

**BEFORE THE CITIZEN’S COURT ON BEHALF OF
THE PEOPLE OF THE UNITED STATES**

THE PEOPLE OF THE UNITED
STATES OF AMERICA

Plaintiff,

v.

DR. ANTHONY STEPHEN FAUCI,
Washington, D.C.

Defendant.

Case No. 2021-003

**CRIMINAL CONVICTION OF DR.
ANTHONY FAUCI ON SEVEN (7)
FELONY COUNTS INCLUDING
NEGLIENT HOMICIDE**

MEMORANDUM OPINION

Dr. Anthony Stephen Fauci (“Defendant Fauci”) stands accused of lying to government officials, lying to Congress, lying to the American people, criminally negligent homicide, violating the Foreign Agents Registration Act, obstruction of justice and honest services fraud. For the reasons set forth below, after careful consideration of the parties’ pleadings, criminal indictments, the representations made before this Court during the Citizens’ Grand Jury proceeding and subsequent trial and the applicable law, this Court concludes that Defendant Fauci is guilty as charged.

I. PROCEDURAL HISTORY.

The Citizens’ Grand Jury heard extensive evidence, witnesses and other information throughout 2021, presented by Larry Klayman, Esq., Citizens’ Grand Jury Prosecutor to this Citizens’ Court. Each member of the jury was duly sworn in to fulfill his or her duty faithfully and based on the evidence and other information, such jury found sufficient evidence to indict

Defendant Fauci. The Citizens' Grand Jury issued the Criminal Indictment¹ in Case No. 2021-003 on October 14, 2021, signed by the Jury's foreperson, Deborah E. Baker.

This Court gave notice of the Criminal Indictment to Defendant Fauci in an arraignment.² The Citizens' Court notified Defendant Fauci that he had a right to appear before this Court and he had a right to counsel. Defendant Fauci was notified that the Citizens' Court would hold a trial at the designated date and time. However, he failed to respond in any way and did not send any counsel or representative on his behalf. Indeed, Defendant Fauci did not plead guilty, not guilty or nolo contendere. This Court entered a plea of not guilty nevertheless and proceeded to review the evidence available.

II. THIS COURT'S INHERENT AUTHORITY TO TRY THIS CASE.

The Declaration of Independence signed on or about July 4, 1776, by this country's Founding Fathers, enumerated their common goals of unity, freedom and protection of individual rights. The Declaration's clarion call to self-government, a severance of following the English rule and basic freedom began this nation. From the Declaration of Independence, this nation continued to build an American society governed not by man, but by common rules of law. It states:

[w]hen in the Course of human events it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the Powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

In order words, as the Citizens' Grand Jury Prosecutor pronounced at trial, when in the course of events, the sovereign, or here the current government, does not represent the people, the people have a right to alter or abolish that government by and for the people with equal rights for everyone

¹ See Citizens' Prosecutor's Exhibit 1 – Criminal Indictment.

² See Citizens' Prosecutor's Exhibit 2 – Notice of Arraignment.

in pursuit of life, liberty and happiness. This demonstrates the right of the American people to represent and take action to preserve and protect their own interests.

In this regard, former U.S. Supreme Court Justice Antonin Scalia held in writing for the majority in *United States v. Williams*, 504 U.S. 36 (1992), that the grand jury process belongs to the American people, not the three (3) branches of government.

“Rooted in long centuries of Anglo American history,” *Hannah v. Larche*, 363 U.S. 420, 490, 4 L. Ed. 2d 1307, 80 S. Ct. 1502 (1960) (Frankfurter, J., concurring in result), the grand jury is mentioned in the Bill of Rights, but not in the body of the Constitution. It has not been textually assigned, therefore, to any of the branches described in the first three Articles. It “is a constitutional fixture in its own right.” [****20] *United States v. Chanen*, 549 F.2d 1306, 1312 (CA9) (quoting *Nixon v. Sirica*, 159 U.S. App. D.C. 58, 70, n. 54, 487 F.2d 700, 712, n. 54 (1973)), cert. denied, 434 U.S. 825 (1977). In fact the whole theory of its function is that it belongs to no branch of the institutional Government, serving as a kind of buffer or referee between the Government and the people. See *Stirone v. United States*, 361 U.S. 212, 218, 4 L. Ed. 2d 252, 80 S. Ct. 270 (1960); *Hale v. Henkel*, 201 U.S. 43, 61, 50 L. Ed. 652, 26 S. Ct. 370 (1906); G. Edwards, *The Grand Jury 28-32* (1906). Although the grand jury normally operates, of course, in the courthouse and under judicial auspices, its institutional relationship with the Judicial Branch has traditionally been, so to speak, at arm's length. Judges' direct involvement in the functioning of the grand jury has generally been confined to the constitutive one of calling the grand jurors together and administering their oaths of office. See *United States v. Calandra*, 414 U.S. 338, 343, 38 L. Ed. 2d 561, 94 S. Ct. 613 (1974); Fed. Rule Crim. Proc. 6(a).

