

Imperial City of Persenburg-Götzödorf

Imperial Supreme Court

COURT DOCKETS

Public Criminal Lawsuit n° 0000001.2017.3-ISC.400 filed by Anton Wenzel in the name of the Empire against Thomas of Cumagne on charges of acting against national security, undermining the government, attempting against the Emperor, offending citizen, defaming national citizen, hacking virtual property of government, offending the State and its institutions, controlling fictitious profile to act surreptitiously against the State, bad conducting as government official and member of the public administration.

FILING

In the twenty-eighth day of October of two thousand and seventeen in Register Office I file the following documents. And for record I made these dockets. I, Anders Georg Friedrich Fariah-Marseles, Registrar of the Imperial Supreme Court, susbscribed.

IMPERIAL SUPREME COURT KARNIA-RUTHENIA v. THOMAS OF CUMAGNE, (2017) PRESENTED: October 28, 2017

STATEMENT of FACTS

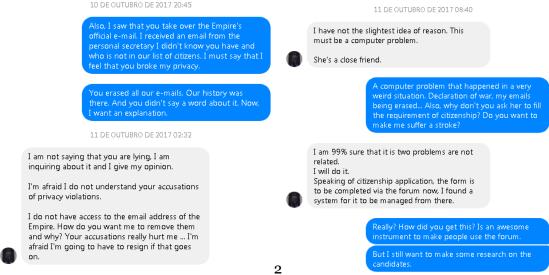
Thomas of Cumagne, former citizen of Karnia-Ruthenia, former Imperial Chancellor, former minister of strategic affairs, former ambassador to Belgium, practiced numerous illegal acts against the empire, its people and democratic institutions. The crimes will be pointed out and explained, as well as proven, just below in the text. Returning to the MAGNA Group last night (October 27, 2017), he entered into argument against His Royal Highness, Duke Michael of Appinfeldt, where he accused the emperor of conspiracy, of inventing a war, of injustice as to the failures presented by the forum and by e-mail that have been withdrawn from the emperor's domain, that there is no legal provision justifying his withdrawal from the office of chancellor and that he has evidence to substantiate his allegations.

Through this petition, we ask the Palatine of the Court to judge the cause.

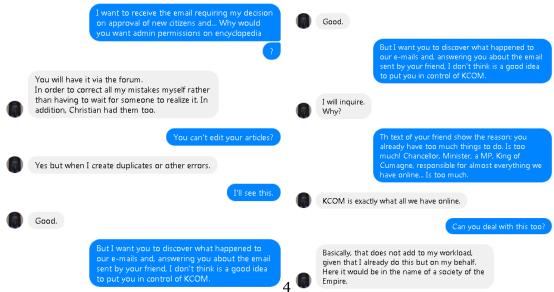
ALLEGATIONS

Cumagne left the empire after the second Treaty of Nison. Before that, however, relations between the emperor and the accused declined. As proof attached, the accused had responsibility and power over all of the empire's media. The emperor was surprised by some technical flaws that would later be interpreted as attempts by the accused to weaken the emperor's position and seize power.

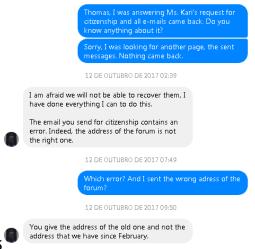
Shortly before the forum went offline, an email was sent through a "personal secretary", Ms. Kari, of the accused requesting the appointment of the accused to chair a state-owned technology company, claiming that the accused already had de facto power over the empire's technological apparatus. The request was denied and the forum has since been discontinued. Attached, messages exchanged between the emperor and the accused testifying the alleged.



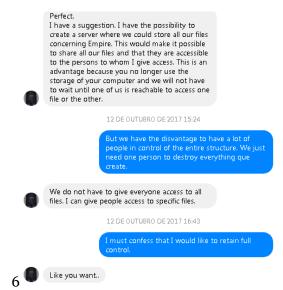
The email used to register the "friend" of the accused was the email of the chancellor. Although it still appears in national archives, the proof of the registration email was in the hacked email. The emperor began to distrust and the conversation followed.



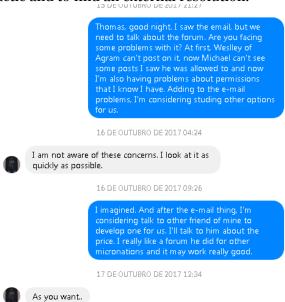
Despite the mistrust, there was no evidence and therefore, nothing was done. However, the inner circle of the government was warned to be under caution. But the texts above demonstrate the content of the email sent and that can not be recovered as much as the existence of the citizen who tried to act in favor of the accused. The problems persist, and the conversation gives us the name of the friend of the accused and that despite everything, she would be made citizens of the empire.



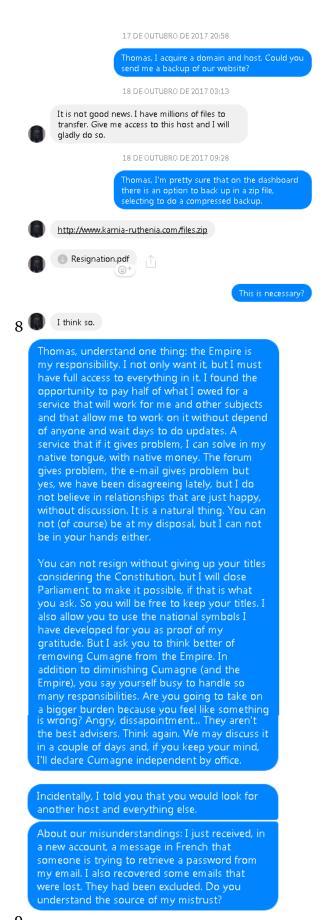
Suspicious of the problems that already assaulted the structure of the empire, more would still come with the proposal of the accused. For the second time, the accused would try to gain more power.



Without making accusations, but facing the problems, the emperor decides for another tactic and to find an external resolution.



Assisted by a micronationalist of his confidence, the emperor acquired another domain and hosting for the site, which in theory would solve the problem. The accused, then, makes use of desperate tactics to delay the emperor's plans and harm the empire, since he would not have the power he sought.



The discussion continued. Accusations were made on both sides. What follows, happened the next day.

I believe you changed the 'contact@karnia-ruthenia.com' password, isn't it?

And you erased the forum. Ok.

19 DE OUTUBRO DE 2017 03:30

You made a mistake, I have not had access to the internet for more than 12 hours.

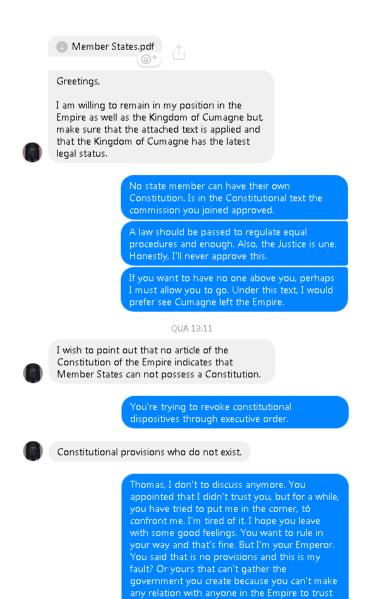
19 DE OUTUBRO DE 2017 07:46

So, what explain that?

I know nothing about it, I am far from being a IT specialist.

The accused lied and this will be proved later.

The break-up between the parties was an attempt by the accused to break the constitution and secure a regional constitution for Cumagne.



Despite the allegations made by the accused, there is a constitutional provision preventing this fact as follows:

you enough to follow your steps? Don't you dare to make me responsible for your flaws. I

ARTICLE 57 The Karno-Ruthenian Empire is an unitary, monarchical, parliamentary and multi-party Democratic State of Rights.

ARTICLE 58 The Empire establishes through its central power its administrative subdivisions, formed by the Kingdoms, Principalities, Duchies and any other constituent state that receives the legal quality of administrative region.

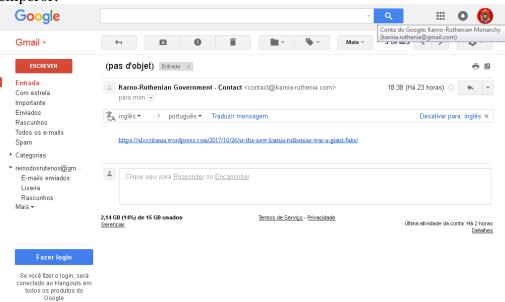
From a very simple analysis, it is possible to understand that there is no constituent power derived from unitary state. The interesting thing is that despite the small participation, the accused was a member of the constitutional commission that created the constitution that he intended to violate in his quest for power. Without possibility of reconciliation and coexistence, they signed the treaty and the accused became sovereign again. It inaugurated its independence with a liar article in

foreign media, which denotes the intention to undermine the empire.

More interesting than that were two facts: first, the old site, held by the accused, was taken off the air with the following message:



Yes, the same email that the emperor lost access to and that the accused also said he did not have access. Yesterday morning, the following message was received by the emperor:



The emperor received a message with the defamatory article from the email that nobody would have access to, with detail for the title in French. On the same day, the accused asked to join the Magna group, where he made the accusations he has made whenever he has the opportunity and that gave rise to the petition.

But it is not limited to that. Still using fake accounts, he tried to post on the official website - new - of the empire:

A new comment on the post "Karnia-Ruthenia officially declares war upon Juznoslavia." is waiting for your approval http://karnia-ruthenia-officially-declares-war-upon-juznoslavia/

Author: John (IP: 91.182.188.7, 7.188-182-91.adsl-dyn.isp.belgacom.be)

Email: john@icloud.com

URL: Comment:

This war is a story set up by Oscar to make him talk! He created a fake email address to send this statement.

Approve it: http://karnia-ruthenia.org/wp-admin/comment.php?action=approve&c=2#wpbody-content

Trash it: http://karnia-ruthenia.org/wp-admin/comment.php?action=trash&c=2#wpbody-content

Spam it: http://karnia-ruthenia.org/wp-admin/comment.php?action=spam&c=2#wpbody-content

Currently 1 comment is waiting for approval. Please visit the moderation panel:

http://karnia-ruthenia.org/wp-admin/edit-comments.php?comment_status=moderated#wpbody-content

Note the origin of the email: Belgium. And so it has been. He who accuses the emperor, does exactly what he accuses. But it is clear who is the criminal.

CRIMES

The accused alleges that he lost his office and that he was expelled without legal basis. Lie and let's now note what laws he violated, starting with the criminal code. According to article 5 of the criminal code, the revocation of citizenship is a possible penalty to be applied, and it is the most serious possible. Article 6 demonstrates that frivolous motive is a cause of aggravated penalty. With that in mind, let's fit the conduct of the accused into their criminal types.

