

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

Leroy Banks III, et al

Plaintiff,

vs

The United States of
American, President George Bush,
et al
Defendants.

Civ. No.

CLASS ACTION

COMPLAINT FOR VIOLATION OF
THE FEDERAL SECURITIES LAWS

DEMAND FOR JURY TRIAL

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF LA

2006 JAN -6 1P 4: 12

LORETTA G. WHYTE
CLERK

05-6853

SECT. C MAG. 4

COMPLAINT

I. Previous Lawsuits

for Leroy Banks III

A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment?

Yes () No (X) (see attached exhibits)

Fee Pauper
 Process _____
 Dktd _____
_____ CtRmDep _____
_____ Doc. No. _____

3

defendants list.

1. President George W. Bush
2. Governor Blanco
3. Mayor Ray Nagin
4. Attorney General C. Folt, et al of Louisiana
5. F.B.I. Agents.
6. F.E.M.A = Mike
7. N.O.P.D
8. First Avenue Baptist Church
9. C.N.N, Atlanta
10. W.D.S.U, Atlanta
11. W.W.L, New Orleans

4

12 Sewage and Water Board
of New Orleans

13 Army Corp of engineers

14 Social Security office

15 All State insurance Co.

16 Z.C. Sterlin insurance co.

17 S.B.A

18, Midland mortgage Co.

B. If your answer to A is "yes", describe the lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to the previous lawsuit

Plaintiffs Leroy Banks III
- V -

Defendants Franklin American Mart, co.
Etal

2. Court (if federal court, name of the district court; if state court, name the parish)

U.S. Eastern Dist. Court of La.

3. Docket Number 04-2854 Sec - N -

4. Name of Judge to whom case was assigned Mag. ~~D.~~ D. Knoweler

5. Disposition (For example: Was this case dismissed? Was it appealed? Is it still pending?)

Still in process (pending)

6. Approximate date of filing lawsuit must obtain on certiorari

7. Approximate date of disposition " R & R "

C. Have you had any previously filed federal lawsuits or appeals, whether or not related to the issues raised in this complaint, which have been dismissed as frivolous, malicious, or for failure to state a claim for which relief can be granted by any federal court?
Yes () No ()

If your answer is "yes", list the civil action numbers and the disposition of each case. You also must identify in which federal district or appellate court the action was brought.

See all cases on certiorari in this
Clerk of Court records and the U.S.
5th Cir Court of Appeals 2000
Camp Street, concerning Leroy Banks III
Briefs.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

Leroy Banks III, on behalf
of himself, et al

Plaintiff,

vs.

United States, George W.
Bush, et al

Defendants.

Civ. No.

CLASS ACTION →

COMPLAINT FOR VIOLATION OF
THE FEDERAL SECURITIES LAWS, ect....

DEMAND FOR JURY TRIAL

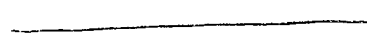
and Monetary, Compensatory,
Punitive and other relevant
damages/Relief

For

Leroy Banks III on behalf
of himself and the other
Future Named Plaintiff of
this class action

Leroy Banks III
5300 Snappingfinger Park
Dr.
Decatur, Ga
Room 108
Holiday Inn Express

Defendants



See Defendants
list attached

II. PLACE OF PRESENT displacement } → Decatur, Georgia
5300 S. Napfenger Park Dr. 30035
Holiday Inn Express

- A. Is there an Administrative grievance procedure in this complaint?
Yes () No ()
- B. Did you present the facts relating to this complaint in the A.R.P. grievance procedure? Yes () No ()
- C. If your answer is "yes",

1. Attach a copy of all administrative complaints you have filed regarding the claims raised in this lawsuit and copies of all prison responses. If copies are not available, list the number assigned to the complaint(s) and approximate date it was presented to F.E.M.A. ? FEMA

2. As to each grievance complaint provided or listed above, have you exhausted or completed all steps in the procedure, including appeals?
application and objection memo faxed to them, attached and my insurance claims
all steps required under the C.R.T.P.A Act.

D. If your answer is NO, explain why you have not done so: note;
if no body has filed F.E.M.A application they can't become a party plaintiff to this class action.

