eye).
D 2.90.R 1.80: turned head, pcint on position of head, time of impact.

D 2.40.L. 95 : point of impact, point of position of leg at time of impact; (maggie's drawers, close only counts in boot camp).
(as seen from above)

## First Bomb

## Second

 Bomb Bunker of ImpactPhoto One of Bunker of Impact, taken by an Instamatic camera prior to the shooting, and developed over one year later after I finally got my belongings back from the "CAP" unit I was assigned to. At the time I was photographing two Willy Peter rounds dropped by a jet fighter in the distance. The first bomb dropped was already dissipating from the mushroom-shaped cloud it produced; and, the second bomb was just starting to produce the standard mushroon shape formed from the explosion. The bunker just happened to be in the view while I was photographing the air strikes by the jet...

Doc \#1 Pg ID 28


Photo Two of Bunker of Impact, taken by an Instamatic camera prior to the shooting, and developed over one year later after I finally got my belongings back from the "CAP" unit I was assigned to. At the time I was photographing two Willy Peter rounds dropped by a jet fighter in the distance. The first bomb dropped was almost completely dissipated from the mushroom-shaped cloud it produced, (which is seen in an earlier view in Photo One); and, the second bomb was partially dissipated, (also seen in an earlier view in Photo One), from the standard mushroom shape formed from the explosion. The bunker just happened to be in the view while I was photographing the air strikes by the jet...

Doc \#1 Pg ID 29
ORIGINAL UNREDACTEID VERSION

And this is the Fracture Round:... (See following pages.)

HRADTUARTERS<br>list Combined Action Group<br>III Merine Amphibious Force<br>FFO, San Francisco, California 96602

11 December 1968

Mr. and Krs. Cecil Kibbe
1223 Union Street
Port Huron, Michigan 48060
Dear Mr. and Mrs. Kibbe:
I have received your letter of December 2, 1968, and I understand your concern. I hope this letter will answer your questions and relieve some of your worry.

First, I want to assure you that Dean was not seriously or perminently injured. Be received a gunchot wound to his right calf, causing a fracture of the fibula. He was evacuated immediately by helicopter to the 27 th Surgical Hospital in Chu Lai. His condition and prognosis were listed by the doctor as good. I visited him in the hospital, and he was resting confortably and was cheerful. He was receiving excellent care.

He was transferred the next day, on November 28 , to the 249 th General Kospital, Camp Drake, Japan. The address is 249 th General Hospital, APO, San Francisco, California 96267. I will request the hospital there to send you a velfare report, since my information is a little out of date now. I will also ask them to notify you if Dean is likely to be transferred to the United States. You were not informed of Dean's wound by the harine Corps because he requested that you not be notified. He is a thoughtful person and made this request in order to avoid unnecessary worry for you. I an very sorry that it caused concern. A Marine has the option of requesting that his next of kin not be notified when he is wounded if his condition is good or excellent. If the Marine's condition is less than good, notification is mandatory and automatic.

Please be assured that your son is receiving the best possible care. If this letter and the welfare report from the hospital do not answer all your questions, please do not hesitate to write me again.

Dean had gotten off to a good start here and is highly thought of by the men in his unit. They ask we to send you their best regards.

Sincerely,

E. F. PIERSON

Lieutenant Colonel, U. S. Marine Corps
Commending

## ZNR UUUUU

$\because \quad P$ ण102112 DEC क及 -
FM 26TH CASSYFLT CAM RANH BAY AB RVN
(:) TO RUEBHOA/CMC WASH DC $\quad$ DINFO RUHHFNA/CG FMFPAC CAMP SMITH HAWAII
RUABQL/CAS COORD CAMP SMEDLFY O BUTTLER OKI RUMHLA/CG FIRST MARDIV DANANG RVN
-. RUMHVP/CG THIRD MARDIV PHU BAI RVN
FUABML/CG NINTH MAB CAMP HNNSEN OKI RIIVMAFA/CG 111 NAF DANANG KVN

## ( RUMLMPA/CG FORLOGCOMO OANAHG RVN

RUMHL $A$ /SECOND BN FIFTH MAR FIRST MARDIV DANANG RVN KHAMAAFA/FIFST CAG III NAF DANANG RVN
$\therefore$ RUCLFMA/USAH ME:MPHIS TENN
RUADKTA/TWO FOUR NINTH GEN HOSP CAMP DRAKE JAPAN RUWMMDA/MAFKS 1 I CALIF
C. ' RHMMAFA/III MAF POSTAL DIRECTORY DANANG RVN RUMUFGA/CONNAVSIJPPACT GANANG RVN
BT
( UNCLAS SGCSF
FOR MARLN STAHOSP