When the accused, in his quest for power, takes the official government's contact medium and the forum out of thin air, he attacks national security. If this were done by a foreigner, it would be a crime. If it was done by a national, it's a crime too!

- 9. Acting against national security.
 - §. Penalty Revocation of citizenship and expulsion.

When the accused, in his quest for power, prevents the imperial diet from meeting, erasing the work of a legislature at the outset, it harms the government but also the people! And this is a crime!

- 10. Undermining the government and any of its organs and limbs, as well as the elections, plebiscites, referenda and other popular consultations.
 - §. Penalty Revocation of citizenship and expulsion.

When the accused, in his quest for power, accuses the emperor of lying and being authoritarian, when all the facts show that the emperor, despite being struck by the one he received with open arms, let the accused go freely and without public offense s, the accused becomes not only a low figure, but also a criminal, because lese-majesty is a crime!

- 11. Attempt against the King or the Royal Family.
- §. Penalty Public Warning, Order of Recantation or Revocation of citizenship and expulsion.

But also

- 20. Offend, humiliate and / or disrespect citizen.
- §. Penalty Public Warning. In case of recidivism, loss of rights. Is considered aggravating when the offense, humiliation or disrespect is against a member of the Government, of the Church or of the Royalty and Nobility.

- 24. Slander, defame or insult citizen, national or foreign.
- §. Penalty Order of Recantation. In case of recidivism, Revocation of citizenship and expulsion.

When the accused, in his search for power, deprives the emperor of his personal domains of communication, the empire's email, he becomes criminal, aggravated by the fact that he should watch over the proper functioning of the state apparatus, and not impede the access to the e-mail itself and try to dissuade him from seeking better infrastructure methods for the empire. He's a criminal!

- 13. Hack and / or deliver viruses or improper and abusive material to others.
- §. Penalty If wrongful, Public Warning; if Intentional, Revocation of citizenship and expulsion.

When the accused, in his quest for power, makes a foreign publication propagate lies internationally, without any basis, just to try to get revenge, he commits a crime!

- 14. Offend the Ruthenian State, its institutions and its symbols.
 - §. Penalty Revocation of citizenship and expulsion.

When the accused, in his search for power, makes use of false accounts, whether he used to try to offend the emperor's horn on the new website or the citizenship of the "friend", he commits a crime!

- 16. Control fictitious profile to act surreptitiously against the State or a citizen or group of citizens.
 - §. Penalty Order of Recantation.

When the accused, in his quest for power, misuses the powers entrusted to him, he becomes a criminal!

- 19. Bad conduct of government official or member of the public administration.
 - §. Penalty Public Warning. In case of recidivism, loss of the office.

And this is the understanding only of the penal code. In looking at the constitution, we see the following:

When the accused, in his search for power, makes accusations of crimes and rape against the emperor, forgets his representation as a national union and violates the following article

ARTICLE 64 The Emperor is inviolable.

When the accused, in his search for power, accuses the emperor of being a tyrant while preventing the imperial diet from coming together and puts democracy at risk, he allows the emperor to use the following article:

ARTICLE 65 The competences of the Emperor are:
VII – dissolve the Imperial Diet in cases of serious national security risk;

When the accused, in his pursuit of power, puts empire at risk, the emperor, as commander-in-chief of the armed forces, may make use of the following article:

ARTICLE 76 The defense of the country against foreign or domestic agents is carried out by the Imperial Army of Karnia-Ruthenia, linked solely to the central government.

When the accused, in his quest for power, also being a military subject to the commander-in-chief and harming the empire, leading him into a state of instability, we have another article analysis:

Thus, still according to our constitution, I request the use of article 103, III and decide the following:

- 1. Thomas of Cumagne should be found guilty for the crimes of 1) act against national security, 2) undermine the government, 3) attempt against the emperor, 4) offend citizen, 5) defame national citizen, 6) hack virtual property of government, 7) offend the State and our institutions, 8) Control fictitious profile to act surreptitiously against the State, 9) Bad conduct as government official and member of the public administration.
- 2. That it is for this reason applied the maximum penalty of loss of citizenship, rights and all its privileges, repealing his honors and distinctions.
- 3. By virtue of the accused's acts of betrayal, let this court decide what to do with the other ten citizens of Cumagne (except "Ms. Kari"), to decide whether to revoke their citizenship or whether they are allowed the chance to return to the empire.

Respectfully,

HIS SERENE HIGHNESS,

REGENT OF TSECHIA AND ARCHDUKE OF KARNIA.



IMPERIAL SUPREME COURT

OFFICE

Reference: PUBLIC CRIMINAL LAWSUIT Nº 0000001.2017.3-ISC.400

Author: KARNO-RUTHENIAN EMPIRE

Prosecutor: HSH Anton Wenzel Defendant: Thomas of Cumagne Origin: Imperial Supreme Court

Repporteur: Palatine Wilhelm von und zu Hochbach

Seen.

Considering that all the documents and information necessary for the procedure have been collected, and complying with their formal and material requirements, I am aware of the initial petition offered by Anton Wenzel in the name of the Karno-Ruthenian Empire.

DONE and SENT the present Office in this Imperial City of Persenburg-Götzödorf, Capital of Karno-Ruthenian Empire, in the twenty-eighth day of October of two thousand and seventeen.

Wilhelm von und zu Hochbach

Wilhelm von und zu Hochloch



IMPERIAL SUPREME COURT

WARRANT OF NOTIFICATION

Reference: PUBLIC CRIMINAL LAWSUIT Nº 0000001.2017.3-ISC.400

Author: KARNO-RUTHENIAN EMPIRE

Prosecutor: HSH Anton Wenzel Defendant: Thomas of Cumagne Origin: Imperial Supreme Court

Repporteur: Palatine Wilhelm von und zu Hochbach

FINALITY: to promote the **SERVICE OF PROCESS** to THOMAS OF CUMAGNE for, if he wishes, contest this lawsuit by presenting a defense within 24h, under penalty of a default judgment.

DONE and SENT the present Warrant of Notification in this Imperial City of Persenburg-Götzödorf, Capital of Karno-Ruthenian Empire, in the twenty-eighth day of October of two thousand and seventeen.

Wilhelm von und zu Hochbach

Wilhelm on und zu Hochloch

Response to various charges:

Dear reader.

A letter accusing me of various things was written and published yesterday on Facebook group MAGNA in order to get me tried by a court. I will answer each point, in the order of their text, to each of the accusations by showing my innocence.

I want to point out that I had no power over all the media in the Empire. I only had full powers on the forum and the website for which I was doing the updates. You can also see on one of the images, that I gave Oscar the last backup of it when he asked me.

As for my so-called wish to weaken Oscar's powers, that's wrong. Below is a screenshot from the Constitutional Commission where it is clear that Oscar complains that the constitution takes away powers.

For what I'm seeing, I'll lose my power to decide ministers. I'll have to convoke elections for Prime Minister and he/she will present me ministers. But I would like to keep you in the same ministery, as much as I'm willing to keep War, Finances, Household and Justice ministers where they are. Why?



Simple curiosity



In short, everything depends of our new Prime Minister. I know that some people may try to be elected, but I don't know. I'm quite anxious.;

Since Miss Kari is my personal secretary, it is normal for her to use the email address that was created for the use of the Chancellor, who was myself at the time. You accuse this person, but who is Boris de Ney? Yet he has access to the email address of the Empire but no one knows who this person really is.

On the subject of KCOM, I have indeed asked to be elected president for one reason: not to act on my behalf for the various updates and additions but in the name of the Empire via an agency. That would not have added any power to me since I was already doing these tasks.

When I am told that the Empire has acquired a new domain name to replace the one I was taking care of, my reaction is such because I was never warned of these mistakes before and I was not told allowed time to correct them. This is a disappointment indeed, not for a "loss of power" but simply the disappointment of

having invested time but especially money, knowing that I had paid the field out of my pocket. I want to say that I am a student, so I have no salary. The money invested in the site should have been for my future projects.

Something disturbs me, how can you prove that I did not have internet access for more than 12 hours?

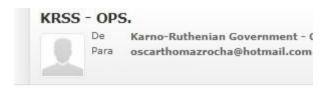
I did not violate the Constitution, the text that I sent only to Oscar was a simple proposition. In fact, some time ago, I had resigned from all my positions and had asked for the return of Cumagne's independence. Oscar had asked me to think about it before giving my final decision. I wanted to regain some autonomy for my micronation which is the Kingdom of Cumagne. My goal was not to take the head of the Empire, far from it! Also, I did not write the article you're talking about. Its author is not even citizen of Cumagne. I have no influence over him and I did not force him to publish this article. We had a conversation, certainly, but in this one I learned that Oscar put pressure on him not to recognize me, from where I think, that will to write the article.

As for the old site, I kept all the backups and I sold this one to try to fill the expenses that I invested in it. I am no longer responsible for this site.

I say it again, I never had access to the email address of the Empire. I will, however, analyze with pleasure the content of all the backups I obtained.

I write this paragraph a moment after the previous one, follow it well.

In analyzing the backups, I came across an email sent from the contact email address to Oscar's personal address. See for yourself. Strangely, these are the same password...



juznoslavia@yahoo.com Cyril Pribićević Quantum123

https://juznoslavia.wixsite.com/juznoslavia

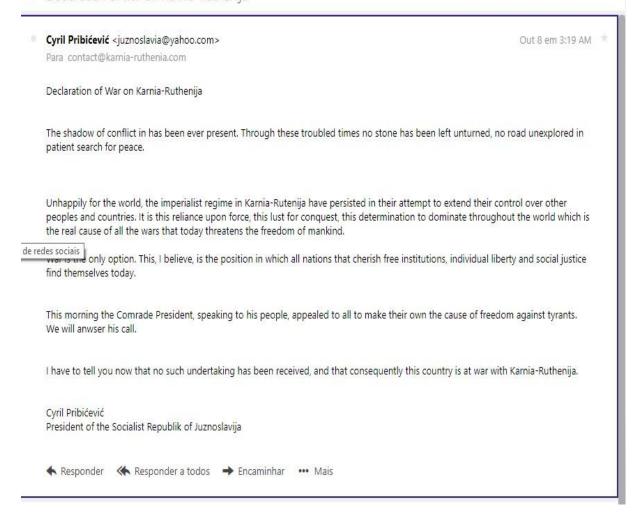
imperioplatino@yahoo.com Carlos Vicente Quantum123

https://imperioplatino.wixsite.com/home

This message contains the email address of the alleged micronation with whom you are at war. As if by chance, when I connect to the first one, in sent messages, we find

this:

Declaration of war on Karnia-Ruthenija



The famous declaration of war? Here is the proof that this war is a pure invention. As for the second, one understands simply that Oscar plays the role of Carlo V of the Empire del Plata.

