

DECLARATION OF WADE T. BARTON
RE: THOMAS BARTON ESTATE

This was a probate case involving a fraudulent, forged will, life insurance policy, and other documents all of which were improperly admitted by the court and Judge Stephen Munsinger. Even the forged will that was admitted has not been followed or adhered to leaving Mr. Barton with nothing which was left to him. The case, as described herein involves judicial and attorney misconduct, state and federal crimes, and civil torts. Furthermore, this case involves a Judge, opposing counsel, and witnesses who are all Masons from the same consistory who walked away with everything at the hands of their long time friend and fellow Mason Judge Munsinger.

1. JUDGES

- a. Judge Stephen Munsinger - Jefferson County Colorado Probate Judge who was the first to hear the case of the Thomas Barton Estate. The lawyers for the Personal Representative, the Personal Representative (James Preston), and the key witness (James Sellers) for the case as well as the Judge were all Masons from the same consistory who were friends for many years. After refusing to hear anything that Wade Barton (beneficiary) had to offer during the hearing and for nearly a year, Judge Munsinger recused himself and took early retirement. Judge Munsinger influenced and/or threatened Mr. Barton's attorney, Michael Sasin. Judge Munsinger violated numerous judicial canons and allowed his friends violate several state and federal laws. Color of law/RICO violations.
- b. Judge Lily Oeffler - Judge in Jefferson County Colorado who took over when Judge Munsinger stepped out. She would continue along the same path as if being directed by Munsinger. She dismissed everything filed by Mr. Barton and his attorneys.
- c. Judge C. Jean Stewart - She had resigned when she became the mediator in the Barton Case. Stewart resigned after complaints of her threatening litigants who wanted their own judges; sealing records which would harm her; running system where conservators, guardians, and public administrators were owned by the court and essentially stealing the estates away from wards and beneficiaries. Judge Stewart was selected by the opposing counsel with no input from Mr. Barton.

2. LAWYERS AND FIDUCIARIES

- a. James Preston - Personal Representative/fiduciary - Mason - responsible, with others, for the forged documents including the will. Responsible, with others, for the theft of Mr. Barton's property, money, and items left to Barton in the purported will. Has continuously committed perjury and fraud upon the court. RICO violations and conspiracy.
- b. Ronald Servis - Public Administrator for Jefferson County Probate Court and Barton estate - responsible for the theft of monies, vehicles, property, and real estate. Committed fraud upon the court in order to steal the estate, keep it for himself and sell it to his friends. Responsible for ensuring that Mr. Barton received nothing from the will. Forced Mr. Barton to purchase all vehicles that he was entitled to pursuant to the purported will. RICO violations and conspiracy. Violations of the Professional Code of Ethics. Color of law violations.
- c. Robert Horen - Wade, Ash, Woods, Hill & Farley, Attorney for James Preston, Personal Representative - Mason - responsible for allowing some 5 copies of a fraudulent will to be filed with the court. Responsible for allowing the theft of property and monies from the Barton Estate. Responsible for allowing and likely encouraging Mr. Preston not to give Barton the items left to him in the purported will. Responsible for knowingly allowing Mr. Barton to be accused of stealing vehicles which were taken by his own client. Responsible, with others, for the forgeries, fraud upon the court, professional misconduct, RICO violations and conspiracy.
- d. Keith D. Lapuyade - Wade, Ash, Woods, Hill & Farley. Attorney for James Preston, Personal Representative - Mason - responsible for allowing some 5 copies of a fraudulent will to be filed with the court. Responsible for allowing the theft of property and monies from the Barton Estate. Responsible for knowingly allowing Mr. Barton to be accused of stealing vehicles which were taken by his own client. Responsible, with others, for the forgeries, fraud upon the court, professional misconduct, RICO violations and conspiracy.
- e. Herbert E. Tucker - Wade, Ash, Woods, Hill & Farley. Attorney for James Preston, Personal Representative - Mason - responsible for allowing some 5 copies of a fraudulent will to be filed with the court. Responsible for allowing the theft of property and monies from the Barton Estate. Responsible for knowingly allowing Mr. Barton to be accused of stealing vehicles which were taken by his

own client. Responsible, with others, for the forgeries, fraud upon the court, professional misconduct, RICO violations and conspiracy.