Id. at 47. Justice Scalia continued:

The grand jury's functional independence from the judicial branch is evident both in the scope of its power to investigate criminal wrongdoing, and in the manner in which that power is exercised. “Unlike [a] [c]ourt, whose jurisdiction is predicated upon a specific case or controversy, the grand jury ‘can investigate merely on suspicion that the law is being violated, or even because it wants assurance that it is not.’” *United States v. R. Enterprises*, 498 U. S. ___, ___ (1991) (slip op. 4) (quoting *United States v. Morton Salt Co.*, 338 U.S. 632, 642-643 (1950)). It need not identify the offender it suspects, or even “the precise nature of the offense” it is investigating. *Blair v. United States*, 250 U.S. 273, 282 (1919). The grand jury requires no authorization from its constituting court to initiate an investigation, see *Hale, supra*, at 59-60, 65, nor does the prosecutor require leave of court to seek a grand jury indictment. And in its day to day functioning, the grand jury generally operates without the interference of a presiding judge. See *Calandra, supra*, at 343.

It swears in its own witnesses, Fed. Rule Crim. Proc. 6(c), and deliberates in total secrecy, see *United States v. Sells Engineering, Inc.*, 463 U. S., at 424-425.

Id. at 48. The purpose of a Citizens' Grand Jury is to investigate the operations of various officers, departments and agencies of the U.S. government and this Court, pursuant to U.S. Supreme Court precedent, has jurisdiction over this matter.

III. BACKGROUND.

This criminal case levied against Defendant Fauci involves his placement of the health, safety and the lives of U.S. citizens and others worldwide in direct physical harm and death by knowingly and intentionally funding the genetic alteration of the coronavirus specimens in “gain of function research” projects in China with whom the United States is in a state of military hostility and geostrategic competition. It also alleges that Defendant Fauci conspired to violate U.S. laws and regulations that prohibited such “gain of function research” and genetic alteration, which caused negligent homicide in the deaths of millions of people worldwide.

Defendant Fauci began working at the National Institute of Allergy and Infectious Diseases (“NIAID”), a subunit of the National Institute of Health (“NIH”), in 1968.³ Importantly, the NIH is a separate and independent agency from the Centers for Disease Control and Prevention (“CDC”). Despite public misperception of his role, Defendant Fauci never worked at the CDC, nor has he ever led the NIH, yet has influenced public health agencies and officials far beyond his official rule and authority at NIAID.⁴ His career is overwhelmingly in government, not private medical practice.

³ See Citizens' Prosecutor's Exhibit 1 at ¶ 1 – Criminal Indictment.

⁴ *Id.* at ¶ 3.

In 1984, Defendant Fauci was appointed as the Director of NIAID and has continued in that position up through the present time.⁵ His primary initiative beyond the regular administrative tasks of running NIAID was to develop a vaccine for inoculating people against Acquired Immunodeficiency Syndrome (“AIDS”) disease caused by the Human Immunodeficiency Virus (“HIV”) virus.⁶ At the time, the disease was spreading rapidly and alarmingly as an epidemic. According to some virologists like Dr. Judy Mikovits, who worked with Defendant Fauci at the NIH, one reason that AIDS spread at such an alarming rate was because the public health establishment in government, including Defendant Fauci and his medical practice, was pursuing the wrong strategies which were ineffective, thus allowing AIDS to proliferate.⁷ The public health establishment in government, including Defendant Fauci and his medical practice, were overly fixated – for their own personal reasons – on developing an expensive vaccine for AIDS caused by the HIV virus, instead of using effective treatments. The public health establishment, including Defendant Fauci, were overly fixated – for their own personal reasons – on expensive solutions like new, patentable vaccines for AIDS over effectiveness of limiting the disease.⁸ Today, AIDS has dramatically receded as a threat to public health because attention and efforts shifted towards medicines and treatments that work versus medicines and treatments that are expensive and profitable to manufacturers.

⁵ *Id.* at ¶ 9.

⁶ *Id.* at ¶ 10.

⁷ *Id.* at ¶ 11.

⁸ *Id.* at ¶¶ 14-15.