Let us see the reaction of Oscar when I speak to him about the war. When we have the details that I supplied you above, everything becomes clearer.

Greetings,

What is this war story?

10 OCTOBRE 00:03



Just fool things.

10 OCTOBRE 10:50

Can I know more?

10 OCTOBRE 14:18

An Argentinean micronationalist friend of mine ask me to help him, because a Serbian micronationalist was threaten him. I intervene three nights ago and thought that it was resolved, but in the following morning, I wake up and read that. I can't take it seriously. Also, Plata (the micronation of this friend) received the same message, just changing names... This is the whole 'war' history. And did you see that we need to update our website again, to include more citizens, to change Horvatia things (Weslley is not with us anymore) and to add Axvalley, do you?





10 OCTOBRE 18:35

This war is totally absurd. The changes were made.

This war is totally absurd. The changes were made.



In fact, my cousin. And they went quiet after

10 OCTOBRE 19:41

Do not attack or respond to their attacks.



Can you just imagine this? We don't even recognize their country, so, how can declare war? And how can we be described as imperialists?

I did not find any information in relation to this micronation, I believe in a deception. I'll investigate.



I have their website somewhere. A moment.



https://juznoslavia.wixsite.com/juznoslavia



How do you explain that this site has been in existence for less than a week? That there is no trace of the person quoted? I do not believe in this whole story.

10 OCTOBRE 23:56



Why did you ask me about that? Are you saying I'm lying?

I had resigned, which he had refused. I then made a proposal which he refused by giving totally false pretenses and publishing them to the general public. If I wanted to do like you, I would file a complaint for defamation. And I was put to these functions because Oscar wanted someone who would go in his direction.



Would be good to see you as a candidate.

I will see, I must to think about it



You would have my vote, if I could vote.

I am no longer a citizen of the Empire as you say so well (see below) but you wish to withdraw my citizenship? Someone explain to me please.

STATEMENT of FACTS

Thomas of Cumagne, former citizen of Karnia-Ruthenia, former Imperial Chancellor, former minister of strategic affairs, former ambassador to Belgium, practiced

In the logs saved in the forum database, we can see this:



We can also see what "user-id" stands for :



This proves that the forum was closed by Oscar in order to accuse me.

Here are my answers for all your convictions:

- Acting against national security: I still do not understand this accusation because I have in no way endangered the Empire;
- To undermine the government: you yourself said that the government had been warned by Oscar against me, so I did not undermine the government;
- Attack against the Emperor: I have never tried to take control of KR;
- Offending the citizen and defaming the national citizen: if using freedom of expression to expose reality, then I am guilty of this crime;
- Hacking the government's virtual property: As I've said many times and I'll stop saying it, I've never had access to the email address, or any other social network:
- Offending the state and our institutions: visibly freedom of expression does not exist;
- Controlling a fictitious profile to surreptitiously act against the state: Illarie is a real person, sorry to disappoint you. On the other hand, Boris...;
- Misbehavior as a government official and member of the public administration: If it is a crime to disagree and not systematically follow a person's thinking, then I am a couple of that crime.

The citizens of the Kingdom of Cumagne have expressed the desire to be part of this micronation. Consequently, a court can not in any case decide for them which citizenship it wishes to keep.

I think I have nothing else to add,

Thomas of Cumagne.



IMPERIAL SUPREME COURT

OFFICE

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Author: KARNO-RUTHENIAN EMPIRE

Prosecutor: HSH Anton Wenzel Defendant: Thomas of Cumagne Origin: Imperial Supreme Court

Repporteur: Palatine Wilhelm von und zu Hochbach

Considering the content of the evidence presented in the charge and the defense, as well as the nature of the accusations, I require an expert report be made, RMK\$ 397,87 in fees, clarifying the following questions: a) In the presented situation, it is possible to hack the email?; b) Considering the print on p. 19, about the activity in the forum and the IP of the users, is it possible that it was forged from the hacked email?, to be required of Lucas Marco d'Aviano Tomé d'Albuquerque e Orange, whose formal instruction in the matter is verified.

DONE and SENT the present Office in this Imperial City of Persenburg-Götzödorf, Capital of Karno-Ruthenian Empire, in the eighth day of November of two thousand and seventeen.

Wilhelm von und zu Hochloch

Wilhelm von und zu Hochbach Palatine of the Court of Justice



IMPERIAL SUPREME COURT

WARRANT OF NOTIFICATION

Reference: PUBLIC CRIMINAL LAWSUIT Nº 0000001.2017.3-ISC.400

Author: KARNO-RUTHENIAN EMPIRE

Prosecutor: HSH Anton Wenzel Defendant: Thomas of Cumagne Origin: Imperial Supreme Court

Repporteur: Palatine Wilhelm von und zu Hochbach

FINALITY: to promote the **EXPERT REPORT REQUIREMENT** to LUCAS MARCO D'AVIANO TOMÉ D'ALBUQUERQUE E ORANGE to prepare an expert report in accordance with the established on p. 20 of the court dockets.

DONE and SENT the present Warrant of Notification in this Imperial City of Persenburg-Götzödorf, Capital of Karno-Ruthenian Empire, in the eighth day of November of two thousand and seventeen.

Wilhelm von und zu Hochbach

Wilhelm on und zu Hochloch

V. Excia. Wilhelm von und zu Hochbach, Palatino da Corte de Justiça,

Venho por meio desta humildemente responder-lhe aos questionamentos a mim dirigidos.

Diante dos autos apresentados, faço a análise técnica dos documentos expostos.

Sobre a questão primeira "na situação presente, é possível hackear o e-mail?", esclareço que, sendo o e-mail auto-hospedado, ou seja, com seu software e arquivos alojados em servidor próprio contratado, é possível sim hackear a conta. Diferentemente dos serviços de e-mails de terceiros, como Gmail, Hotmail, Yahoo! etc, onde é necessário cumprir uma série de verificações de segurança até que se consiga hackear uma conta, nos serviços auto-hospedado basta que se tenha acesso à administração da hospedagem do site para que se mude a senha de acesso. Logo, qualquer conta de e-mail do domínio karnia-ruthenia.com tem sua segurança e administração submetida ao detentor do acesso da hospedagem.

Sobre a segunda questão "Considerando o print a fl. 19, sobre a atividade no forum e IP dos usuários, é possível que isso tenha sido forjado a partir do e-mail hackeado?", também esclareço que, sendo um banco de dados auto-hospedado, ou seja, com software e arquivos alojados em servidor próprio contratado, é possível mudar os valores dos campos diretamente dentro do banco de dados. Basta que o administrador (detentor do acesso à hospedagem contratada) acesse o phpMyAdmin, ou outra ferramenta semelhante e edite os valores dos campos, podendo, por exemplo, mudar o id do usuário de 1 para 3 e vice-versa.

Entretanto, tendo o administrador acesso à conta de e-mail em questão, poderia ele acessar o que quer que fosse na administração do fórum/site, uma vez que esta conta de e-mail estaria ligada ao acesso de administrador a fim de incluir ou excluir usuários.

Concluímos resumindo que o detentor do acesso à hospedagem contratada poderia, se assim o desejasse, acessar qualquer e-mail auto-hospedado, alterar suas senhas e, inclusive, manipular os dados em qualquer dos bancos de dados dentro deste serviço de hospedagem.

Esperamos que os esclarecimentos das questões sejam suficientes à Vossa Excelência.

Assino e dou fé.

Porto Calvo, Fiel Província de Calabar, Províncias Unidas de Maurícia, 20 de dezembro de 2017.

Lions d'Albrangie e Omige



IMPERIAL SUPREME COURT

OFFICE

Reference: PUBLIC CRIMINAL LAWSUIT Nº 0000001.2017.3-ISC.400

Author: KARNO-RUTHENIAN EMPIRE

Prosecutor: HSH Anton Wenzel Defendant: Thomas of Cumagne Origin: Imperial Supreme Court

Repporteur: Palatine Wilhelm von und zu Hochbach

Considering the expert report received from Mr. Lucas Marco d'Aviano Tomé d'Albuquerque e Orange as requested on p. 20, I require it to be fully transtalted into English, in order to preserve the principle enshrined in the articles 20 and 60 of the Imperial Constitution.

DONE and SENT the present Office in this Imperial City of Persenburg-Götzödorf, Capital of Karno-Ruthenian Empire, in the twenty-first day of December of two thousand and seventeen.

Wilhelm von und zu Hochbach

Wilhelm von und zur Hochloch

THE MOST HONOURABLE DR. MR. WILHLEM VON UND ZU HOCHBACH, PALATINE OF THE COURT OF JUSTICE OF THE HIGHLY RESPECTED IMPERIAL SUPREME COURT OF KARNIA-RUTHENIA

Legal process nº 0000001.2017.3-ISC.400 Author: Karno-Ruthenian Empire Defendant: Thomas of Cumagne

Mr. Lucas Marco d'Aviano Tomé d'Albuquerque e Orange, data analyst and assessor of law *ad hoc* of this court, honorably appointed and committed in the aforementioned public criminal lawsuit court dockets, very respectfully submits to Your Honour the result of his expert report below.

To the occasion, requests, *data maxima venia*, his professional fees in the amount of RMK\$ 397,87 to be computed at the time of his payment, taking into account the work performed, data analysis and reports made.

In those terms, at the date of the file's inclusion, requests deferral.

Persenburg-Götzödorf, December 20th 2017.

Analyst Lucas Tomé d'Albuquerque Assessor of Law *ad hoc* The Most Hon. Wilhelm von und zu Hochbach, Palatine of the Court of Justice,

I hereby humbly respond to the questions addressed to me. In possession of the presented documents, I make the present technical analysis of the documents.

On the first question, "in the presented situation, it is possible to hack the email?", I clarify that, being a self-hosted email, namely, an email with its software and files hosted on its own hired server, it is possible to hack the account. Unlike third-party email services, such as Gmail, Hotmail, Yahoo! etc., which are necessary to comply with a series of security steps until one can hack an account, in the self-hosted services, it is only necessary to access the site's hosting administration to change the access password. Therefore, any e-mail account within the domain *karnia-ruthenia.com* has its security and administration submitted to the owner of the hosting.

On the second question, "considering the print on p. 19, about the activity in the forum and the IP of the users, is it possible that it was forged from the hacked email?", I also clarify that, being a self-hosted database, that is, with software and files hosted in an own contracted server, it is possible to change the values of these fields directly inside the database. It is enough that the administrator (holder of access to the hired server) access the phpMyAdmin, or another similar tool and edit the field values, change the user id from 1 to 3 and vice versa.

