

# UNITED STATES VIOLATES HUMAN RIGHTS OF TRANSGENDER SCIENTIST

Rogue agents in the US FDA<sup>1</sup> trumped up charges of using the FDA seal against Dr William Nelson in 1995 to stop the registration of acupuncture needles. Nelson was arrested in 1995 and allowed out on meager bail. Federal Judge Matsch (the famous Oklahoma City Judge) opened court in February 1996 saying he saw no crime. Federal prosecutors were forced to drop their weak case. Nelson's work to register the acupuncture needle was then fruitful and two weeks later in March 1996 acupuncture was changed from the experimental category and made real medical devices and therapy.<sup>2</sup> Nelson had defeated the anti-natural medicine factors of the FDA and won a battle for drugless natural treatments<sup>3</sup>. But the FDA would hold a vindictive grudge.

They convened a new grand jury and denied Nelson the basic right to testify and the same charges that Judge Matsch had said were invalid, were once again made.<sup>4</sup> The words of a federal judge must be given **"Full Faith and Credit"** under US law and one should not face jeopardy for the same charges twice. Before charges a second time were levied Nelson returned to his family in Budapest where he was a Prof of Medicine in Semmilweiss Medical University.<sup>5</sup> He became Desire' Dubounet female and has continued teaching, consulting and writing about natural and energetic medicine.<sup>6</sup>

This is the story of the man who left America to find freedom of Speech is now no longer a man. Now there are elements in the FDA that want to have this innocent person wrongfully put into jail to torture a confession out of him to a crime he did not commit.<sup>7</sup>

Nelson wanted to return to America but was advised by lawyers there was a plan to illegally put him on the **"Slow Boat"** and transfer him from jail to jail unlawfully without seeing a judge. Any judge would review the Judge Matsch decision. Any judicial review of the 1996 case and a review of the weak evidence would obviously result in dismissal.

Nelson changed his name to Desire' Dubounet legally in America and changed it on her voter's registration. In 2009 the US embassy took Desire's passport to push her back to face torture. In 2010 America joined other countries in allowing a person to change gender on their passport.<sup>8</sup> Desire' applied to the embassy for a one way passport with her new legal name and gender to return to America to clear up the bogus charges. But the US Embassy in Budapest has wrongfully not allowed him to change both name and gender.<sup>9</sup> Perhaps this is part of the plot against Desire'.

When an FDA official who was behind the illegal **"Slow Boat"** retired, Desire' started to negotiate return to America to fight the bogus charges on a case that was already dropped by a famous well respected federal judge. The FDA knows their case is so incredibly weak it is unwinnable. They hope to get revenge against Desire' by having her degraded and tortured in a prison while waiting for a trial that the FDA clearly will drop just before court time. Such pretrial detention is banned.

While negotiating for return, Desire' is shocked to find that the prosecutor now wants to deny bail. Denying bail on a low level mail fraud case with no damages whatsoever, and a case that has already been dropped by an eminent federal judge is unheard of.

**Denying bail on such a case is proof of degradation.**

The international law of refoulement clearly specifies that a person cannot be forced to return to a country where potential harm and or degradation possibly await them.<sup>10</sup> Clearly denial of bail in this case constitutes such degradation and the International refugee law prohibits this.

***Pretrial detention of suspects directly impacts the presumption of innocence. The cornerstone of the justice system is that no one will be punished without the benefit of due process. Incarceration before trial, when the outcome of the case is yet to be determined, cuts against this principle. The Founders were aware of the dangers inherent in indiscriminate imprisonment, which is one of the main reasons behind the inclusion of the Eighth Amendment in the Bill of Rights, prohibiting excessive bail. Historically, the laws limiting pretrial detention were enacted to change the focus from personal to penal purposes, thus remedying the abuses of earlier English monarchs who used jail before trial as a form of punishment.***<sup>11</sup>

If we review the five reasons to deny bail, none even remotely apply to Desire'. There was no charge against Desire' when she left American jurisdiction and she is not hiding in the jurisdiction so Desire' is not a fugitive.<sup>12</sup> Her prudence to avoid degradation, excessive and vindictive prosecution is wise not unlawful. She cannot possibly by any stretch of the imagination be considered a flight risk coming back on a one way passport paying her own way specifically to return to be with 3 of her children now in America. She is absolutely no danger to anyone and the evidence against her is without merit. The sole hope of the FDA is to try degrade her and or to torture a confession out of her to a crime she did not commit. Denying Bail as a form of punishment is abuse of the power of office and in this case constitutes degradation. No one can be forced to return to a country where they might face degradation.

President Obama was elected on the ticket that "Gay Rights are Human Rights". Obama said that the embassies would open their doors to Gays and Transsexuals.<sup>13</sup> But the Hungarian Embassy did not read the memo. The excessive adversarial system of prosecution law in America can lead to unwarranted abuse. In a world concerned with Human Rights, and America chastising the rest of the world for rights abuse, denying presumption of innocence to torture a confession out of an innocent person by degrading them is very very wrong. ***Denying Bail as a form of punishment is illegal and further proof of a vindictive excess prosecution.***<sup>14</sup>

In a day where the United States is pointing a finger at human right violations of other countries, they should look at their own behavior. Everyone knows the drug companies own and control America and that these powerful drug companies fear drugless therapy. But to allow human rights violations such as this just weakens America and draws attention to the wrongful acts. America should talk less about the spec in other's eyes; they should first remove the log in their own eye.<sup>15</sup>

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<sup>1</sup> Interestingly, today the debate about pretrial detention practices is motivated by proposals to shrink jail and detention facility budgets. See Shima Baradaran, [Want to Cut Costs? Release More Prisoners](#), *PrawfsBlawg*, Feb. 25, 2011.

<sup>2</sup> See generally Ken Strutin, [Preparing Bail Applications](#), *Prac. Litig.*, Sept. 1995, at 85; Ken Strutin, [Habeas Corpus as Tool to Review Bail Decisions](#), *N.Y. L.J.*, Nov. 15, 1995, at 1; Ken Strutin, [Restraints on Liberty Before Trial](#), *N.Y. L.J.*, Apr. 24, 1995, at 1

<sup>3</sup> See [United States v. Marion](#), 404 U.S. 307, 320 (1971) ("Arrest is a public act that may seriously interfere with the defendant's liberty, whether he is free on bail or not, and that may disrupt his employment, drain his financial resources, curtail his associations, subject him to public obloquy, and create anxiety in him, his family and friends.")

<sup>4</sup> See, e.g., [New York State Pretrial Release Services Standards](#) (NY DPCA 2007)(Important Principles: "2. Defendants are entitled to a presumption of innocence. Therefore, defendants should not be precluded from pretrial screening based on the current charge.

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