Because of his resistance to more effective methods, Defendant Fauci's delay in treating AIDS patients and those most at risk of AIDS effectively led to more deaths than necessary. Defendant Fauci became publicly known as a medical leader fighting AIDS although he met little success in making progress against it. He never achieved his goal of developing a vaccine.⁹

In subsequent years, Defendant Fauci as Director of NIAID successfully attempted to tackle other world epidemics or pandemics including but not limited to as the original SARS, West Nile Virus, Swine Flu and Ebola. With each epidemic, Defendant Fauci favored the same approach of pursuing high-cost vaccines and medications favored by major pharmaceutical companies and deemphasizing more effective but less profitable medications and treatments. With each epidemic, Defendant Fauci refused to consider, rejected and even argued against research by virologists that viral epidemics might not stand alone but experience cumulative or interactive effects, such that a prior viral infection or vaccination may leave pathways in cellular lining or residues from vaccination or infection.¹⁰

Throughout his career, Defendant Fauci has rejected and undermined investigation into the possible interactions within humans between different viral diseases and has undermined and rejected research involving why some patients experience light symptoms and others suffer catastrophic symptoms.¹¹ Defendant Fauci has rejected and undermined research into the possibility that patients who have had an infection in the past from one viral disease may react to a new viral disease quite differently because of the combination in their system of the two different viruses or residues in their system than someone who has only been exposed to just one of the viruses alone. Defendant Fauci has also rejected and undermined findings claiming that the process

⁹ *Id.* at ¶¶ 17-18.

¹⁰ *Id.* at ¶ 25.

¹¹ *Id.* at ¶ 27.

for growing vaccines for their mass production contains unsafe residue in their cell lines and mediums for growing more vaccines, thus risking harm to those being vaccinated not from the vaccine itself but from the medium in which the vaccine was grown and the cell lines used to grow.¹²

Through decades of dishonest politicking, Defendant Fauci has, for his own personal aggrandizement and financial gain, wielded persuasive and undue influence in the public health communities in the United States and worldwide beyond his ability to formally direct or order any action or inaction.¹³ As reported by Dr. Judy Mikovits and other direct witnesses who personally witnessed it, Defendant Fauci attempted to demand that Dr. Mikovits' boss and office comply with his commands, even though he was not in their chain of command and they did not work for him.¹⁴ Additionally, as reported by Dr. Mikovits and other witnesses who personally witnessed it, Defendant Fauci persuaded a scientific journal to cancel a publication of a peer-reviewed article of research performed by Dr. Mikovits' boss and then arranged the reverse-engineering of the cancelled article, had his friend reconstruct the research, and then had the same content published separately under his friend's name.¹⁵

As such, the record reflects that Defendant Fauci lobbied, manipulated and influenced public health officials who do not actually work for him and do not report to him in government agencies and private medical organizations in the United States and throughout the world. This conduct, as well as other conduct committed by Defendant Fauci which is before this Court, was intended to promote and further his personal interests for his own aggrandizement and financial

¹² *Id.* at ¶ 30.

¹³ *Id.* at ¶ 31.

¹⁴ *Id.* at ¶ 32.

¹⁵ *Id.* at ¶ 34.

gain.¹⁶

In October of 2012, Defendant Fauci published a paper in the American Society for Microbiology in which he argued in support of gain-of-function research.¹⁷ Gain-of-function research involves laboratory experiments genetically manipulating viruses to make the virus more infectious and/or deadly. Defendant Fauci, through the agency he runs NIAID, funded gain-of-function research on coronaviruses to make them more deadly and more easily contagious.¹⁸ The record reflects that Defendant Fauci promoted and furthered a \$3.7 million grant from NIAID during the Obama-Biden administration to the Wuhan Institute of Virology in the Communist People’s Republic of China through an intermediary organization, knowing that the grant money was sent to the Wuhan Institute of Virology.¹⁹

As a result, Defendant Fauci funded the creation of the COVID-19 virus, SARS-Cov-2 with U.S. taxpayer funds through NIAID.²⁰ The record reflects that Defendant Fauci funded, through NIAID, through an intermediary EcoHealth Alliance (“EHA”) run in part by Peter Daszak (“Daszak”). Daszak has admitted in published research journal papers that gain-of-function research in Wuhan, China was funded by NIAID.²¹ Importantly, researchers involved in gain-of-function research gave a panel discussion speech recorded on C-SPAN around 2017. EHA’s work with the Wuhan Institute of Virology bat-based coronaviruses was funded with a \$3.4 million NIH

¹⁶ *Id.* at ¶ 35.

¹⁷ *See* Citizens’ Prosecutor’s Exhibit 6 – <https://www.theaustralian.com.au/world/anthony-fauci-backed-virus-experiments-despite-pandemic-risk/news-story/3c604681cfcfbfeda88bac25e372a1b8a>.

¹⁸ *See* Citizens’ Prosecutor’s Exhibit 1 at ¶ 38 – Criminal Indictment.

¹⁹ *Id.* at ¶ 39.

²⁰ *Id.* at ¶ 41.