However, since the administrator has access to the email account mentioned, he could access anything in the forum/site, since this email account would be linked to the administrator access to include or exclude users.

We conclude by summarizing that the holder of the access to the contracted server could, if he wishes, access any self-hosted email, change its passwords, and even manipulate data in any of the databases within this hosting service.

We hope that the clarification of the questions will be sufficient for Your Honour.

I sign and attest.

Porto Calvo, Faithful Province of Calabar, United Provinces of Mauritius, December 20th 2017.



IMPERIAL SUPREME COURT

OFFICE

Reference: PUBLIC CRIMINAL LAWSUIT Nº 0000001.2017.3-ISC.400

Author: KARNO-RUTHENIAN EMPIRE

Prosecutor: HSH Anton Wenzel Defendant: Thomas of Cumagne Origin: Imperial Supreme Court

Repporteur: Palatine Wilhelm von und zu Hochbach

Considering the article 20 of the Imperial Constitution, I require the plaintiff to answer in Audience of Interrogation, to be held on January 10, at 6 p. m..

DONE and SENT the present Office in this Imperial City of Persenburg-Götzödorf, Capital of Karno-Ruthenian Empire, in the ninth day of January of two thousand and eighteen.

Wilhelm von und zu Hochbach

Wilhelm on und zu Hochloch



IMPERIAL SUPREME COURT

OFFICE

Reference: PUBLIC CRIMINAL LAWSUIT Nº 0000001.2017.3-ISC.400

Author: KARNO-RUTHENIAN EMPIRE

Prosecutor: HSH Anton Wenzel Defendant: Thomas of Cumagne Origin: Imperial Supreme Court

Repporteur: Palatine Wilhelm von und zu Hochbach

Considering the article 20 of the Imperial Constitution, I require the prosecutor to take part in Audience of Interrogation, to be held on January 10, at 6 p. m..

DONE and SENT the present Office in this Imperial City of Persenburg-Götzödorf, Capital of Karno-Ruthenian Empire, in the tenth day of January of two thousand and eighteen.

Wilhelm von und zu Hochbach

Wilhelm on und zu Hochloch



IMPERIAL SUPREME COURT

WARRANT OF NOTIFICATION

Reference: PUBLIC CRIMINAL LAWSUIT Nº 0000001.2017.3-ISC.400

Author: KARNO-RUTHENIAN EMPIRE

Prosecutor: HSH Anton Wenzel Defendant: Thomas of Cumagne Origin: Imperial Supreme Court

Repporteur: Palatine Wilhelm von und zu Hochbach

FINALITY: to **SUMMON THE PLAINTIFF** to attend the Audience of Interrogation to be held on January 10, at 6:00 p.m.

DONE and SENT the present Warrant of Notification in this Imperial City of Persenburg-Götzödorf, Capital of Karno-Ruthenian Empire, in the tenth day of January of two thousand and eighteen.

Wilhelm von und zu Hochbach

Wilhelm von und zur Hochloch



IMPERIAL SUPREME COURT

WARRANT OF NOTIFICATION

Reference: PUBLIC CRIMINAL LAWSUIT Nº 0000001.2017.3-ISC.400

Author: KARNO-RUTHENIAN EMPIRE

Prosecutor: HSH Anton Wenzel Defendant: Thomas of Cumagne Origin: Imperial Supreme Court

Repporteur: Palatine Wilhelm von und zu Hochbach

FINALITY: to **SUMMON THE PROSECUTOR** to attend the Audience of Interrogation to be held on January 10, at 6:00 p.m.

DONE and SENT the present Warrant of Notification in this Imperial City of Persenburg-Götzödorf, Capital of Karno-Ruthenian Empire, in the tenth day of January of two thousand and eighteen.

Wilhelm von und zu Hochbach

Wilhelm von und zur Hochloch



IMPERIAL SUPREME COURT

MINUTE OF THE INSTRUCTION AUDIENCE

Reference: PUBLIC CRIMINAL LAWSUIT Nº 0000001.2017.3-ISC.400

Author: KARNO-RUTHENIAN EMPIRE

Prosecutor: HSH Anton Wenzel Defendant: Thomas of Cumagne Origin: Imperial Supreme Court

Repporteur: Palatine Wilhelm von und zu Hochbach

On January 10, 2018, at 6:00 p. m., in the Hearing Room of the Imperial Supreme Court, located in the Justizpalast, in this Imperial City of Persenburg-Götzödorf, Capital of Karno-Ruthenian Empire, taking part the Most Hon. Palatine of the Court of Justice WILHLEM VON UND ZU HOCHBACH, with me, Registrar of the Imperial Supreme Court, was made the audience announcement referring to the Court Dockets no 0000001.2017.3-ISC.400. Opened the INSTRUCTION AUDIENCE OF INTERROGATORY established by the Office on p. 26 of the Court Dockets, and being summoned the plaintiff HI&RM OSCAR I, as well as HSH ANTON WENZEL, which acts in the defense of the KARNO-RUTHENIAN EMPIRE. Elapsed thirty minutes after the announcement, and being absent both the plaintiff and the prosecutor, it was declared tacit waiver of the right to audience of the plaintiff.

Read and find as were duly signed. I, Anders Georg Friedrich Fariah-Marseles, Registrar of the Imperial Supreme Court, wrote it.

DONE and SENT the present Office in this Imperial City of Persenburg-Götzödorf, Capital of Karno-Ruthenian Empire, in the eleventh day of January of two thousand and eighteen.

Palatine of the Court of Justice

Wilhelm von und zu Hochbach

Wilhelm von und zu Hochloch



IMPERIAL SUPREME COURT

OFFICE

Reference: PUBLIC CRIMINAL LAWSUIT Nº 0000001.2017.3-ISC.400

Author: KARNO-RUTHENIAN EMPIRE

Prosecutor: HSH Anton Wenzel Defendant: Thomas of Cumagne Origin: Imperial Supreme Court

Repporteur: Palatine Wilhelm von und zu Hochbach

Considering the article 20 of the Imperial Constitution, I require the defendant to answer in Audience of Interrogation, to be held on January 11, at 8 p. m. (Brasilia time), 11 p. m. (Brussels time).

DONE and SENT the present Office in this Imperial City of Persenburg-Götzödorf, Capital of Karno-Ruthenian Empire, in the eleventh day of January of two thousand and eighteen.

Wilhelm von und zu Hochbach

Wilhelm von und zu Hochloch



IMPERIAL SUPREME COURT

OFFICE

Reference: PUBLIC CRIMINAL LAWSUIT Nº 0000001.2017.3-ISC.400

Author: KARNO-RUTHENIAN EMPIRE

Prosecutor: HSH Anton Wenzel Defendant: Thomas of Cumagne Origin: Imperial Supreme Court

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Considering the article 20 of the Imperial Constitution, I require the prosecutor to take part in Audience of Interrogation, to be held on January 11, at 8 p. m. (Brasilia time), 11 p. m. (Prague time).

DONE and SENT the present Office in this Imperial City of Persenburg-Götzödorf, Capital of Karno-Ruthenian Empire, in the eleventh day of January of two thousand and eighteen.

Wilhelm von und zu Hochbach

Wilhelm von und zur Hochloch



IMPERIAL SUPREME COURT

WARRANT OF NOTIFICATION

Reference: PUBLIC CRIMINAL LAWSUIT Nº 0000001.2017.3-ISC.400

Author: KARNO-RUTHENIAN EMPIRE

Prosecutor: HSH Anton Wenzel Defendant: Thomas of Cumagne Origin: Imperial Supreme Court

Repporteur: Palatine Wilhelm von und zu Hochbach

FINALITY: to **SUMMON THE DEFENDANT** to attend the Audience of Interrogation to be held on January 11, at 8:00 p.m. (Brasilia time), 11 p.m. (Brussels time).

DONE and SENT the present Warrant of Notification in this Imperial City of Persenburg-Götzödorf, Capital of Karno-Ruthenian Empire, in the eleventh day of January of two thousand and eighteen.

Wilhelm von und zu Hochbach

Wilhelm von und zu Hochlach



IMPERIAL SUPREME COURT

WARRANT OF NOTIFICATION

Reference: PUBLIC CRIMINAL LAWSUIT Nº 0000001.2017.3-ISC.400

Author: KARNO-RUTHENIAN EMPIRE

Prosecutor: HSH Anton Wenzel Defendant: Thomas of Cumagne Origin: Imperial Supreme Court

Repporteur: Palatine Wilhelm von und zu Hochbach

FINALITY: to **SUMMON THE PROSECUTOR** to attend the Audience of Interrogation to be held on January 11, at 8:00 p.m. (Brasilia time), 11 p.m. (Prague time).

DONE and SENT the present Warrant of Notification in this Imperial City of Persenburg-Götzödorf, Capital of Karno-Ruthenian Empire, in the eleventh day of January of two thousand and eighteen.

Wilhelm von und zu Hochbach

Wilhelm von und zu Hochlach



IMPERIAL SUPREME COURT WARRANT OF NOTIFICATION

Reference: PUBLIC CRIMINAL LAWSUIT № 0000001.2017.3-ISC.400

Author: KARNO-RUTHENIAN EMPIRE Prosecutor: HSH Anton Wenzel **Defendant:** Thomas of Cumagne **Origin:** Imperial Supreme Court

Repporteur: Palatine Wilhelm von und zu Hochbach

With all the evidence already gathered in the judicial process that evidences the guilt of the accused, the prosecution does not believe there is a need to participate in the interrogation, including giving the accused full freedom to speak without feeling threatened, even if he is obviously guilty. We trust in the wisdom and grace of our Palatine of the Court of Justice of the Empire and in his judgment. God save the Emperor!

Imperial City of Vídeň, in the eleventh day of January of two thousand and eighteen.