III. Parties

(In Item A below, complete the following information. Do the same for additional plaintiffs, if any.)

For Plaintiff

A. Full Name of Plaintiff (First - Middle - Last) Leroy Banks III

F.E.M.A Application → Number app. 921173963 # dis. 1603

Address damaged - 626 - 628 S. Alexander St.
New Orleans, La. (see displaced address listed above)

Date of Birth 3-1-70

Date of incident, aug. 29, 30, and thereafter of 2005

Date of displacement Aug 30, 2005 to the superdome
and then to Texas and now
Decatur, Ga. as listed above.

Nature of The
Action and cause
For which relief Can Be
Granted.

I the plaintiff Leroy Banks and other potential class members to be added in this class action that will Supplement my statement as it applies to those individual citizens (plaintiffs) contend the following facts which includes of the United States Secured rights and Federal statutes and the Federal Tort Claims Act (F.T.C.A) and or other Exhibits To be considered by the court and Jury if commenced to trial as requested. We the plaintiffs contend that the United States (President, La. Governor, and Mayor) , etal, ect, ... has well publisized and acknowledged their participation in failing and refusing to protect us from the irreparable grievances that they caused us to suffer by verture of their Negligance and malicrious intents to kill the Class members in the captioned case, Not to mention the

deceased plaintiffs, who suffered and die a horrible death, and disfigurement and but not to mention the same violations of their rights as stated herein that is evidenced by public records and reports of these parish's, analysts, reports, and advisories about tragic event of Aug. 29, 2005 Hurricane Katrina and there after Hurricane Rita, the truly proved the fact of this case that the the defendants in pre in part cause by closing the flood gates of the industrial canal and refusal to turn on the cities pumps to release the excessive waters that destroyed the ~~the~~ lives of the plaintiffs in this class action and that left a unforgettable and drastac impression and scares in their memory for life, and the kids that are also emocionly scared for life and may never be able to live a narmal life with out fear that the Goverment off.cids that their Parants voted in office might make an attempt to kill them again as they done in Hurricane Katrina.

I the plaintiff Leroy Banks and the other featured named Plaintiffs in this class action contend and will after due ~~due~~ proceedings had, we will produce via subpoena the "well" known filings and reports, securities analysts recorded and Administrative Judicial proceedings and advisories about the dangers that was purposely imposed upon all members of this class action, I/we also contend that media reports of this matter and facts (press releases) and any relevant public statement issued by the Government officials ect... named in this captioned matter I the plaintiff Leroy Banks and other members of this Class action believes that substantial additional evidentiary support will exist for the facts of this suit as set forth herein after a reasonable opportunity for discovery.

IV

I
 Plaintiff(s) Leroy Banks has alleged the following based on the personal knowledge and investigation of Plaintiff and other intimates which includes a review of the United States Federal Emergency (Fema) management and other authorized associates who are listed as defendants herein, recording, filings and reports, security analysts reports and media tapings and pictures and or reports to the facts of this complaint otherwise known as press releases and other public statements issued by the defendants in the captioned matter and I the plaintiff believes that substantial additional evidentiary support will exist for allegations set forth herein after a reasonable opportunity for discovery is conducted via the Fed. Rule of Civil Procedures Rule 26

Nature of Suit (Civil Rights Violations)

This is a federal civil rights class action on behalf of myself Leroy Banks, my family and other citizens of New Orleans Parish, St. Bernard Parish, and Metairie and Kenner (La)

VI

parishes that suffered the same ~~the~~ stated violations contained in this class action that perpetrates that as of Aug 30, 2005 and thereafter, to wit we ^{are} seeking to pursue remedies under the Federal Tort Claims act and our protected U.S. const. rights that were deliberately violated by all defendants listed in the caption of this case, we also see indictments pursuant to 18 U.S.C § 242 the criminal counterpart of 42 U.S.C §§ 1983 et...

In The U.S. Eastern Dist. Court of La.

