

*Handwritten initials*

# United States of America First Circuit Court of Appeals

UNITED STATES

v.

CIRINO GONZALEZ

1st Cir. No. 2008-2300

FILED IN CI FRKS OFFICE  
US COURT OF APPEALS  
FOR THE FIRST CIRCUIT

2010 FEB 16 P 12:58

## MOTION TO COMPELL COUNSEL TO PERFORMANCE

**N**OW COMES Cirino Gonzalez, a Real Party in Interest, who is neutral in the public, making a special visitation by absolute ministerial right to the First Circuit Court of Appeals "restricted appearance" under Rule E (8), who is unschooled in law and notices the Court of enunciation of principles as stated in Haines v. Kerner, 404 U.S. 519, wherein the court has directed that those who are unschooled in law making pleadings and/or complaints shall have the court look to the substance of the pleadings rather than in the form, and hereby makes the following pleadings/notices in the above referenced matter reserving all RIGHTS and without waiver of any defenses.

Cirino Gonzalez hereby requests that his counsel, Joshua L. Gordon be compelled, by the First Circuit Court of Appeals, to perform as directed and assigned or be charged with BREACH OF FIDUCIARY DUTY, NEGLIGENCE, and/or ABUSE OF PROCESS for his attempts to cause further undue harm to Cirino Gonzalez.

Further, Cirino Gonzalez prays the First Circuit Court of Appeals does censure Joshua L. Gordon and expedite any/all delays perpetrated by Joshua L. Gordon in transacting the affairs of Cirino Gonzalez in the matter of this representation.

For Cirino Gonzalez  
by written power of attorney (attached)

*Handwritten signature*  
\_\_\_\_\_  
Jose M. Gonzalez©

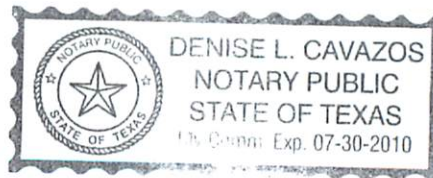
State of Texas  
County of Jim Wells

This document was acknowledged before me on February 12, 2010 (date)

By Jose Manuel Gonzalez© (name of principle)

*Handwritten signature of notarial officer*  
\_\_\_\_\_  
(signature of notarial officer)

Seal/Stamp:



371593 OR 933 316

SHOULD I BECOME UNABLE TO REVOKE THIS POWER OF ATTORNEY FOR ANY REASONS LISTED OR UNLISTED, MY AGENT WILL CONTINUE ASSUMING THIS POWER OF ATTORNEY FOR THE REMAINDER OF MY NATURAL LIFE OR UNTIL MY AGENT OTHERWISE MAKES ARRANGEMENTS.

I shall be considered disabled or incapacitated for purposes of this power of attorney if a physician certifies in writing at a date later than the date this power of attorney is executed that, based on the physician's medical examination of me, I am mentally incapable of managing my financial affairs. I authorize the physician who examines me for this purpose to disclose my physical or mental condition to another person for purposes of this power of attorney. A third party who accepts this power of attorney is fully protected from any action taken under this power of attorney that is based on the determination made by a physician of my disability or incapacity.

I agree that any third party who receives a copy of this document may act under it. Revocation of the durable power of attorney is not effective as to a third party until the third party receives actual notice of the revocation. I agree to indemnify the third party for any claims that arise against the third party because of reliance on this power of attorney.

If any agent named by me dies, becomes legally disabled, resigns, or refuses to act, I name the following (each to act alone and successively, in the order named) as successor(s) to that agent: Romeo L. Gonzalez of 1121 Gresham in Alice, TX, 78332.

Signed this 3rd day of January, 2006

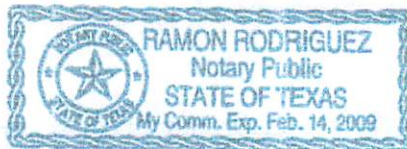
State of Texas

County of Jim Wells

This document was acknowledged before me on 1-03-2006 (date)

by [Signature]  
(name of principal)

Ramon Rodriguez  
(signature of notarial officer)



(Seal, if any, of notary) \_\_\_\_\_

Ramon Rodriguez  
(printed name)

My commission expires: 2-14-09

THE ATTORNEY IN FACT OR AGENT, BY ACCEPTING OR ACTING UNDER THE APPOINTMENT, ASSUMES THE FIDUCIARY AND OTHER LEGAL RESPONSIBILITIES OF AN AGENT.

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371593	OR	933
		317

Filed for Record in:  
JIM WELLS County

On: Jan 03, 2006 at 02:40P

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By:  
Eva Silva

STATE OF TEXAS

COUNTY OF JIM WELLS

I hereby certify that this instrument was  
filed on the date and time stamped hereon by me  
and was duly recorded in the volume and page  
of the named records of:

JIM WELLS County

as stamped hereon by me.

Jan 03, 2006

RUBEN SANDOVAL, County Clerk  
JIM WELLS County

*Return To:  
Cynthia Gonzalez  
1121 Presham  
Alice*