

OFFICE OF CHIEF DISCIPLINARY COUNSEL

OCDC

SUPREME COURT OF MISSOURI

3327 AMERICAN AVENUE
JEFFERSON CITY, MISSOURI 65109-1016
PHONE: (573) 635-7400
FAX: (573) 635-2240

April 12, 2021

Evita Tolu
Attorney at Law
1 Crabapple Court
Olivette, MO 63132

Re: File #21-424-X
Complainant: Office of Chief Disciplinary Counsel

Dear Ms. Tolu:

The Office of Chief Disciplinary Counsel and the Regional Disciplinary Committees are appointed by the Missouri Supreme Court for the purpose of investigating alleged professional misconduct by attorneys. For information regarding the Rules of Professional Conduct and the complaint process, you should review Supreme Court Rules 4 and 5 and visit the Office of Chief Disciplinary Counsel website at www.mochiefcounsel.org.

Enclosed is a copy of a complaint filed against you by the Office of Chief Disciplinary Counsel. This letter constitutes a demand, pursuant to Rule 4-8.1, that you provide this office with a complete written response to the enclosed complaint. **You should send the original and one hard copy of your response to the above address by April 26, 2021.** In your response, please provide a narrative of the events described. In your written response to the complaint, include only those attachments that are pertinent to the allegations of the complaint and be selective with regard to the attachments that you include.

Once the initial investigative materials are collected, the complaint will be sent to the Regional Disciplinary Committee for any additional necessary investigation and for its consideration and decision with regard to the matters that are raised in the complaint. The Committee may also consider other matters not referenced in the complaint.

Should you fail to respond to the complaint by **April 26, 2021**, the complaint will be reviewed and a decision made without your response. You may also be subject to separate discipline pursuant to Missouri Supreme Court Rule 4-8.1(c).

Evita Tolu
April 12, 2021
Page 2

Missouri Supreme Court Rule 5.31 provides that the records of this investigation shall not be made public unless ordered by the Court or the lawyer shall so request.

Sincerely,

A handwritten signature in black ink, appearing to read "Alan D. Pratzel". The signature is fluid and cursive, with the first name "Alan" being the most prominent.

Alan D. Pratzel
Chief Disciplinary Counsel

ADP/ms

Enclosure

The following information is being provided for review by the Office of Chief Disciplinary Counsel.

The attorney at issue:

Evita Tolu, MO bar number 49878
1 Crabapple Court
St. Louis, MO 63132

Received

MAR 26 2021

OCDC

Ms. Tolu organized two Go Fund Me pages to raise money for, among other things, attorneys' fees for her client, Angela Freiner (to pay Ms. Tolu). The Go Fund Me page contains numerous false statements about both the criminal case involving Ms. Freiner (20SL-CR00998) and a paternity case wherein Ms. Freiner was the petitioner (14SL-DR02617-01). There is also a related habeas case (21SL-DR00544). Ms. Tolu is the attorney of record for Ms. Freiner in at least the criminal case.

Ms. Tolu also filed a Motion for Release on Recognizance in the criminal case. There are numerous false statements in this Motion.

Accordingly, it appears that Ms. Tolu has violated multiple rules of professional conduct.

Enclosed herewith you will find the following documents:

Evita Tolu's Go Fund Me Pages – US and UK:

<https://uk.gofundme.com/f/help-falsely-jailed-mother>

https://www.gofundme.com/f/help-falsely-jailed-mother?utm_campaign=m_pd+share-sheet&utm_medium=copy_link_all&utm_source=customer

Facebook Posts by Evita Tolu (Printed from Tolu's public Facebook page):

Re-posting youtube.com video "Bogus Warrant vs. Loving Mom" which includes photo of Judge Zellweger with devil horns and the statement: "Don't help the Nazi"

Twitter Post by Evita Tolu:

Twitter post on Go Fund Me

Transcript of Facebook Post by Angela Freiner (publicly available) posted on March 5, 2021, which counters many of the Go Fund Me statements.