- f. Steven Schumacher - Wade, Ash, Woods, Hill & Farley. Attorney for James Preston, Personal Representative - Mason - responsible for allowing some 5 copies of a fraudulent will to be filed with the court. Responsible for allowing the theft of property and monies from the Barton Estate. Responsible for knowingly allowing Mr. Barton to be accused of stealing vehicles which were taken by his own client. Responsible, with others, for the forgeries, fraud upon the court, professional misconduct, RICO violations and conspiracy.
- g. Gregory Washington - Wade, Ash, Woods, Hill & Farley, attorney
- h. Mark Donovan - Wade, Ash, Woods, Hill & Farley, Paralegal
- i. Michael Sasin - Attorney for Beneficiary Wade Barton - By failing to communicate with Mr. Barton and by failing to be a zealous advocate, Mr. Sasin caused Barton to lose much of his estate. Sasin refused to present evidence or witnesses at the hearing in 2013. Without permission, Mr. Sasin negotiated and finalized a settlement agreement without Mr. Barton's knowledge. Mr. Sasin allowed himself to be influenced and intimidated by Robert Horen and Judge Munsinger. When Mr. Barton asked Mr. Sasin to withdraw as his attorney, Sasin stated that he could be in big trouble for what he had done; "I could even go to jail for this." After withdrawing, Mr. Sasin would allow himself to be deposed by opposing counsel with no permission or waiver given by Barton. Professional misconduct, violation of professional conduct, conspiracy, possible RICO violations.
- j. Rickey Fitzsimmons - Attorney for Beneficiary, Wade Barton - failed to communicate with Mr. Barton or to be a zealous advocate. Fitzsimmons laid out a bold plan of what he would do for Mr. Barton and collected a \$5,000 retainer. He then told Barton that he was a friend of Judge Munsinger and had shared an office with him. He would then speak to Mr. Horen and do nothing more for Mr. Barton. In front of witnesses he told Barton that if Barton wasn't satisfied he would return his retainer. He was responsible for setting Mr. Barton up by telling him he had to remove vehicles from the estate's property and then letting the police be called and the other side accuse Mr. Barton of stealing vehicles. When he withdrew as counsel, he refused to return Barton's files or his retainer. He actually billed Barton \$1,700 more but then deducted that amount. Fitzsimmons

actually turned all of Mr. Barton's files over to the opposing counsel, telling Barton he could not locate his files or that he had already returned them to him. Professional ethics violations, fraud, conspiracy, possible RICO violations.

k. This list may not be all inclusive.

3. ADDITIONAL PARTY

- a. James Sellers - Mason and Social Worker at the VA hospital responsible for forgery and taking half of Tom Barton's life insurance policy intended entirely for his son Wade Barton. Responsible for removing property and personal items from Tom Barton's home. Violations of code of ethics for both social workers and VA employees, conspiracy, RICO violations. He died under suspicious circumstances as he and the VA were being investigated for the forgery and the theft.

4. CASE

IN THE MATTER OF THE ESTATE OF Thomas Wade Barton, also known as Tom Barton, Thomas W. Barton, Deceased Case #2013PR42

5. THE PARTIES HAVE COMMITTED AND/OR AIDED AND ABETTED IN THE FOLLOWING CRIMES

- a. Fraud under Federal and State law
- b. Perjury
- c. Forgery
- d. Fraud with intent to steal
- e. Fraud upon the tribunal
- f. Theft
- g. Violations of Due Process
- h. Official Misconduct
- i. Misprision of Felony
- j. Conspiracy
- k. Racketeering/ RICO violations

6. THE PARTIES HAVE VIOLATED AND/OR AIDED AND ABETTED AT LEAST THE FOLLOWING VIOLATIONS OF FEDERAL AND COLORADO STATUTES

- a. Fraud - 18 USC 47
- b. Fraud/forgery - CRS §18-5-01, 08, 09, 28, 33
- c. Conspiracy - CRS §18-2-201-206
- d. Conspiracy - 18 U.S.C. 371
- e. Theft - CRS §18-4-401
- f. Theft - 18- USC 31
- g. Misprision of Felony - 18 U.S.C. 4
- h. Due Process - 4th Amendment U.S. Constitution
- i. Racketeering (RICO) CRS §18-17-103 et.seq.
- j. Racketeering (RICO) 18 USC 96
- k. Probate violations - CRS §15-1-101 et.seq.
- l. U.S. Uniform Probate Code
- m. Perjury - CRS §18-8-502
- n. Perjury - 18 USC 1621
- o. Official Misconduct/Color of Law Violations CRS §18-8-403 - 405
- p. Deprivation of Rights Under Color of Law - 18 USC 242

7. CIVIL TORTS

- a. Tortious Interference with Inheritance
- b. Intentional Infliction of Emotional Distress
- c. Civil Conspiracy/Aiding and abetting/In-Concert Liability
- d. Defamation/Libel

8. DAMAGES

- a. Estimated in excess of \$1 million including punitive damages.
- b. Estimation is due to the fact that in violation of Colorado Probate Codes there has been no annual or final accounting of monies or items removed from the estate.

I ask that this report in its entirety be reported to all State and Federal agencies that have the authority to investigate these crimes and claims as outlined in this declaration.

VERIFICATION

I declare under penalty of perjury that the foregoing statements in this declaration are true and correct. Executed this 22nd day of March 2016 in Arapahoe County, Colorado.

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