Anton

Archduke of Karnia and High Commissioner of Tsechia



IMPERIAL SUPREME COURT

MINUTE OF THE INSTRUCTION AUDIENCE

Reference: PUBLIC CRIMINAL LAWSUIT Nº 0000001.2017.3-ISC.400

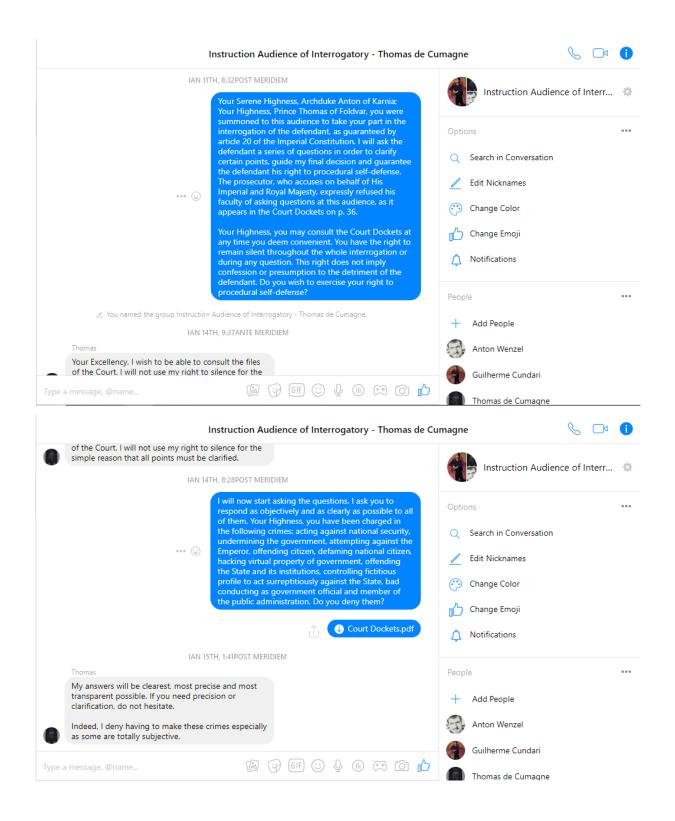
Author: KARNO-RUTHENIAN EMPIRE

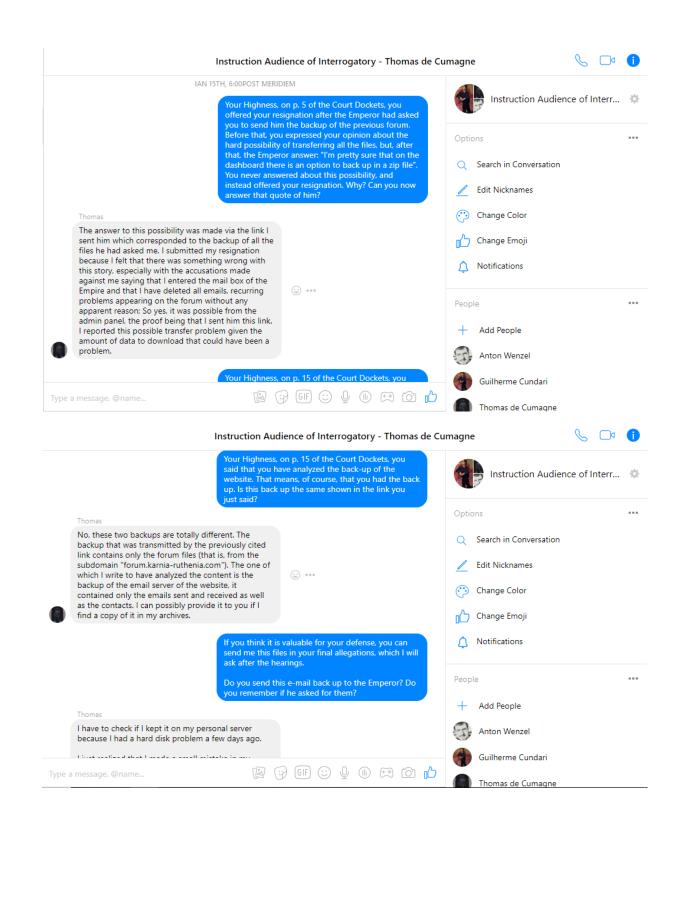
Prosecutor: HSH Anton Wenzel Defendant: Thomas of Cumagne Origin: Imperial Supreme Court

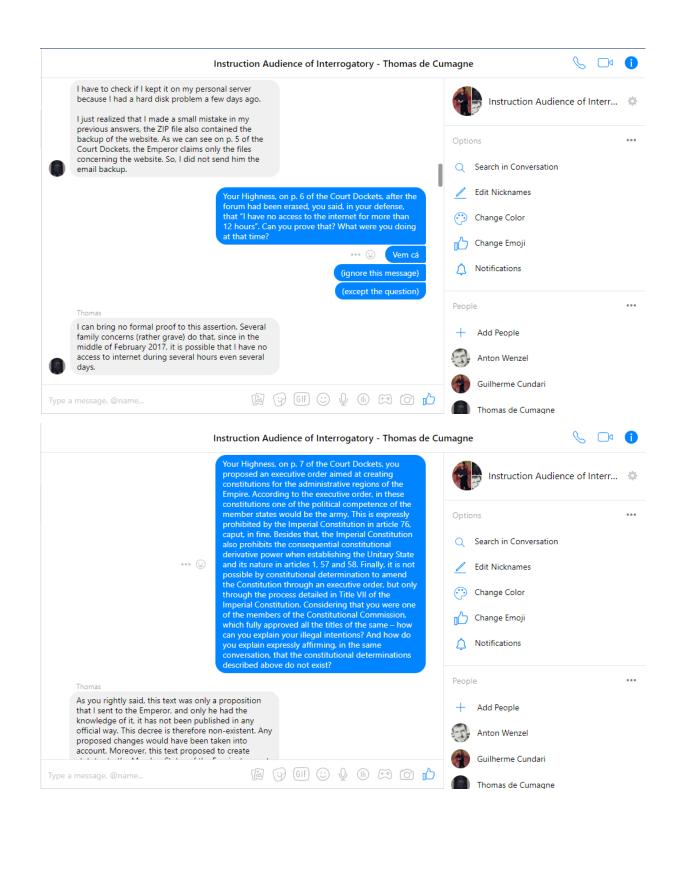
Repporteur: Palatine Wilhelm von und zu Hochbach

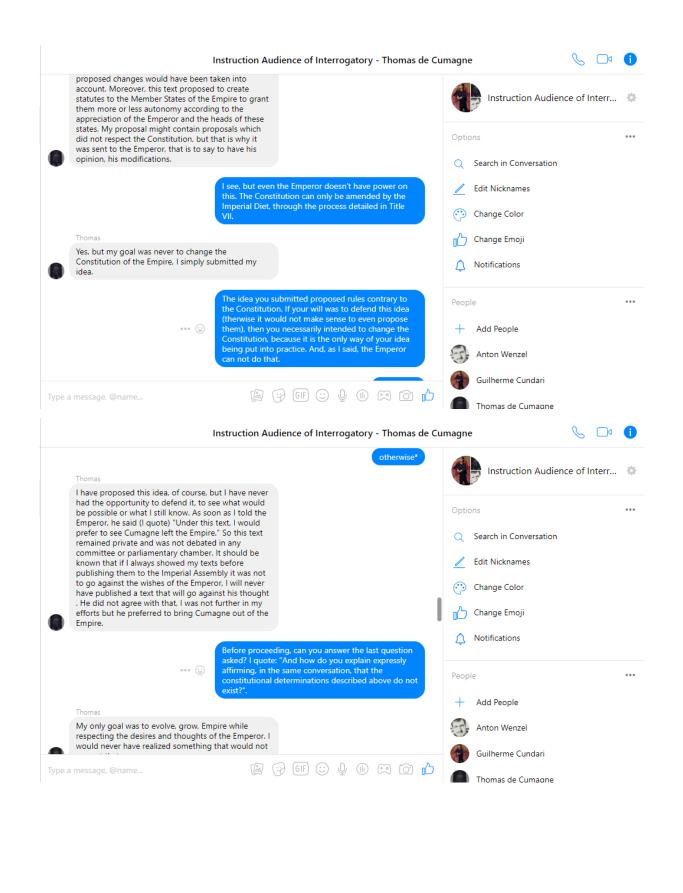
On January 11, 2018, at 8:32 p. m., in the Hearing Room of the Imperial Supreme Court, located in the Justizpalast, in this Imperial City of Persenburg-Götzödorf, Capital of Karno-Ruthenian Empire, taking part the Most Hon. Palatine of the Court of Justice WILHLEM VON UND ZU HOCHBACH, with me, Registrar of the Imperial Supreme Court, was made the audience announcement referring to the Court Dockets no 0000001.2017.3-ISC.400. Opened the **INSTRUCTION AUDIENCE OF INTERROGATORY** established by the Office on p. 32 of the Court Dockets, and being summoned the defendant HH THOMAS DE CUMAGNE, as well as HSH ANTON WENZEL, which acts in the defense of the KARNO-RUTHENIAN **EMPIRE**. Due to family problems privately notified to this Court, the defendant attended the hearing only two days later, on January 14, then the interrogation proceeded to the extent of the presence of all the participants. Having clarified the procedural rules of the hearing, the defendant requested access to full Court Dockets and waived his right to remain silent, answering all the questions as follows below. In the end, the defendant chose not to make final considerations, and then the hearing was declared closed by the Palatine of the Court of Justice, since the prosecutor expressly gave up preparing and asking questions for this interrogation, as stated on p. 36 of the Court Dockets.

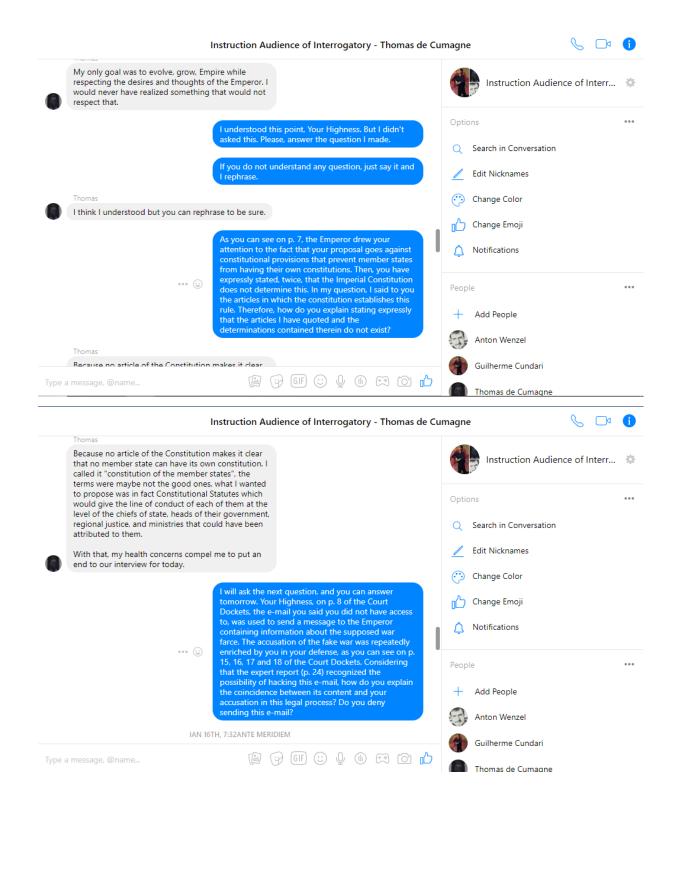
Read and find as were duly signed. I, Anders Georg Friedrich Fariah-Marseles, Registrar of the Imperial Supreme Court, wrote it.