²¹ *Id.* at ¶ 43.

grant, according to The Wall Street Journal.²² And, despite the risks involved, Defendant Fauci called gain-of-function experiments ‘important work’ in his 2012 writing:

In an unlikely but conceivable turn of events, what if that scientist becomes infected with the virus, which leads to an outbreak and ultimately triggers a pandemic? Many ask reasonable questions: given the possibility of such a scenario – however remote – should the initial experiments have been performed and/or published in the first place, and what were the processes involved in this decision?

Scientists working in this field might say – as indeed I have said – that the benefits of such experiments and the resulting knowledge outweigh the risks. It is more likely that a pandemic would occur in nature, and the need to stay ahead of such a threat is a primary reason for performing an experiment that might appear to be risky.

Within the research community, many have expressed concern that important research progress could come to a halt just because of the fear that someone, somewhere, might attempt to replicate these experiments sloppily. This is a valid concern.²³

As further explained by The National Review, “[t]he Weekend Australian report adds that Fauci, the director of the National Institute of Allergy and Infectious Diseases, did not alert senior White House officials before lifting a ban on gain-of-function research in 2017.”²⁴ Indeed, in 2014, the Obama administration paused funding for gain-of-function experiments in twenty-two (22) fields, including those involving SARS, influenza and MERS because of the increased risk such experimentation carries of causing a pandemic.²⁵ Yet the EcoHealth Alliance diverted \$600,00 in grants from the NIH to the Wuhan Institute of Virology in the form of sub-grants from 2014 through 2019, for the purpose of studying bat coronaviruses.²⁶ As shown in emails and documents

²² See <https://www.wsj.com/articles/coronavirus-study-of-bats-in-china-met-nih-grant-requirements-ecohealth-says-11635441406>.

²³ See <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3484390/>.

²⁴ See <https://www.nationalreview.com/news/fauci-argued-benefits-of-gain-of-function-research-outweighed-pandemic-risk-in-2012-paper/>.

²⁵ *Id.*

²⁶ *Id.*; see also Citizens’ Prosecutor’s Exhibit 7 – <https://dailycaller.com/2021/03/15/ecohealth-stevens-amendment-complaint-wuhan-lab/>.

publicly released, Defendant Fauci knew that the funds were being transferred to the Wuhan Institute of Virology.²⁷

Furthermore, samples of viruses and cell lines used to cultivate viruses were sent from a viral laboratory to the Wuhan Institute of Virology at the request of Defendant Fauci. Thus, Defendant Fauci provided the raw materials of COVID-19 to China.²⁸ As reported by Politico, [“U.S. diplomats wrote two cables to Washington D.C. in 2018 warning of safety issues at [the Wuhan Institute of Virology]. The cables specifically noted that researchers at the lab had discovered new bat-based coronaviruses that could easily infect humans, Politico reported. Their warnings went ignored.”²⁹

Additionally, Politico reported:

On January 15, in its last days, President Donald Trump’s State Department put out a statement with serious claims about the origins of the Covid-19 pandemic. The statement said the U.S. intelligence community had evidence that several researchers at the Wuhan Institute of Virology laboratory were sick with Covid-like symptoms in autumn 2019—implying the Chinese government had hidden crucial information about the outbreak for months—and that the WIV lab, despite “presenting itself as a civilian institution,” was conducting secret research projects with the Chinese military. The State Department alleged a Chinese government cover-up and asserted that “Beijing continues today to withhold vital information that scientists need to protect the world from this deadly virus, and the next one.”³⁰

Importantly, experts have raised the possibility that the COVID-19 pandemic likely originated

²⁷ See Citizens’ Prosecutor’s Exhibit 1 at ¶ 51 – Criminal Indictment.

²⁸ *Id.* at ¶ 53.

²⁹ Citizens’ Prosecutor’s Exhibit 7 – <https://dailycaller.com/2021/03/15/ecohealth-stevens-amendment-complaint-wuhan-lab/>; see also Citizens’ Prosecutor’s Exhibit 9 – <https://www.politico.com/news/magazine/2021/03/08/josh-rogin-chaos-under-heaven-wuhan-lab-book-excerpt-474322>.

³⁰ See Citizens’ Prosecutor’s Exhibit 9 – <https://www.politico.com/news/magazine/2021/03/08/josh-rogin-chaos-under-heaven-wuhan-lab-book-excerpt-474322>; see also Citizens’ Prosecutor’s Exhibit 10 – <https://web.archive.org/web/20210116020513/https://www.state.gov/ensuring-a-transparent-thorough-investigation-of-covid-19s-origin/>.

from a potential lab leak at the Wuhan Institute of Virology in Wuhan, China where gain-of-function experiments on bat coronaviruses have been conducted.³¹ In fact, the Wuhan Institute of Virology, where Defendant Fauci funded gain-of-function research to create more deadly and more infectious versions of coronaviruses, is located precisely where the outbreak of COVID-19 began.³²