Leroy Banks, - v - The U.S. A, President Bush,
etal - etal

Now into court come I Leroy Bank II etal in proper person and prose Now move through the in re complaint and request of certification of this complaint as a class action reserving the rights to amend the plaintiff's list adding additional class members. as required by The Fed. Rule of Civil procedures, I further contend that this is a statement of facts to this complaint as stated Below as to the irreparable grievances and circumstances caused by the defendant's listed on the cover page of this civil action. as are stated below as follows:

Statement of Facts

(1)

I the plaintiff Leroy Banks contend that on Aug 29, 2005, and thereafter the defendants listed caused the following violations and unlawful acts by virtue of their total subjective and willful deliberate indifference and malicious intents to and did destroy the property and lives kill the stranded citizens who remained in

2
 the parishes of Orleans and St Bernard of La. by refusing to maintain and turn on the Pumps to secure the citizens from excessive flooding and damages and for ~~partial~~ harm or death.

I contend that the State, Gov., and city officials and enterprises purposely close the Flood gates of the industrial canal in new Orleans causing a "spontaneous combustion" to the flood gates, levees, and sewage canals, with the intent to murder the stranded citizens in these parishes.

I contend that these defendants sacrificed the lives of the deceased and surviving Plaintiff in this suit, to protect the C.B.D and the French Quarters in New Orleans, but was unsuccessful with their intents and attempts to murder 10,000 citizens of New Orleans as estimated but was

3

successful in murdering "over 1000" citizens which also includes my immediate family member by the name of Ricky Chester, who was found dead murdered as others citizens who died by verture of the flood created by the defendants named herein.

(2)

I the Plaintiff and the other Plaintiff to be listed in this case contend that we do not in any way, by excepting grants from fema or any other federal agency directed by fema, and we aver that any such capricious release form conspiracy provided by fema is valid to support the defendants from any liability to which is clear claims to which relief may be granted as guaranteed in the attached relief section attached to this complaint (suit), and in the sum there stated.

(3)

I the plaintiff Leroy Banks contend that and my co-plaintiff's agrees that these defendants have been

4

made totally aware of our losses, and damages we've incurred and contend that by the appropriate Fed. Statutory Provisions (codes) and the U.S. const. that protects of from wanton and abusive treatment and under the TORT act of the Fed Tort Claim act (FTCA) we have totally exhausted our administrative remedies as required to fema ect. .. but have been totally discriminated against and further conspired against and/or totally ignore in part or in whole to the required sums to the damages ect. .. we have suffered as stated above. Therefore as similar to the (CRIPA act) .. we have totally exhausted our grievance procedures Prior to filing this suit and criminal complaint that has been totally ignored by the defendants of The F. B. I, Local Police, and New midas as listed in the caption of this complaint.

therefore in view of "Bivens" these defendants are being sued and prosecuted in both their official and individual capacities for their participation and violations and conspiracies committed against us, and the ~~liberty~~ and slander and their racial and other discrimination they committed in this matter.

(4)

Finally when this case is brought for Jury Trial and due proceedings had we pray that there be judgement in favor of we the plaintiffs classmembers and against the defendants for their violat~~ions~~ and unconstitutional (both civil & Criminal) abusive and arbitrary actions and their subjective deliberate indifference to our safety and health as listed below and that will be itemized (based quantum) at the court's request and cases cited thereto the relief we're entitled to which may also increase amended before trial as the law authorize amendments to relief must be entered before trial, we also in addition contend that these

Proced~~ure~~ herein and cost of this suit

6
● should be -
- at their cost and the demand requested in the attached relief Page as well as attorney fees in the event that there be added attorneys of records in this matter. We also out of the abundance of caution Reserve the rights to amend or Supplement this complaint as need arise.

● Wherefore when proceeding in pro, se (s) as to all plaintiffs to be certified in this captioned case and due to our indigent status we are entitled to proceed in form pauper status and relieved from filing fees pursuant to 42 U.S.C. § 1915 and immuned from Sales, Taxation, and regulations pursuant to 36 U.S.C. § 4(g) as also violated by some defendants listed. Named in this captioned case see attached exhibits and FEMA Records and Redcross record to be obtained and reviewed on petition of Certiorari by this Honorable Court ect,....