## PAGE. 2 RU: JAAS784 UINCLAS

REPORT OF CASUALTY EVACUATION 222-68
MCO 3040.3 C

1. REF $\wedge$ REFERS FOR TWO PAIIENTS FVACUNTED $290300 H$ NOV 68
(. A. ELMORE JIVMIE L PFC $2453210 / 0311$ RTD DEC 68
B. E/2/5/1
C. USNIA MENPHIS, TEINN
C. D. HOSTILE YES
E. TRT GSW KY THIGH RT SHOULDER W/IMJURY TO SCIATIC NERVE INJUIRY
A. KIBAF DFANHPTHC $2420574 / 0311 / 8651$ RTD SEP 69
B. ISTCAG/IILMAF
C. 249 DRAKE, JAPAN.
D. HOSTILE NO
(E. GSW RT CALF W/EX FIBULA

BT
155784
C

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IIE1

1. Characteristics of bullet fragments removed from leg referred to in IIB2:
A. The forward leading point of the projectile was bent toward one side.
B. The projectile jacket acquired a dimple closer to point $B$ than to point $A$ in schematic diagram one.
C. The projectile had separated into two sections, plus one smaller chip of jacket material which had been displaced or separated from the projectile and was either attached to or lying beside one of the other larger sections in the surgeon's hand, the larger two sections of the projectile having separated at a point closer to point $C$ than to point $A$ or point $D$ and on a plane closer to travel of the arrow pointing to point $C$ than to a line extending from point $A$ to point $D$; all edges of separation demonstrating sharp crystalline breakage.
D. The taili end section of the projectile had a ring of nonspiraling lands and grooves, which lands and grooves ran approximately perpendicular to the circumference of the ring as indicated at point $D$.
E. The bore size, illustrated by $E$ in schematic diagram one (not to scale); by symmetrical reconstruction of geometric form circled to the right of printed initials "F.B." in subunit IIB2 (initials and circle red in color on original received; subunit number toward left corner added; all other features photocopied from original as

Doc \#1 Pg Id 36
ORIGINAL UNREIDACTED VERSION
received), and memory of projectile at time of surgical removal, indicates a full bore weapon; relatively non-s exploding on impact.
2. Characteristics of $M-16$ round as used in 1968:
A. The high ratio of the cartridge to projectile size, the resulting relatively high velocity, and a tumbling effect during flight designed into the projectile cause the round to explode into smaller fragments in various directions upon impact with an object as thin as the canvas targets used in training.
B. If an $M-16$ round is the first round to strike an unprotected limb, itlwill cause the loss of that limb ta the nearest joint above that limb.
C. The bore size of the $M-16$ round is 15.56 millimeters, a small bore rifle.
3. Mathematical summary:

1 person firing (or more) weapon not an $M-16$, verifiable by above data;
$1+$
(1 person firing (or more) M-16 rifle by admission in "accident" report if intact;

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Mr. Dean R. Kibbe
P.O. Box 611066

Port Huron, MI 48061-1066
Dear Mr. Kibbe:
This letter responds to your Frecdom of Information Act (FOIA) request of October 21, 1999, for a copy of all G-2 files from the Combined Action Program, for the month of November, 1968. Your Registered Mail Number is R 818201454.

A thorough search of records at this Headquarters has failed to locate any records responsive to your request.

If you believe that an adequate search of records was not accomplished at this Headquarters, you may file an appeal with the Office of the Judge Advocate General (Code 34), Washington Navy Yard, 1322 Patterson Avenue, SE, Suite 3000, Washington, DC 20374-5066. You must submit the appeal to that office postmarked within 60 calendar days from the date of this letter to be considered.

The enclosed copy of this letter should be attached along with a statement as to why you believe an adequate search has not been conducted. I recommend that the letter of appeal and the envelope both bear the notation "Freedom of Information Act Appeal."

I waived the fee for processing your request under the current provisions of the FOIA. Should you have any questions concerning this reply, you may contact the undersigned at (703) 614-4008.

Sincerely,


Head, Freedom of Information
and Privacy Act Section
Administrative Resources Branch
Administration and Resource Management
By direction of the
Commandant of the Marine Corps

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Doc \#1 Pg ID 52
ORIGINAL UNREDACTED VEIRSION


## Network View

This is publicly avalable information about the owner of the netwoek you have traced.
Network View

## lletwork Information

DOD Network Information Center JMCIS-ELOCK (NET-205-0-0.0-1)
205.0.0.0 - 205.117.255.255
DOD Network Information CenterSPAWARDEPARTMENT OF THE NAVY 3MCIS-8LOCK3 (NET-205-96-0.0-1) 205.96.0.0 - 205.103.255.255
ARIN WHOIS database, last updated 2005-06-20 19:10 Enter 7 for additional hints on searching ARIN's WHOIS database.