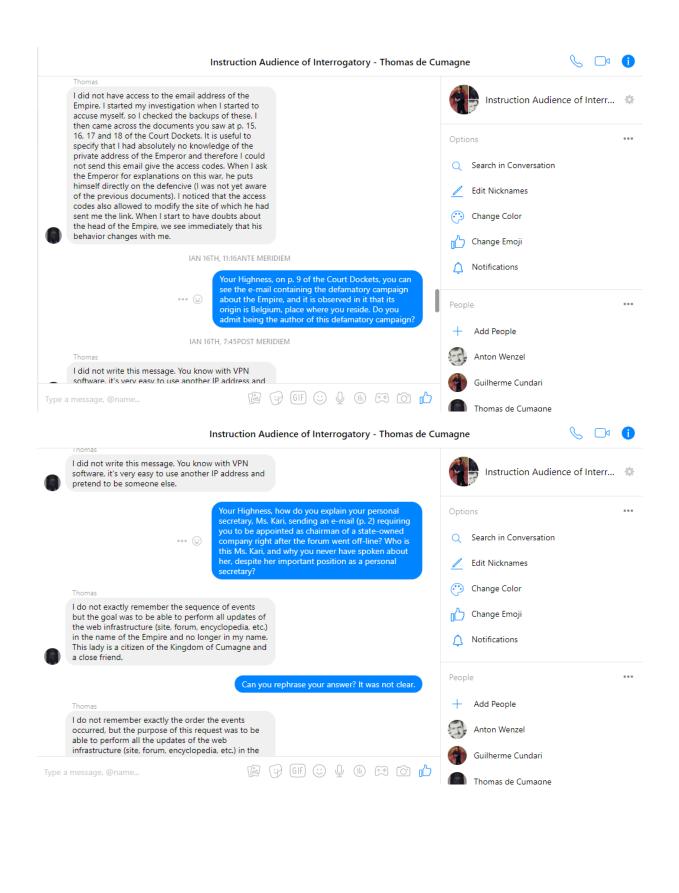


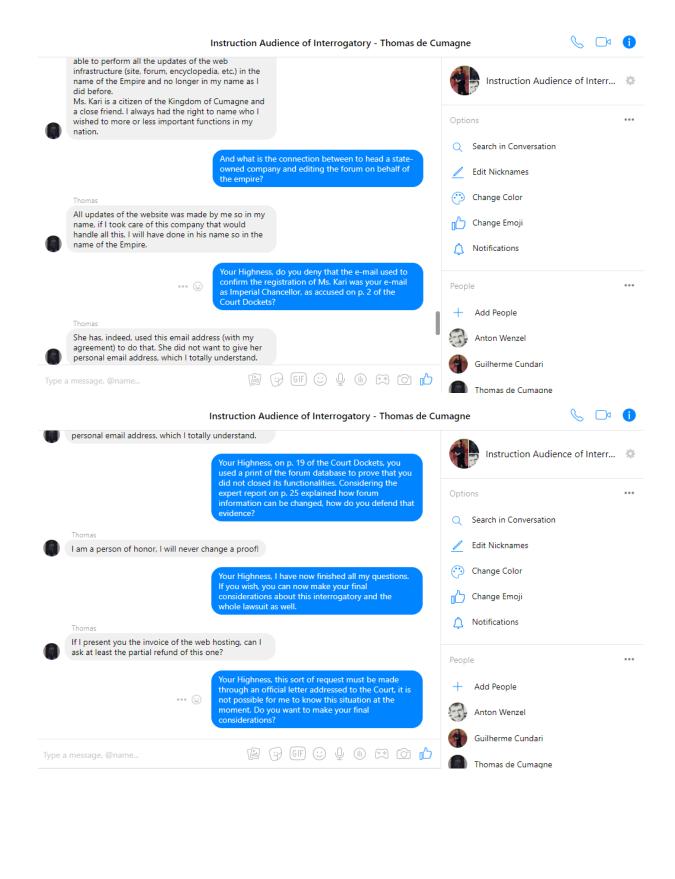


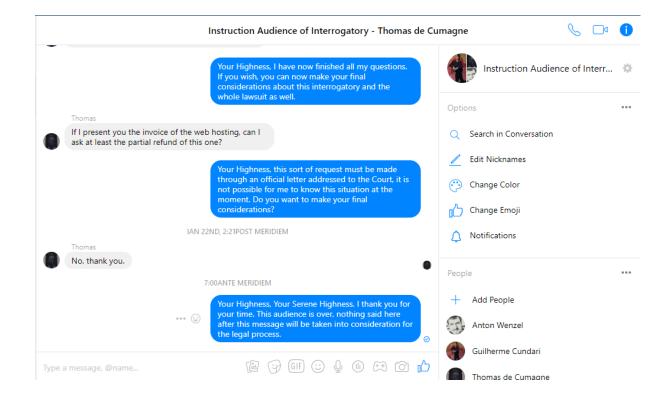












DONE and SENT the present Office in this Imperial City of Persenburg-Götzödorf, Capital of Karno-Ruthenian Empire, in the thirteenth day of February of two thousand and eighteen.

Wilhelm von und zu Hochbach

Wilhelm von und zu Hochloch



IMPERIAL SUPREME COURT

OFFICE

Reference: PUBLIC CRIMINAL LAWSUIT Nº 0000001.2017.3-ISC.400

Author: KARNO-RUTHENIAN EMPIRE

Prosecutor: HSH Anton Wenzel Defendant: Thomas of Cumagne Origin: Imperial Supreme Court

Repporteur: Palatine Wilhelm von und zu Hochbach

Considering the end of the interrogations, I declare closed the stage of procedural instruction and require the parties to the proceedings to be notified to present their final arguments no later than the 20th of this month, under penalty of collateral estoppel.

DONE and SENT the present Office in this Imperial City of Persenburg-Götzödorf, Capital of Karno-Ruthenian Empire, in the thirteenth day of February of two thousand and eighteen.

Wilhelm von und zu Hochbach

Wilhelm von und zur Hochloch



IMPERIAL SUPREME COURT

WARRANT OF NOTIFICATION

Reference: PUBLIC CRIMINAL LAWSUIT Nº 0000001.2017.3-ISC.400

Author: KARNO-RUTHENIAN EMPIRE

Prosecutor: HSH Anton Wenzel Defendant: Thomas of Cumagne Origin: Imperial Supreme Court

Repporteur: Palatine Wilhelm von und zu Hochbach

FINALITY: to **NOTIFY THE PLAINTIFF** to submit his final allegations no later than February 20, under penalty of collateral estoppel.

DONE and SENT the present Warrant of Notification in this Imperial City of Persenburg-Götzödorf, Capital of Karno-Ruthenian Empire, in the thirteenth day of February of two thousand and eighteen.

Wilhelm von und zu Hochbach

Wilhelm von und zu Hochlach



IMPERIAL SUPREME COURT

WARRANT OF NOTIFICATION

Reference: PUBLIC CRIMINAL LAWSUIT Nº 0000001.2017.3-ISC.400

Author: KARNO-RUTHENIAN EMPIRE

Prosecutor: HSH Anton Wenzel Defendant: Thomas of Cumagne Origin: Imperial Supreme Court

Repporteur: Palatine Wilhelm von und zu Hochbach

FINALITY: to **NOTIFY THE DEFENDANT** to submit his final allegations no later than February 20, under penalty of collateral estoppel.

DONE and SENT the present Warrant of Notification in this Imperial City of Persenburg-Götzödorf, Capital of Karno-Ruthenian Empire, in the thirteenth day of February of two thousand and eighteen.

Wilhelm von und zu Hochbach

Wilhelm von und zu Hochlach



IMPERIAL SUPREME COURT

OFFICE

Reference: PUBLIC CRIMINAL LAWSUIT Nº 0000001.2017.3-ISC.400

Author: KARNO-RUTHENIAN EMPIRE

Prosecutor: HSH Anton Wenzel Defendant: Thomas of Cumagne Origin: Imperial Supreme Court

Repporteur: Palatine Wilhelm von und zu Hochbach-Wigmaransz

Considering the office on p. 46 and the absence of the defendant, plaintiff and the prosecutor in defense of the Empire in the writing and delivery of their final allegations, I hereby declare the collateral estoppel of the right of both parties to the proceedings to this procedural act.

DONE and SENT the present Office in this Imperial City of Persenburg-Götzödorf, Capital of Karno-Ruthenian Empire, in the twenty-first day of February of two thousand and eighteen.

Wilhelm von und zu Hochbach-Wigmaransz

Wilhelm on and in Hochtack-Wignerange



IMPERIAL SUPREME COURT

SENTENCE

Seen.

I-REPORT

His Imperial and Royal Majesty the Emperor-King OSCAR I, through the prosecutor on behalf of the interests of the Karno-Ruthenian Empire, His Serene Highness the Archduke ANTON WENZEL, presented denounce against His Highness the Prince THOMAS DE CUMAGNE, former Imperial Chancellor of the Empire, accusing the defendant of the crimes of acting against national security, undermining the government, attempting against the Emperor, offending citizen, defaming national citizen, hacking virtual property of government, offending the State and its institutions, controlling fictitious profile to act surreptitiously against the State, bad conducting as government official and member of the public administration. In addition, the prosecutor requested a decision on the nationality of the ten Cumagne nationals.

The police investigation, presided over by the prosecutor on behalf of the Empire, ended on 28 October 2017, when the initial petition was delivered (pp. 2/11). The main arguments of the prosecution were the behavior of the defendant about the Emperor's requests and questions about the problems faced in the forum, as well as his continuous unwillingness to accept to transfer to the said Emperor the bakcup of the old domain, as well as the creation of a new forum to replace the old one, and for this was presented evidence of the conversation between the parties to the proceedings (pp. 2/7). The prosecution also presented evidence of the fall of

the old forum (p. 8), which occurred after the defendant was dismissed, who had been accused of manipulating it for the sake of vested interests, as well as evidence of the origin of the old email, said hacked by the defendant, which indicated the place where he resides and was being used in the defamation campaign promoted by the defendant against the Empire and the Emperor (pp. 8/9).