Criminal Case Pleadings:

Warrant

Motion for Release on Recognizance

Email – Daily Docket News, which reprints the Go Fund Me story

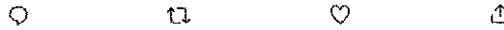
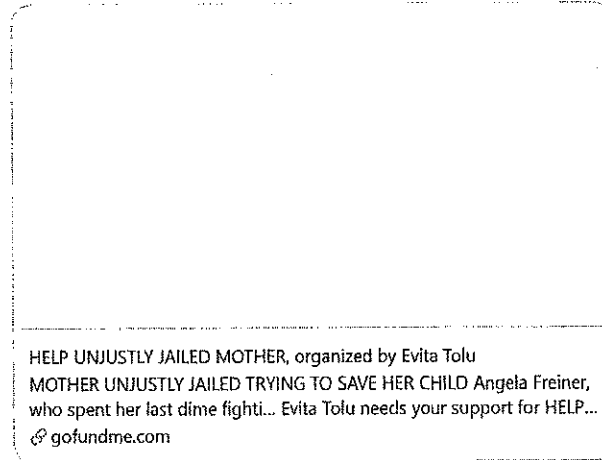


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Evita Tolu @toluimmigration · 23h
HELP UNJUSTLY JAILED MOTHER gofundme.com/t/help-falsely... If we can all donate \$10 we can help Angela to post a bail.



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death penalty case**

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1,117 Tweets

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HELP UNJUSTLY JAILED MOTHER

\$1,171 raised of \$95,000 target

27 donors **182** shares **27** followers

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Evita Tolu is organising this fundraiser.


MOTHER UNJUSTLY JAILED TRYING TO SAVE HER CHILD

Angela Freiner, who spent her last dime fighting in court for her daughter's life, has been jailed a second time by Judge Nicole S. Zellweger. The first time Angela was wrongly jailed by Judge Nicole S. Zellweger was on February 10th, 2021 for 48 hours, as an apparent scare tactic directed at Angela to be submissive to the court. This second time, Angela was picked up without a warrant on March 8th, International Women's Day, on a \$75,000.00 cash only bail, by refusing Judge Nicole S. Zellweger's court order to force her 14-year-old daughter to live with the man her daughter states molested her. Cash only bail, is normally imposed on the most violent of criminals which this mother is categorically not, but only guilty of trying to protect her child from being molested, or worse. Judge

 Tetyana Dyuk
\$20 • a day ago

 Blake Marlowe Burke
\$50 • a day ago

 Anonymous
\$20 • 2 days ago

 Anonymous
\$50 • 2 days ago

 Kristen Earl

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her child from being molested, or worse. Judge

Nicole S. Zellweger, of the Saint Louis County Family Court, Missouri, was caught allegedly violating the civil rights of this family by forcing this innocent 14-year-old girl, against her will, to be with her perpetrator father who was convicted of domestic violence against her older sister.

This jailing of Angela is apparently in retaliation, by Judge Nicole S. Zellweger, to the leaked audio of a Zoom court hearing by this brave 14-year-old girl that showcases an ongoing pattern of alleged lawlessness in Saint Louis County Family Court, Missouri. Angela's daughter was entrapped and forcibly taken against her will, on Judge Nicole S.

Zellweger orders without Angela's consent, by court officers during a hearing a few weeks ago and remanded to a mental facility in Saint Louis without the ability to speak with anyone except her alleged lawless guardian ad litem, Venus Jackson. This traumatized 14-year-old girl has now been torn from her mother's arms, yanked out of her school, ripped away from her classmates, and shipped like a piece of cargo out of state to an unknown destination on the orders of Judge Nicole S. Zellweger. We do not know if this scared 14-year-old is even in the United States anymore. Hundreds of thousands of children go missing in this country every year without a trace. Please help find this missing child.

Please help this frightened mother get out of jail so she can start the search for her child before it is too late.

This horrific and unbelievable story is an absolute abomination and clear violation of Angela's rights as an American under the Constitution of the United States.