It has now been revealed that as early as October of 2019, three (3) staff members of the Wuhan Institute of Virology became sick with an unexplained illness that matched the symptoms and characteristics of COVID-19.³³ However, Defendant Fauci advocated for China as an agent within the meaning of the Foreign Agent Registration Act and used his influence and lobbying with the news media and U.S. government to promote false and dangerous narratives hiding China's role and guilt regarding COVID-19.³⁴ Defendant Fauci acted as a Washington, D.C. official to promote China's interests with the false and deception narrative that COVID-19 came from a bat sold at the Wuhan Seafood Market or some other animal source of transmission, rather than from China's laboratory.³⁵

The record reflects that Defendant Fauci conspired with the World Health Organization to deceive the world's government officials and the American people. Yet, when asked about NIAID's funding of gain-of-function research within the Wuhan Institute of Virology, Defendant Fauci repeatedly lied to other government agencies and officials, lied to Congress in official hearings and lied to the American people.³⁶

³¹ See Citizens' Prosecutor's Exhibit 1 at ¶ 56 – Criminal Indictment.

³² *Id.* at ¶ 62.

³³ *Id.* at ¶ 63.

³⁴ *Id.* at ¶¶ 64-65.

³⁵ *Id.* at ¶ 66.

³⁶ *Id.* at ¶ 68.

U.S. Senator Rand Paul, among others, asked Defendant Fauci about funding the genetic manipulation of coronaviruses at the Wuhan Institute of Virology³⁷ and gave him multiple opportunities to retract his false, sworn testimony regarding funding the Wuhan Institute of Virology. First, Defendant Fauci lied during congressional hearings by denying that NIAID funded research at the Wuhan Institute of Virology. More recently, however, Defendant Fauci was forced to admit that NIAID funded research at the Wuhan Institute of Virology but denied that the genetic manipulation of coronaviruses, including the original SARS virus, qualified as gain-of-function research.³⁸ Senator Rand Paul read to Defendant Fauci in the congressional hearing the NIH's definition of gain-of-function research and read the details of the NIAID grant to EcoHealth and the description in journal articles by Peter Daszak. Yet, Defendant Fauci still denied that what NIAID funded the Wuhan Institute of Virology qualified as gain-of-function research.³⁹

On August 8, 2023, Senator Rand Paul referred Defendant Fauci to the U.S. Department of Justice for allegedly lying under oath to Congress. Senator Rand Paul wrote:

I write to request your office open an investigation into the testimony made to the United States Senate Committee on Health, Education, Labor, and Pensions on May 11, 2021, by Dr. Anthony Fauci, former Director of the National Institute of Allergy and Infectious Diseases (NIAID). In response to my questioning at the May 11, 2021 hearing, Dr. Fauci testified that “the NIH has not ever and does not now fund gain-of-function research in the Wuhan Institute of Virology” In a subsequent hearing, I warned Dr. Fauci of the criminal implications of lying to Congress and offered him an opportunity to recant his previous statements. In response, Dr. Fauci stated that he had “never lied before the Congress” and “[d]id not retract that statement.” Dr. Fauci’s testimony is inconsistent with facts that have since come to light. On February 1, 2020, Dr. Fauci sent an email, which the House Select Subcommittee on the Coronavirus Pandemic recently released, acknowledging concerns that COVID-19 may have been genetically engineered because gain-of-function research was taking place in Wuhan before the pandemic. In the email, Dr. Fauci wrote, “scientists in Wuhan University are known to have been working on gain-of-function experiments to determine that molecular mechanisms associated

³⁷ *Id.* at ¶ 69.

³⁸ *Id.* at ¶ 72.

³⁹ *Id.* at ¶ 74.

with bat viruses adapting to human infection, and the outbreak originated in Wuhan.” Further, gain-of-function research in Wuhan was funded by the agency Dr. Fauci led. A paper entitled “Discovery of a rich gene pool of bat SARS-related coronaviruses provides new insights into the origin of SARS coronavirus” described in-depth the research carried out at the Wuhan Institute of Virology and funded through NIAID Award R01AI110964. Dr. Zheng-Li Shi details the research in which the spike genes from two uncharacterized bat SARS-related coronavirus strains, Rs4231 and Rs7327, were combined with the genomic backbone of another SARS related coronavirus to create novel chimeric SARS-related viruses that showed cytopathic effects in primate epithelial cells and replication in human epithelial cells. These experiments combined genetic information from different SARS-related coronaviruses and combined them to create novel, artificial viruses able to infect human cells. This research, funded under NIAID Award R01AI110964, meets the definition of gain-of-function research. In a report published on June 14, 2023, the Government Accountability Office (GAO) concluded the Wuhan Institute of Virology and Wuhan University received NIH funding. The report noted that NIH funded the WIV’s project “Understanding the Risk of Bat Coronavirus Emergence” which included “genetic experiments to combine naturally occurring bat coronaviruses with SARS and MERS viruses, resulting in hybridized coronavirus strains.” Additionally, GAO determined NIH funded the Wuhan University’s collaboration with WIV on viral detection in the Yunnan province. Pursuant to 18 U.S.C. § 1001, whoever “makes any materially false, fictitious, or fraudulent statement or representation” as part of “any investigation or review, conducted pursuant to the authority of any committee, subcommittee, commission or office of the Congress, consistent with applicable rules of the House or Senate” is subject to criminal fines and imprisonment of up to five years. Before Congress, Dr. Fauci denied funding gain-of-function research, to the press he claims to have a dispassionate view on the lab leak hypothesis, and in private he acknowledges gain-of-function research at WIV to his colleagues. His own colleagues have acknowledged Dr. Fauci’s inconsistency. A congressional hearing, however, is not the place for a public servant to play political games – especially when the health and well-being of American citizens is on the line. For this reason, I request that you investigate whether Dr. Fauci’s statements to Congress on May 11, 2021, violated 18 U.S.C. § 1001 or any other statute.⁴⁰