7

Relief

I the plaintiff and the future Name plaintiff of Orleans Parish, St Bernard Parish, Metairie and Kenner of Jefferson Parish hereby seeks the relief hereby sought as Itemized below and in sum and the appropriate quantum that applies for the damages as also Itemized below;

- ① Racial discrimination a violation of our U.S. Const rights under the 1st amend, "the discrimination also applies to discrimination to" "the class of people (poor and middle classes)";
- ② Cruel and unusual Punishment and the wanton ~~the~~ unnecessary infliction of pain and death, and mental anguish under our U.S. Const, right 8th amend.
- ③ Violations of the National Fair Housing Act. - Title 8
- ④ Violations of the Fair Credit Act.

8

5) Violations of the Code of Ethics

6) Violations of the La Code of Cr. Pra. Criminal damage to (water) pipeline

7) Wrongful Death

8) Theft

9) Conspiracy

10) Violations of the Fed. Tort Claims Act (FTCA)

11) Insurance Fraud

12) False publications via media reports

13) Breach of obligation under the law to protect the plaintiffs (citizens) in this ~~actions~~, as to the

9

14. Violations of the National insurance laws and security laws that Prohibits Arbitrary and Capricious intents to monopolize off of individuals who are indigent and suffers from harden sencibilities and irreparable Grievances ect...

15. Negligance . ect...

Therefore we the Plaintiffs of this class action seek to sue the above listed defendants and future defendants to be Named in both their individual and official capacities for their total subjective and ~~willful~~ deliberate indifference to the claims and rights that secure us from such malicious acts committed by all defendants who participated in the violations stated in this suit, therefore we seek the sum of \$150 Billion dollars from each defendant herein and to be Named in this case to which we have exhausted our administrative remedies via FEMA application to peacefully resolve this matter,

10

But was only further tortured and conspired against by the defendants listed and others to be listed, leaving us no other remedy but to pursue Civil & Criminal action pursuant to the appropriate federal statutory provisions that applies to our claims. We contend that after due proceedings had that this relief(s) sought be equally divided between all class members who exhausted the administrative remedies via FEMA application pursuant to the C.R.I.P.A act. We finally reserved the rights to amend this relief as need arise as to the future amended defendant list and the claims of other classmembers.

see attached

S. B. A

documents attached

as under lined

page "2"

Jurisdiction
AND
Venue

We the Plaintiffs of this class action as to the facts ~~of~~ of the claims asserted herein arise under and pursuant to Federal Statutory provisions under Title 42 U.S. Codes and appropriate § that applies, the U.S. Const. Rights, and the related statutory provisions as Itemized in the relief. Pages of this suit, as well as the F.T.C. Act and the C.R.I.P.A act. and the remedies were exhausted prior to filing this suit and last but Not least the title 35 U.S.C § 1(g) and any other Statutory provision and applical law that applies.

I the plaintiff and My co-plaintiff contend that this court has Jurisdiction over this subject matter(s) in this action pursuant to 42 U.S.C § 1983, The U.S.C Title 28 of the U.S. Code §§ 1337 and, sec. 27 of the exchange act [15 U.S.C § 78aa]

B

I the Plaintiff Heroy Banks contend the venue is proper in this district pursuant to sec. 27 of the exchange act and 28 U.S.C. § 139 (b), many of the change herein, occurred ~~in Substania~~ including the preparation and dissemination of materially false and misleading information given to use on the 30th of aug. 2005 the day of the Katrina by the named defendants as to the releasing of the excessive contaminated water and not advising us of the breaching of the levees of the industrial canal and 17th street canal, the defendants purposely stated that the pumps were not on and that they was going to turn them on. and not attempting to rescue us from the increasing rising waters as obligated by the National security laws of the united States. however, these false and misleading information occurred in substantial part in this district and the defendants conducts and breach of their political obligation to protect us as to be the political business of the

defendants (U.S. State and City officers) and the defendant either named insurers and entities who conducts business in this district. (as to the Exchange prone of Sec. 27)