PLEASE HELP US RAISE THE FUNDS NEEDED TO

FREE ANGELA FROM JAIL, FIND HER DAUGHTER AND HELP PAY FOR LEGAL REPRESENTATION FOR THIS UNCONSTITUTIONAL INJUSTICE

Updates (1)

18 MARCH 2021 by Evita Tolu, Organiser

Please support our fundraiser to help Angela to raise bail money. She is a mother who was unlawfully jailed for trying to protect her child! Angela is in jail and needs your help.

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Organiser



Evita Tolu
Organiser
Olivette, MO

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Comments (3)



Patricia Fish donated **\$100**


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HELP UNJUSTLY JAILED MOTHER

\$670 raised of \$95,000 target

13 donors **109** shares **13** followers

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Evita Tolu is organising this fundraiser.

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Accidents & Emergencies

MOTHER UNJUSTLY JAILED TRYING TO SAVE HER CHILD

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Anonymous
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Cash only bail, is normally imposed on the most violent of criminals which this mother is categorically not, but only guilty of trying to protect her child from being molested, or worse. Judge Nicole S. Zellweger, of the Saint Louis County Family Court, Missouri, was caught allegedly violating the civil rights of this family by forcing this innocent 14-year-old girl, against her will, to be with her perpetrator father who was convicted of domestic violence against her older sister.

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that showcases an ongoing pattern of alleged lawlessness in Saint Louis County Family Court, Missouri. Angela's daughter was entrapped and forcibly taken against her will, on Judge Nicole S. Zellweger orders without Angela's consent, by court officers during a hearing a few weeks ago and remanded to a mental facility in Saint Louis without the ability to speak with anyone except her alleged lawless guardian ad litem, Venus Jackson. This traumatized 14-year-old girl has now been torn from her mother's arms, yanked out of her school, ripped away from her classmates, and shipped like a piece of cargo out of state to an unknown destination on the orders of Judge Nicole S. Zellweger. We do not know if this scared 14-year-old is even in the United States anymore. Hundreds of thousands of children go missing in this country every year without a trace. Please help find this missing child.

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Evita Tolu
Organiser
Olivette, MO

Contact

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Patricia Fish donated **\$100**
I believe in justice!