After the start of the COVID-19 pandemic, the record reflects that Defendant Fauci used his influence to organize and arrange the sabotage of the lifesaving COVID-19 treatments hydroxychloroquine and chloroquine.⁴¹ He offered transparently false and inconsistent arguments,

⁴⁰ See <https://www.foxnews.com/politics/fauci-referred-justice-department-criminal-investigation-allegedly-lying-under-oath-congress>.

⁴¹ See Citizens’ Prosecutor’s Exhibit 1 at ¶ 77.

pushing on the one hand unproven speculation about some topics surrounding COVID-19, but then arguing that hydroxychloroquine and chloroquine had not been through years of rigorous testing for use to fight COVID-19 (despite having been approved for fighting malaria in 1953), given that COVID-19 had only existed at that point for about seven (7) to eight (8) months in total.⁴² Defendant Fauci sabotaged life-saving treatment by asserting a completely different standard of research that did not apply to his favored recommendations. Thus, Defendant Fauci's worldwide sabotage campaign against hydroxychloroquine and chloroquine resulted in the deaths of a very large number of the tens of millions of people who died of COVID-19, more than who were killed in the Holocaust, who could have been saved from COVID-19 by early intervention with these other drugs.⁴³

Furthermore, Defendant Fauci knowingly and willfully lied about the effectiveness of hydroxychloroquine and chloroquine and induced others to disparage the well-established medication approved since 1953 in order to support Emergency Use Authorization of expensive new vaccines.⁴⁴ Indeed, in order to maximize profits for friends, allies and himself related to "Big Pharma," that is the pharmaceutical industry, it appears Defendant Fauci engaged in kickbacks and other illegal acts in and by the pharmaceutical companies. In order to further this scheme, Defendant Fauci needed to sabotage any effective treatment for COVID-19 in order to meet the legal test for Emergency Use Authorization.⁴⁵

The record reflects that a change in the law enabled government employees like Defendant Fauci to own or share financial benefit in patents, and/or the NIAID which he controls to be part

⁴² *Id.* at ¶ 78.

⁴³ *Id.* at ¶ 80.

⁴⁴ *Id.* at ¶ 81.

⁴⁵ *Id.* at ¶ 82.

owner in the patents.⁴⁶ Additionally, Defendant Fauci is listed as one of the co-inventors of many relevant and related patents.⁴⁷

IV. ANALYSIS.

A. Count I – Lying to Government Officials

18 U.S.C. § 1001 states in pertinent part:

Except as otherwise provided in this section, whoever, in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States, knowingly and willfully – (1) falsifies, conceals, or covers up by any trick, scheme or device a material fact; (2) makes any materially false, fictitious, or fraudulent statement or representation; or (3) makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry; shall be fined under this title, imprisoned not more than 5 years or, if the offense involves international or domestic terrorism . . . imprisoned not more than 8 years, or both. If the matter relates to an offense under chapter 109A, 109B, 110, or 117, or section 1591, then the term of imprisonment imposed under this section shall be not more than 8 years.

18 U.S.C. § 1001(a). The Citizens’ Grand Jury Indictment alleged that Defendant Fauci made multiple false statements to other agencies, officers and branches of the U.S. government. Lying to officials or making false representations to officials of the U.S. government is criminalized to the extent that the false information interferes with the operations of the government agencies. Thus, even though here Defendant Fauci is a government official, knowingly and willingly deceiving other government officials, agents or agencies can harm and did harm the operations of the government.

In this context, “in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States,” means any official proceeding, investigation, decision-making, adjudication or hearing. “Matter” here means a pending decision, adjudication,

⁴⁶ See <https://factcheck.thedispatch.com/p/does-anthony-fauci-own-half-the-patent>.