## Trace Status

Tracing has completed.



## Network View

This is publicly avalisble rformstion obout the owner of the network you have traced.

18 Registrant View
Network View

## Hetwork Information

OrgName: 000 Network Information Center
Orolo: DNIC
Address: 7990 Science Applcations Ct
Address: Mis Cy 50
Gidy: Venna
Stateprov: VA
PostalCode: 22183-7000
Country: us
NetRange: 206.36.0.0 - 206.39.255.255
CIDR: 206.36.0.014
NetName: DON-8LK-36
NetHandle: NET -206-36-0-0-1
Parent: NET-206-0-0.0-0
NetType: Direct Allocation
NameServer: AAA-VIENNA.NIPR.MIL
NameServer: AAA-KELLY.NIPR.MIL
NameServer: AAA-VAIHINGEN.NIPR.MIL
NameServer: AAA-WHEELER.NIPR.MIL
Comment: 000 Network Information Cenker
Comment: 14200 Park Meadow Dr., Sule 200
Comment: Chankilly, VA 20151 US
RegDate: 1995-05-30
Updated: 2005-04-29
$\qquad$

## Trace Status

Tracing has completed.

## (O) I want to.

## Connection Attempt Blocked

A computer at IP address 69.244.179.180 has attempted an unsoloited connection to TCP port 3340 on your computer.
S. Wew the Event Log

- Trace This Address

X Turn Off This Alert Type Conkinue What I Was Dong

0 Tracer - McAfee Personal Firewall Plus: 206.37.235.252


Map View
B Registrant View
Network View

## lletwork Information

ivernar rue: inc:- $\mathrm{LuO}-00 \cdot \mathrm{u}-\mathrm{u}-1$
Parent: NET-206-0-0-0.0
NetType: Direct Allocation
NameServer: AAA-VIENNA.NIPR.MIL
NameServer: AAA-KELLY.NIPR.MIL
NameServer: A\&A-VAIHINGEN.NIPR.MIL
NameServer: AAA-W/HEELER.NIPR.MIL
Comment: DOD Network Information Center
Comment: 14200 Park Meadow Dr., Suite 200
Comment: Chantily, VA 20151 US
RegDate: 1995-05-30
Updated: 2005-04-29

TechHandle: MIL-HSTMST-ARIN
TechName: Network DOD
TechPhone: +1 -703-676-1051
TechEmal: HOSTMASTER@nic.ml
McAfce.com Personal Firewall Plus

OrgTechHandle: MIL-HSTMST-ARIN
OrgTechName: Network DoD
OrgTechPhone: +1-703-676-1051
OrgTechEmail: HOSTMASTER@nic.mil
ARIN WHOIS database, last updated 2005-05-17 19:10
Enter $>$ for addtional hints on searching ARIN's WHOIS database.

## Connection Attempt Blocked

A computer at IP address 69.244.179.180 has attempted an unsolicited connection to TCP port 3340 on your computer.

## Trace Status

Tracing has completed.

## (8) I want to.



Wew the Event: LoqTrace This AddressTurn Off This Alert Type
$\Leftrightarrow$ Continue What I Was Doing



Doc \#1 Pg ID 58
ORIGINAL UNREDACTED VERSION

$$
\begin{aligned}
& \text { VNITESTATES COURT OFAPPEALS } \\
& \text { FOR THESIXTHCIRCVIT } \\
& \text { DEAN R.MIBREV. UNITED STATES TFAMERICA } \\
& \text { CASENO: } 18=1 \text { ISQ. }
\end{aligned}
$$

# RECEIVED <br> MAR 272018 <br> <br> UNITED STATES COURT OF APPEALS <br> <br> UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT FOR THE SIXTH CIRCUIT <br> DEBORAH S. HUNT, Clerk <br> DEAN R. KIBBE, <br> Plaintiff-Appellant <br> Case No. : 18-1292 <br> vs. <br> UNITED STATES OF AMERICA <br> Defendant-Appellee 

## CLERK:

Enclosed for filing are:

1. Pro Se Appellant's Brief, two pages; and,
2. Cover sheet followed by twenty pages of unredacted versions of essential pages
in the Complaint, (Doc \#1), in the district court, which were unlawfully
redacted in the Eastern District of Michigan. Please note that it is critical
that these documents be scanned at a high resolution in full color.


Dean R. Kibbe
Plaintiff-Appellant, in pro per
1223 Union Street
Port Huron, MI 48060
email: angels@saintvibiana.com
Dated: March2 6, 2018


[^0]:    $=2$ persons firing (or more)