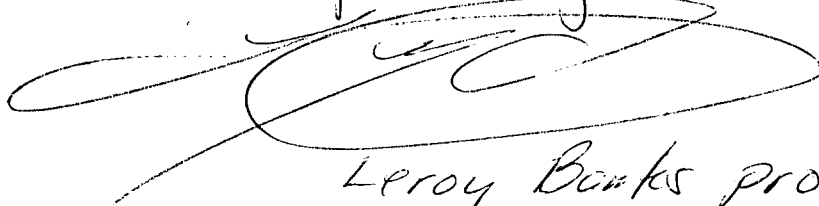
Therefore I the plaintiff and others, as evidenced by media reports contend that in connection with the acts committed by the defendants in re; and in view of Harlow - v - Fitzgerald (cite omitted) to where the political officers has acknowledged fault at all levels of government in RE, which constitutes as an abandonment of any kind of immunity as stated in the facts of this complaint (suit) and that is evidenced by media reports as to the defendant named herein and in the future to be added, directly or indirectly used means of the machines, and man build objects (Flood gates) and other instrumentalities of the U.S. interstate and airwaves to infringe on our const. rights to be free from cruel treatment, discrimination; deprivation of procedural due process and other Tort acts and abusive conduct ect... as well as conspiracy to monopolize from our harden sensibilities and irreparable grievances through Charity and Government

grants and insurance policies ect...
refusing to distribute and enforce
the distribution of those charitable
funds relief and Government Grants
to properly ease our burdens as
stated in this captioned matter, including
but not limited to the U.S. of mail,
interstate telephone communication as
an attempt to intimidate the class members
of this captioned case and further
deprive us all of the available relief
as stated above that closely amounts to
the sums of the relief sought in
all related monetary, compensatory, and
punitive damages sought as requested in
the relief section of this suit which
shows their further intents to deprive us
facilities to obtain rehabilitation of our lives
and the proper relief due us through the
National securities and as to the
other entities insurers, ect... who acted
with deliberate indifferences and conspiracies
with others to commit the same unlawful
acts as to the ~~act~~ Nation securities
that they marketed in this district

I the plaintiff on my behalf and in part of the others, as set forth in accompanying documentations of the defendants that pertain to the insure class members and applicants of F.E.M.A. who have encountered the same malicious manner of intimidation, treats and deprivation of due process and relief, by verture of the relevant defendants FEMA et al's et... conspiracy to fraudulently obtain funds that are granted to us by Gov. funds and to conspire with other businesses and government agencies and public officials of the states where we are evacuated to by verture of these public officials conspiracy to kill 10,000 citizens with the arbitray and capricious act of malice and discriminatory abuse of powers and that destroyed the lives of the surviving citizens class members of this class action, who are scared for life with total fear of the Government of the U.S. A and other listed defendants in this captioned matters Tort act that are still being committed.

wherefore the parties can obtain judgement for the relief sought and the relief the Governmental defendants has acknowledged are available through Grants in all releivable matters for finance, housing and insurance to resolve the defendants liabilities to our losses and physical damages ect. . . . they caused in the amount(s) w^h the Plaintiffs demand with all related intrests and increasement in policies and contract s^h or applications as propounded to the court in this matter, which Proves there's no diversity circumstances existing or defense of improper Jurisdiction or Venue, over this subject matter, not to mention this district is an agency of the district of which this incident occured. . . . Therefore all defendants are to be held liable for thier participation in this matter and they should be held liable in their individual and off. cial capacities in this matter, and properly prosecuted both civilly and criminally by law of the United States. . .

Respectfully Submitted



Leroy Banks pro, se
Plaintiff of this
Class action

see all Exhibits attached

Note

If the plaintiff contend that this should also be taken in view of Estelle v. Gamble (cite omitted) where the court held that,

a pro, se complaint must liberally be construed and taken as true and genuine, no matter how unartfully the Pro, se plaintiff proceed or prepare his/her claim (or complaint)

Therefore the court should
Not be bias or prejudice none
what so ever towards me or
any member or Part of this
Class action.

Thanks

See all Exhibits
attached
and read threrally
and also
Obtain Other Exhibit
as directed on
audit or certirari
by writ
we will request to obtain
the declerations of release
document from
the Earthquak victims
that was given

Note The
Court must
Read the attached

Exhibits word for
word and
apply to the
complaint
in view of
the canon 3
Code of
Judicial Conduct
The Court should not
conflict or
ignore no portion
of these Exhibits
or the Exhibits to
be obtained on certiorari