⁴⁷ See <http://stateofthenation.co/?p=13365>.

hearing or project as activity of the U.S. government. In this context, “material” means that the information or lack of information is relevant and capable of changing a government decision or conclusion.

As such, information or the withholding of information would be “material” if the government proceeding, decision or action might turn out differently had the truthful information been full presented to the government official or agency. Here, lying to a government official includes the idea that the misinformation or withholding of information might reasonably have changed the outcome of the government proceeding, decision or action. It is not required that the decision or conclusion is certain to be different; rather whether the government decision makers were entitled to the information to be able to make the best decision and conclusion given the information provided.

The record reflects that Defendant Fauci knowingly and willfully lied to government officials and agencies in order to protect China and conceal his own involvement in creating the COVID-19 virus and then personally profiting by pushing harmful so-called vaccines on the American people and others worldwide.

Thus, on the charge under Count I, this Court finds on behalf of the American people that Defendant Fauci is guilty of lying to a government official, pursuant to 18 U.S.C. § 1001.

B. Count II – Lying to Congress

As presented *supra*, 18 U.S.C. § 1001 states in pertinent part:

Except as otherwise provided in this section, whoever, in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States, knowingly and willfully – (1) falsifies, conceals, or covers up by any trick, scheme or device a material fact; (2) makes any materially false, fictitious, or fraudulent statement or representation; or (3) makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry; shall be fined under this title, imprisoned not more than 5 years or, if the offense involves international or domestic terrorism . . .

imprisoned not more than 8 years, or both. If the matter relates to an offense under chapter 109A, 109B, 110, or 117, or section 1591, then the term of imprisonment imposed under this section shall be not more than 8 years.

18 U.S.C. § 1001(a). Conviction for the felony crime of violating 18 U.S.C. § 1001(a) applies also to providing false testimony before a congressional hearing or any other misinformation provided to congress or withheld from congress to create a false impression, including “in any matter within the jurisdiction, legislative, or judicial branch of the Government of the United States.” 18 U.S.C. § 1001(a).

The record reflects that Defendant Fauci lied to Congress when he, *inter alia*, testified falsely to Senator Rand Paul that “the NIH has not ever and does not now fund gain-of-function research in the Wuhan Institute of Virology.”⁴⁸

Thus, on the charge under Count II, this Court finds on behalf of the American people that Defendant Fauci is guilty of lying to Congress, pursuant to 18 U.S.C. § 1001.

C. Count III – Lying to the American People

Asserting common law and the laws of nature, if people and government officials are prosecuted for lying to the government, it follows that government officials should be held responsible for lying to the American people. The record reflects that Defendant Fauci knowingly and willfully lied to the American people to protect China, to hide his own involvement in creating the COVID-19 virus and to maximize the profits of big pharmaceutical companies, from which he likely benefitted.

Thus, on the charge under Count III, this Court finds on behalf of the American people that Defendant Fauci is guilty of lying to the American people, pursuant to the laws of nature.

D. Count IV – Criminally Negligent Homicide

⁴⁸ See <https://www.foxnews.com/politics/fauci-referred-justice-department-criminal-investigation-allegedly-lying-under-oath-congress>.

The crime of criminally negligent homicide involves causing someone's death by acting in a manner that was reckless, inattentive or careless, covered by 18 U.S.C. § 51. The record reflects that Defendant Fauci funded, arranged, solicited and encouraged the creation of the deadly COVID-19 virus by funding the genetic manipulation of SARS (SARS-CoV-1) and other coronaviruses in gain-of-function projects in the Wuhan Institute of Virology to knowingly and intentionally alter SARS-CoV-1 and other coronaviruses to become more deadly to humans and more easily transmitted from human to human by casual contact or mere transport of breath.

Defendant Fauci knew that the genetic manipulation of dangerous viruses posed a severe threat to the world's population because he explicitly said so in his published 2012 scientific article and he knowingly argued to intentionally disregard that severe risk. As such, Defendant Fauci knowingly and intentionally ignored a severe risk of mass deaths worldwide and acted despite of that risk of which he was fully aware. Defendant Fauci proceeded to have the American people and the world shoulder the risk of dangerous actions that would benefit his own career and reputation along with his compatriots' careers and reputations at the risk of death to people who had no say in his dangerous scheme.

The record reflects that Defendant Fauci not only arranged the funding for the dangerous gain-of-function genetic manipulation of earlier coronaviruses but actively encouraged, helped organize and helped plan the genetic mutation project even if from a distance by giving the projects legitimacy and focusing these efforts in particular ways. Defendant Fauci facilitated the creation of the COVID-19 virus by arranging for some key ingredients for the genetic manipulation to be provided to the Wuhan Institute of Virology from sources in the United States, including biological research facilities, and from other nations.