The defendant was notified (p. 13) and filed his defense on the same day (pp. 14/19). The main arguments of the defense were that the content of the conversation presented in evidence by the prosecution was misunderstood in the sense of the defendant wanting to weaken the Emperor, and for that he presented fragment of previous conversation (p. 14), that there is nothing abnormal in the email sent by Ms. Kari, even the email being of the defendant, and that his interest in the state company he sought was purely civic and patriotic, and that his unwillingness about the creation of a new forum was only due to a natural disappointment in seeing a project of his direct participation be replaced. (p. 14/15). The defense further alleges that the defendant did not violate the Constitution, as had been said in the indictment, by proposing a legal reform to the administration of the member states; that the defendant did not write the defamatory article whose authorship was reputed to him in the prosecution, since its true author is a person who is not citizen of Cumagne and whose therefore the defendant has no influence (p. 15). The defense also claims that the forum was taken off the air to sell the domain and thus cover the defendant's expenses (page 15); presented evidence of the official email containing information indicating that the Emperor was in fact the architect behind the so-called false war (pp. 15/16), and for this the defense presented evidence of his conversation with the Emperor of when the defendant had initially questioned about the war (pp. 17/18); and presented evidence of the registration of administrative activities of the old forum, which indicates that it was the Emperor who close it with the intention of accusing the defendant (p. 19).

During the stage of procedural instruction, none of the parties to the proceedings presented witnesses. An expert report was also required (p. 20) to clarify the technical information contained in the indictment and defense. The report was delivered on December 20, 2017 (p. 22), and translated into English on December 21, 2017 (pp. 24/25). The defendant was heard (pp. 37/45), and the plaintiff waived his right to be heard (pp. 30/31). During his interrogation, the defendant clarified points about the accusation of unconstitutionality of his bill, stating that it was only a project and that was unofficially sent to the Emperor and that he did not know that the Constitution prohibited state constitutions for each administrative unit (pp. 40/42); that offered his resignation due to distrust of the accusations made against him (p. 39); that despite

the expert's report about the technical evidences offered, the address of the email considered hacked would have been altered via VPN, and that he had no access to it (p. 43).

The final allegations were required on January 30, 2018 (p. 46), and both parties to the proceedings entered into preclusion of this procedural act (p. 49).

That is the report.

FROM NOW ON I ADJUDICATE.

II – SUBSTANTIATION

1. On prejudicial issues

The nationality of the defendant is not a preliminary issue of the case, since it has no power to prevent the continuance of the trial or the knowledge of the case by this Court. Considering that the defendant was undoubtedly a Karno-Ruthenian citizen at the time of the accusation of the crimes, he was subject to the jurisdiction of the Judiciary Power of this Empire even though outside the national territory (art. 1 of the Criminal Code). Furthermore, even if he were not a citizen at the time of the crimes, the principle of territoriality as set out in the Criminal Code states that all individuals in Karno-Ruthenian territory, irrespective of the time and reason for their stay, are subject to its law.

Thus, the discussion of the nationality of the defendant is a prejudicial issue that determines the content of the execution of this judgment, but not the very existence of the proceedings. Moreover, since the matter in question is internal to the proceedings and falls within the competence of the present Court, it is a homogeneous prejudicial issue and must be resolved by this Court, and not by another.

The question of the nationality of all the citizens of Cumagne, as an extension of the nationality of the defendant, is therefore the jurisdiction of this Court, and the defendant's opinion is mistaken on p. 19 in which he affirms that this fact is not possible to be judged, lacking such confirmation of legal and juridical support, as well as being contrary to the consolidated doctrine of the previous issues of the legal process.

The Imperial Constitution establishes that the loss of nationality is only due to a judicial decision or the achievement of a new nationality, unless this country is recognized by the Empire or, even though it does not recognize it, imposes nationality as a condition for the exercise of civil rights (article 56). The judicial decision that determines the loss of nationality, on the other hand, can only be based on item II of art. 56 of the Constitution, or in the case of *res judicata* of a conviction whose penalty is the loss of nationality. Thus, it is clear that the defendant did not lose his nationality, either after his resignation as Imperial Chancellor or after the formal separation of the Kingdom of Cumagne from the Karnia-Ruthenian Empire, since the emancipated state does not conform to the description in the sole paragraph of art. 4 of the Constitution, reinforced as an exclusionary condition of nationality in the sole paragraph of art. 56 of the same charter.

Therefore, at the time of this process and unless incurring sanction to deprive him of this right, the defendant is and remains a Karno-Ruthenian citizen, subject to the laws of this State and under the jurisdiction of this Court, being subject to direct execution of the sentence now pronounced.

I further conclude that, for the same reasons, all other 10 citizens of Cumagne continue to have the status of Karno-Ruthenian citizens, and that condition would only be withdrawn in the two cases provided for in article 56, as has already been said.

2. On case substance

2.1 On facts

The evidence gathered by the prosecution sufficiently demonstrates the strangeness of the conduct adopted by the defendant at the time of the alterations in the forum and of the Emperor's decision to create a new domain. The strangeness is accentuated in light of the fact that the plaintiff's approach has always been sympathetic and never turned to direct accusation. The intention of the plaintiff to keep the defendant in his post is evident in the excerpt attached to p. 5, indicating the poor likelihood of bad faith on the part of the Emperor to orchestrate from the outset a false accusation that he himself is the agent behind the crimes, as the defendant suggests in his defense. However, this is not enough to declare the guilt or intention of the defendant.

The evidence shown at pp. 8/9, however, fully demonstrates the link between the email and the defendant, according to the content of the accusation in which the defendant would have hacked the email linked to the domain of the forum, since its place of origin is Belgium, macronation in which the defendant resides. Although the real possibility of the VPN being able to alter this information in a way to falsely incriminate the defendant exactly as it was suggested in his interrogation, this hypothesis loses force if analyzed in conjunction with the fact that the hacked email was proven to have been used in the defamation campaign of the Empire, as attested in the aforementioned evidence. The link between the defendant and the defamation campaign is evident in his own defense, in that he assigns four of his six pages to accuse the plaintiff of being the author of the alleged false war, even if this charge is not the subject of the case substance. When asked about this specific fact, the defendant merely stated that he did not have access to the email mentioned, lacking his defense and his interrogation of the presentation of contrary evidence.

The defensive position adopted by plaintiff after the mention of the false war can not be considered sufficiently incriminating, as the defendant suggested in his interrogation (page 43), since this is a natural reaction. Just as the defendant's behavior initially presented in the evidence of the prosecution alone does not insinuate his person, plaintiff's behavior can not do so either.

The evidential set presented by the defense, regarding the history of the email linked to the domain of the forum and the history of administrative actions of the forum, initially demonstrate his innocence of the crimes in which he was accused. However, the evidential set of the prosecution makes these evidences of defense worthy of a deeper analysis in the face of the known possible means of changing digitally linked information. Thus, in light of the expert report ordered for this purpose, it is clear that the evidence of the defense is likely to have been altered in ways to make his innocence credible.

Thus, there remains the double hypothesis that both the plaintiff has used VPN to falsify his own central evidence, as the defendant has used the detailed means in the expert's report to falsify the central evidence of the defense.

In the dilemma in which two contingencies are possible, one must consider the other factors presented in the evidences to verify the fact.

The other evidences is precisely the elements discussed above, which initially and alone are also not sufficient to incriminate either the defendant nor the plaintiff. If taken together, however, it is noted that the arguments of the defense rely on (a) the unilateral declaration that he did not have access and therefore did not hack the email linked to the forum; (b) in the initial evidence that the defendant would have no influence over the Emperor and therefore would have no interest in undermining his power; (c) in the fact that he did not have internet access at the time the crimes were committed; (d) evidence that he had not changed the rules of the forum; and (e) computer evidence that the plaintiff is the agent behind the fake war and in possession of the email.

The argument (a) is not subject to consideration since it lacks solid evidence; argument (b) does not logically demonstrate what is intended, since the dialogue offered between the plaintiff and the defendant in the context of the Constitutional Commission deals with a completely different subject from the one that is intended to be demonstrated, besides the fact that the plaintiff being dissatisfied with the loss of his powers does not in any way imply that the defendant does not wish to weaken his power; there is no causal link. The argument (c) can not be taken into account either for the same reasons as (a); argument (d) is solid, but susceptible to the contingency opened by the expert's report; and argument (e) is also solid, but equally susceptible to the contingency opened by the expert's report.

As to the prosecution's arguments, it can be summarized as follows: (a) the defendant wishes to weaken the power of the plaintiff in order to appropriate some structures of the Empire, because (a.a) the defendant sent, through "Ms. Kari", using the email of the defendant himself, a formal request for the transfer to him of a state company precisely at the time after the forum's fall; (a.b) the defendant had administrative access to the forum; (a.c) the defendant expressed an unwillingness to offer the backup of the forum, as well as the idea of creating a new forum. In addition, it is (b) presented evidence that the defendant was in fact in possession of the said hacked email due to its sending location; (c) the argument that the defendant orchestrated the fall of the forum for illicit purposes would be reinforced by the defamation campaign carried out by the hacked email; (d) with the frustration of his plans in relation to the forum, the defendant nevertheless sought to maintain his advantage by presenting an unconstitutional bill to the plaintiff, in which he intented to give Cumagne great autonomy, reinforcing his bad faith nature.

The argument (a) is supported by three routes: (a.a) a real suspicion is opened regarding the defendant, since Ms. Kari had never been mentioned before and the email and its contents were sent at a very suspicious time through the account of the defendant himself. His defense, given in the interrogation, that Ms. Kari did not use her own email for reasons of privacy, does not sufficiently answer the question, since Ms Kari could have created an exclusive account of her activities at the service of the defendant, thus preserving her privacy. In addition, it is suspect that a prominent person such as Ms. Kari has not been mentioned before to the plaintiff. The argument (a.b) is solid, since both parties to the proceedings agree with it veracity; although the defendant disagrees that he had complete access to the media of the Empire, he does not deny this specific fact. The argument (a.c) raises suspicions about the defendant as well as (a.a), since his discomfort in giving full control of the forum to the plaintiff is evident, as can be especially read on p. 4. The argument (b) is solid, although it is susceptible to falsehood from VPN; the argument (c) raises suspicions about the defendant as well as (a.a) and (a.c), establishing a clear link between the defendant and the defamation campaign; and, finally, argument (d) reinforces the suspicion to the defendant, since the bill proposed by him is admittedly unconstitutional by this Court and since the contents of this same bill maintain in the hands of the defendant some portion of greater power than before.

In sum, it is possible to conclude that in the set of arguments of the defense, there are two solid arguments, but susceptible of fraud; two arguments impossible to be taken into account; and an argument that lacks logic. In the arguments of the prosecution, in turn, there is a solid argument, but it is susceptible of fraud; a strong argument and recognized as true by both parties to the proceedings; and four arguments that logically offer evidence of the defendant's guilt.

