

1 Cary Andrew Crittenden
2 In Propria Persona
3 P.O. Box 213,
4 Palo Alto, Ca. 94302
5 Caryandrewcrittenden@icloud.com

6 SIXTH DISTRICT COURT OF APPEAL

7 STATE OF CALIFORNIA

8 REV. CARY ANDREW CRITTENDEN,

9 Appellant,

10 vs.

11 PEOPLE OF STATE OF CALIFORNIA,

12 Respondent

CASE NO.: H045195

MOTION FOR ORAL ARGUMENT BY
COMPENTENT ATTORNEY

13 I, Cary Andrew Crittenden, appellate / defendant in case H045195 hereby request
14 oral argument by competent attorney.

15
16 Per the reasoning of the U S Supreme Court in McCoy v Louisiana 584 U.S 2018 a defendant
17 has a right to determine major substantive issues re the defense of his case. In the current matter
18 appellant, Cary Andrew Crittenden has repeatedly instructed his court appointed attorney: Brian
19 Curtis McComas to NOT waive oral argument on his appeal. Appellant's attorney Brian Curtis
20 McComas has repeatedly refused to agree to argue what appellant believes are critical legal
21 points / arguments key to his successful appeal and dismissal of charges. Appellant, Cary
22 Andrew Crittenden believes that by failing to raise appellant's key legal arguments at oral
23 argument is the equivalent of his attorney affirmatively arguing to the court, conceding, that
24 appellant's case lacks merit and should thereby be denied. To say this is legal incompetence by
25 attorney Brian Curtis McComas is an understatement of grand proportions.
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27

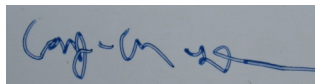
28 MOTION FOR ORAL ARGUMENT BY COMPENTENT ATTORNEY - 1

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2 Not only has Mr. McComas has failed to address the key underlying issues in this
3 case, such as the acts of fraud, Mr. McComas has perpetuated the fraud leading to the malicious
4 prosecution against me by making false statements in opening brief presenting false historic
5 narrative, added nonexistent mental health condition and implied policy changes on behalf of my
6 ministry, and coalition organizations which have never occurred.
7

8
9 McComas's statements in opening brief lack merit and foundation, are the result
10 of fabricated and mis-stated evidence are unacceptable and will not be allowed. Mr. Brian
11 McComas has repeatedly refused to correct these false and fraudulent statements. I do not
12 consent to these statements being argued.
13

14
15 I am not and will not be appealing matters pertaining to fines and fees. Instead, I will completely
16 disregard the "fines & fees" as these are result void judgement. A void judgment does not create
17 any binding obligation. Federal decisions addressing void state court judgments include *Kalb v.*
18 *Feuerstein* (1940) 308 US 433, 60 S Ct 343, 84 L ed 370; *Ex parte Rowland* (1882) 104 U.S.
19 604, 26 L.Ed. 861:
20

21 April 30th, 2020.

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