Defendant Fauci caused the death of at least 1,129,573 Americans and at least 6,827,623 people worldwide by his actions in creating an extreme risk of illness and potentially death through his funding and encouraging of gain-of-function research, more people than even the 6,000,000 plus Jews killed during the Nazi Holocaust. Defendant Fauci is also responsible for those deaths by sabotaging effective medicinal treatments proven safe since 1953, such as hydroxychloroquine and delaying the treatment of infected persons to favor creation of expensive vaccines profitable to allies in big pharmaceutical industries.

Thus, on the charge under Count IV, this Court finds on behalf of the American people that Defendant Fauci is guilty of criminally negligent homicide.

E. Count V – Foreign Agents Registration Act

22 U.S.C. § 612 states in pertinent part:

No person shall act as an agent of a foreign principal unless he has filed with the Attorney General a true and complete registration statement and supplements thereto as required by subsections (a) and (b) of this section or unless he is exempt from registration under the provisions of this subchapter. Except as hereinafter provided, every person who becomes an agent of a foreign principal shall, within ten days thereafter, file with the Attorney General, in duplicate, a registration statement, under oath on a form prescribed by the Attorney General. The obligation of an agent of a foreign principal to file a registration statement shall, after the tenth day of his becoming such agent, continue from day to day, and termination of such status shall not relieve such agent from his obligation to file a registration statement for the period during which he was an agent of a foreign principal.

22 U.S.C. § 612. The record reflects that Defendant Fauci represented the interests of China as well as foreign businesses to influence U.S. government actions and foreign policy. Defendant Fauci did not register as a foreign agent as required by the Foreign Agents Registration Act (“FARA”) within the relevant time periods, but instead illegally acted as a foreign agent representing the interests of foreign countries to influence the actions or omission of actions to benefit foreign countries and wealthy businesses politically connected in those foreign countries.

Thus, on the charge under Count V, this Court finds on behalf of the American people that Defendant Fauci is guilty of violating the FARA.

F. Count VI – Obstruction of Justice

Defendant Fauci actively interfered with attempts by the U.S. government to determine whether to hold China accountable for its actions through misdirection, interference, lobbying on China’s behalf and false statements.

Thus, on the charge under Count VI, this Court finds on behalf of the American people that Defendant Fauci is guilty of obstruction of justice.

G. Count VII – Honest Services Fraud

Honest Services fraud under 18 U.S.C. § 1346 is a federal crime involving the misuse of an individual’s position or authority for personal gain or advantage. It is a scheme to defraud another of the intangible right to honest services through a scheme to violate a fiduciary duty by bribery or kickbacks. The fiduciary duty described here is a duty to act only for the benefit of the public, an employer, shareholders or a union.

As a public official, Defendant Fauci had a fiduciary duty to the public and the United States of America to perform duties and obligations on behalf of the United States for the benefit of the United States. The record reflects that Defendant Fauci knowingly devised and also participated in a scheme to defraud the public and to deprive the public of the intangible right to honest services through bribery and kickbacks, including conspiring with China and the World Health Organization. Defendant Fauci acted with the intent to defraud and acted with the intent to personally profit from the scheme, directly or indirectly, by receiving direct financial interests in companies and patents delivered to him as bribes for his abuses of government authority, by

banking favors with wealthy pharmaceutical companies in return for present and future *quid pro quo* benefits.

The record reflects that Defendant Fauci's scheme to defraud involved a materially false or fraudulent pretense, representation or promise, including omissions and concealment of material information capable of influencing the decision of others. Specifically, not only did Defendant Fauci fund the creation of COVID-19, as alleged, but he also conspired with and coerced institutions and government officials and medical professional organizations to oppose and block treatments, medication and immune response enhancements that are decades old, proven, inexpensive and tested as safe over long periods of time, whose widespread use would have undercut the profits earned by pharmaceutical companies, distributors and providers for new, unproven and poorly tested medications and vaccines presented as wonder drugs. As such, the worldwide public and the citizens of the United States of America were harmed by Defendant Fauci's scheme as they had a right to received honest services as Director of the National Institute of Allergy and Infectious Diseases.

Thus, on the charge under Count VII, this Court finds on behalf of the American people that Defendant Fauci is guilty of honest services fraud.

V. CONCLUSION.

Accordingly, this Court finds Defendant Fauci guilty of Counts I – VII, lying to government officials, lying to Congress, lying to the American people, criminally negligent homicide, violation of the Foreign Agents Registration Act, obstruction of justice and honest services fraud for his involvement in placing the health, safety and the lives of U.S. citizens in direct physical harm and death by knowingly and intentionally funding the genetic alteration of

the coronavirus specimens in gain-of function research projects in China for which he personally profited.

Dated this 20th day of September, 2023.



Mike Pendleton
Judge of the Citizens' Court