Considering the final result of this analysis, the greater force and reason contained in the evidences and arguments of the prosecution is indisputable. There is an undeniable solid argument here, and four evidences that make the second solid argument very likely, guiding the previously raised dilemma about evidence fraud to the detriment of the defendant. In contrast, the arguments of the defense rely solely on an argument that can be carried forward, and even this argument is susceptible to fraud, as raised by the dilemma.

As stated above, the indicial evidences (a.a; a.c; c; d) presented by the prosecution can not, if considered separately, sufficiently incriminate the defendant. However, considering all the evidence and arguments of both parties to the proceedings, the defendant's AUTHORSHIP in

the crimes is notorious, since the evidence presented in (b) and reinforced by (a.a; a.b; a.c; c; d), as well as it is notorious the MATERIALITY of crimes, since the site is proven fall on p. 8.

2.2 On law

The culpability of the defendant in the crimes charged is a corollary of the authorship and materiality demonstrated above.

The defendant's intention in the practice of crimes can be seen from the grounds of accusation previously named as (a.a), (a.c), (c), and (d).

Are aggravating circumstances of the crimes the premeditation, demonstrated through the evidence of the email sent in view of the ownership of the state company, the change of the properties of the forum and the hacked email, all facts these carried out previously to the proposal of the email initially sent; frivolous or unworthy motive, characterized by the fact that the defendant was not impelled by any ethical reason or relevant social interest in practicing his criminal conduct, but in order to gather more power and weaken the Emperor; and abuse of authority, whereas he utilized his position as a high-ranking civil servant to appropriate the forum, email and also to propose an unconstitutional bill (Criminal Code, art. 6, items c, d and e).

Mitigating circumstances are the good record of the defendant, who has in the present case his first criminal charge (Criminal Code, art. 7, item a).

3. On sanctions

Regarding the defendant's conduct in overthrowing the forum and hacking the email in order to increase his power, weaken the Emperor and obtain political benefits such as the state company, the crime provided for in article 9 of the Criminal Code is imputed, *in verbis*:

"9. Acting against national security.

§. Penalty - Revocation of citizenship and expulsion."

National security was indisputably affected by the acts of the defendant given the degree of materiality of the crime observed, which resulted in the closing of the former forum of the Empire and in the loss of numerous state documents, as well as the loss of the former institutional and virtual security of the State. Given the nature of a micronation, its virtual instances are of the utmost importance, and that if impaired, the communication between the nationals and the organs of government are affected, consequently affecting the entire State and national structure. Thus, the typical fault and reprehensible act of the defendant in attacking national security is evident.

However, the crime provided for in article 10 of the same legal instrument can not be imputed. There was no evidence on the part of the prosecution that there was intention of the defendant to weaken the functioning of the Imperial Diet or Cabinet, or even abolish or render the Imperial State; his bad faith lies in the fact that, eager to increase his power, he confronted national security through the control of the forum. However, by the very nature of the intention to increase one's own power, it is necessary the Empire be maintained functioning and existing at least similarly as before, otherwise it would not make sense to increase one's power within the State. Therefore, there being no intentional connection between the defendant's action and the impossibility of meeting of the Imperial Diet, which occurred due to a security measure carried out by the Emperor himself in establishing the State of Exception, the defendant is innocent of the crime of undermining the government and any of its organs and limbs, as well as the elections, plebiscites, referenda and other popular consultations.

Still within this charge, the defendant can not be charged separately in the crime provided for in article 13 of the Criminal Code by virtue of the principle of subsidiarity. Although the defendant had in fact hacked a public instrument for illicit purposes, he did so with a view of increasing his power and undermining that of the Emperor for personal gain. It is these personal gains the main motive and driving force of his conduct, as it is possible to deduce from the first proposal made by the defendant through the email sent by Ms. Kari. Thus, although the defendant practiced a typical act regarding the article 13, he was actually practicing the conduct described in article 9, which best encompasses his motives and actions together; one being the general rule and the other, the special rule: *lex primaria derogat legi subsidiariae*.

Finally, referring to the fact that the defendant used his nobiliarchic and political position to have tried to compel the Emperor to transfer the ownership of a state company through Ms. Kari, the defendant incurs the crime foreseen article 19, *in verbis*:

- "19. Bad conduct of government official or member of the public administration.
 - §. Penalty Public Warning. In case of recidivism, loss of the office."

This crime can be separately charged because it constitutes an autonomous action of the defendant that, although linked to the main act (undermining national security), produces particular effects to the defendant's objectives.

Considering now the conduct of the defendant with regard to the defamatory campaign carried out, there are imputation of the crimes foreseen in articles 16, 24 and 14, *in verbis*:

- "16. Control fictitious profile to act surreptitiously against the State or a citizen or group of citizens.
 - §. Penalty Order of Recantation.
- 24. Slander, defame or insult citizen, national or foreign.
- §. Penalty Order of Recantation. In case of recidivism, Revocation of citizenship and expulsion.
- 14. Offend the Ruthenian State, its institutions and its symbols.
 - §. Penalty Revocation of citizenship and expulsion."

These three typical acts represent in the defendant's conduct autonomous and separate practices. It is supported by the evidence that the defendant sought to use a false identity, through hacked email, to harm the State. In this intention, he committed a crime against the nation and against the individual, respectively the Empire and the Emperor. It is not possible to apply the principle of consummation here, since although the defamation of the State and the Monarch occurred by virtue of his practice as a bearer of a false identity, the bearing of this false identity does not correspond to a natural way for acts of defamation, being possible to carry out one without the other. Choosing to carry out the campaign through a fake account and hacked email only

denotes the extent of the materiality of the crime, not the consummation of a single crime through more than one typical conduct.

However, I reject the request of the prosecution to impute the defendant to the crime provided for in article 20. This is the case of applying the principle of specialty. Both the typical acts provided for in articles 20 and 24 govern a single category of unlawful conduct, that is, to infringe upon the honor of an individual. The defendant, in carrying out his defamatory campaign, sought to disclose harmful untruths to the Emperor and to the Empire, and so it can truly be said that he offended, humiliated and defamed. However, to condemn him in both crimes would be to punish the same fact twice (*non bis in idem*), and therefore it is necessary to choose the special rule over the general, and it is more specific that some personality has been defamed than have humiliated some personality, since defamation is a kind of humiliation, and not the opposite.

Finally, the defendant can not be held guilty of the crime provided for in article 11. The crime of lese-majesty aims to protect the figure of the monarch from attacks on his safety, physical and psychological integrity, and political position. This crime stems directly from the constitutional determination that the Emperor is inviolable (article 64). However, defamation can not be considered to affect the security, integrity or institutionality of the Emperor. Honor is a matter of subjective consideration and is dissociated from the monarch as a political function. The inviolability of the monarch and prediction of the crime of lese-majesty exist to preserve only the distinct political status of the monarch, otherwise it would contradict the constitutional principle of equity among citizens (article 3, item III). Therefore, when defaming and offending the monarch the defendant did not attempt against the Emperor or the Imperial Family.

III – RESOLUTION

Based on the foregoing, I consider VALID IN PART the prosecution's demand to:

ABSOLVE the defendant in the crimes of undermining the government and any of its
organs and limbs, as well as the elections, plebiscites, referenda and other popular
consultations; and attempt against the King or the Royal Family;

2) CONVICT the defendant in the crimes of acting against national security, bad conduct of government official or member of the public administration; control fictitious profile to act surreptitiously against the State or a citizen or group of citizens; slander, defame or insult citizen, national or foreign; and offend the Ruthenian State, its institutions and its symbols, for which he receives the penalty of loss of citizenship and expulsion, and is obliged to write a formal message of apology to the Emperor and the Empire to be published in a sufficiently public vehicle within a maximum of ten days.

I further condemn the defendant to the definitive loss of all his public office and title of nobility within the Empire, as prescribed by the Criminal Code in its art. 4, in addition to the costs of the process in the amount of RMK \$ 397,87.

P.R.S.C.

Imperial City of Persenburg-Götzödorf, February 23, 2018.

Wilhelm von und zu Hochbach-Wigmaransz

Wilhelm rom and an Hochtack-Wigmerense



IMPERIAL SUPREME COURT

OFFICE

Reference: PUBLIC CRIMINAL LAWSUIT Nº 0000001.2017.3-ISC.400

Author: KARNO-RUTHENIAN EMPIRE

Prosecutor: HSH Anton Wenzel Defendant: Thomas of Cumagne Origin: Imperial Supreme Court

Repporteur: Palatine Wilhelm von und zu Hochbach-Wigmaransz

Considering the publication of the sentence, I require that the preclusional period of five days for the defendant to offer declaratory embargo be opened.

DONE and SENT the present Office in this Imperial City of Persenburg-Götzödorf, Capital of Karno-Ruthenian Empire, in the twenty-third day of February of two thousand and eighteen.

Wilhelm son and an Hochback-Wigmananse

Wilhelm von und zu Hochbach-Wigmaransz



IMPERIAL SUPREME COURT

WARRANT OF NOTIFICATION

Reference: PUBLIC CRIMINAL LAWSUIT Nº 0000001.2017.3-ISC.400

Author: KARNO-RUTHENIAN EMPIRE

Prosecutor: HSH Anton Wenzel Defendant: Thomas of Cumagne Origin: Imperial Supreme Court

Repporteur: Palatine Wilhelm von und zu Hochbach-Wigmaransz

FINALITY: to **NOTIFY THE DEFENDANT** of the opening of the preclusion period of five days for the delivery of declaratory embargos considering the sentence given on p. 50.

DONE and SENT the present Warrant of Notification in this Imperial City of Persenburg-Götzödorf, Capital of Karno-Ruthenian Empire, in the twenty-third day of February of two thousand and eighteen.

Wilhelm on and an Hochtack-Wignerange

Wilhelm von und zu Hochbach-Wigmaransz



IMPERIAL SUPREME COURT

OFFICE

Reference: PUBLIC CRIMINAL LAWSUIT Nº 0000001.2017.3-ISC.400

Author: KARNO-RUTHENIAN EMPIRE

Prosecutor: HSH Anton Wenzel Defendant: Thomas of Cumagne Origin: Imperial Supreme Court

Repporteur: Palatine Wilhelm von und zu Hochbach-Wigmaransz

Considering the end of the preclusion period established on p. 62, I hereby declare the termination of this process, which must be sent to the Judicial Archives of the Imperial Supreme Court, being *res judicata* and not admitting any further appeal.

DONE and SENT the present Office in this Imperial City of Persenburg-Götzödorf, Capital of Karno-Ruthenian Empire, in the first day of March of two thousand and eighteen.

Wilhelm von und zu Hochbach-Wigmaransz

Wilhelm on and in Hochtack-Wignerange