4 days ago

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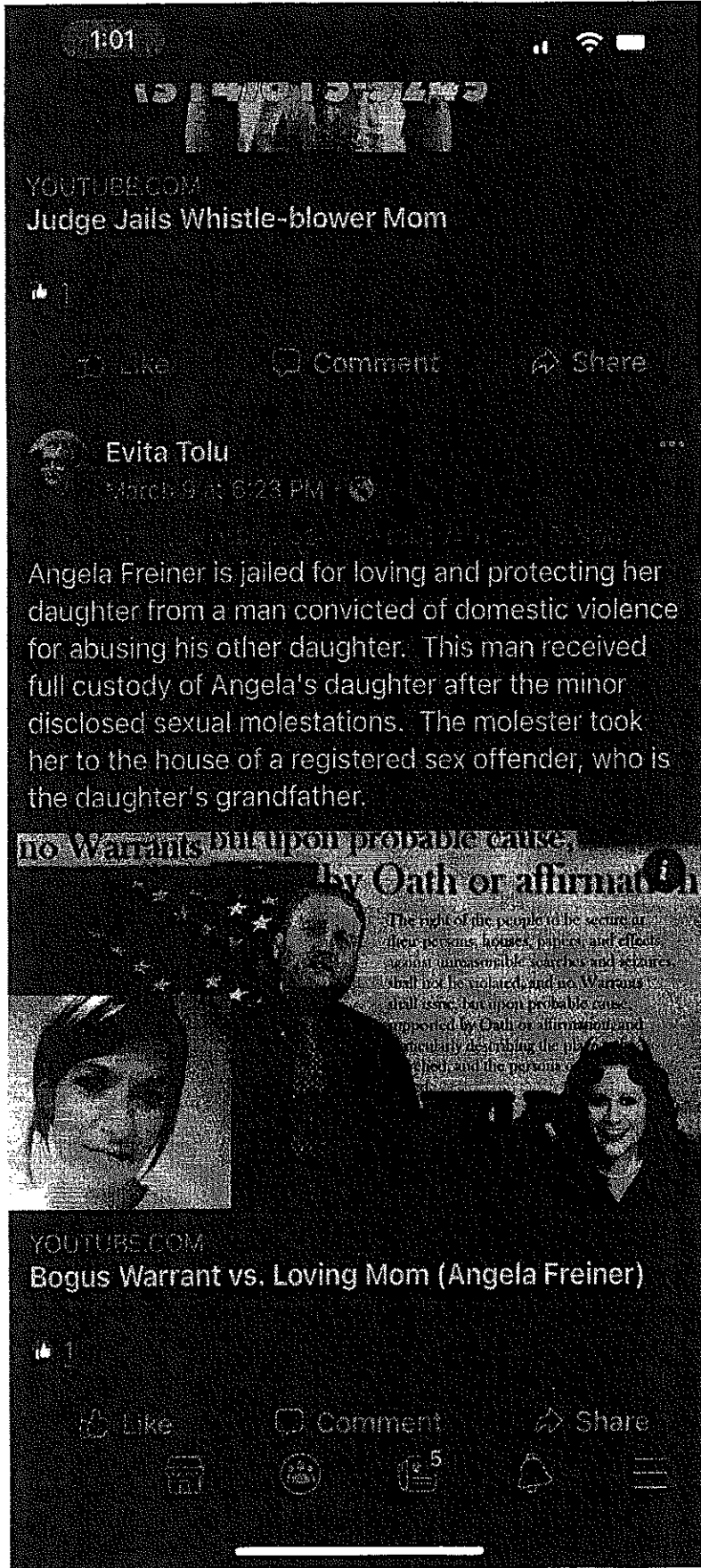
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Angela Freiner Facebook Page, Video uploaded by Ms. Freiner on March 5, 2021 at 8:51am [Audio Attached] Public Post (still available as of 3/22/2021). Re-posted by several other Facebook users.

Hospital Worker: Angela, wanted to give you some updates. We are actually um kinda moving to discharge today with Dalilah.

Angela: Ok.

Hospital Worker: She is going to be going home with her uncle, David, back to Phoenix. Where she is going to wait there until gets she gets um...ah...an opening in a residential program for substance abuse. Likely the one in Wyoming.

Angela: Ok.

Hospital Worker: And that's going to be the plan. Um. Uncle was able to fly out and needs to head back pretty soon. So we are going to be moving pretty quickly with the discharge. Um. I am going to let Dalilah know she can reach you once she is kinda on the way.

Angela: Is that why she hasn't called me yet this morning?

Hospital Worker: Um. She doesn't know she is leaving just yet. She knows her uncle is going to pick her up. She just didn't know when.

Angela: Ok. Because I tried calling her and they she said that she was going to call me back.

Hospital Worker: Ok. No specific instruction there. Um. She has been working with one of the other [inaudible] unit. And connecting with them. But, um. We will be moving a little quickly to help get her out of here. Because I know...um...just kinda on a little bit of a timeline. But she feels very comfortable with David. It sounds like. From what she has told me, you and her talked about it. You also feel a little more comfortable with David...certainly more than with Dad?

Angela, are you there?

Angela: I'm here. Were you asking me a question?

Hospital Worker: Yeah. I wanted to confirm that she also talked to you about it and she had made you aware.

Angela: Yes, she made me aware.

Hospital Worker: Ok. And that you also felt similar to her. That she is more comfortable going home with David. . . . We are going to make the GAL aware as well.

Angela: Ok.

Hospital Worker: I understand that the Judge recused herself in the case. But it is my understanding that the GAL is still the GAL until the new judge can allow the GAL to change herself as well.

Angela: Ok.

Hospital: So I think Ms. Jackson is still the current GAL.

Angela: Ok.

Hospital Worker: And that's..um...going to be the plan.

Angela: Alright.

Hospital Worker: Just wanted to make sure that you were aware as well.

Angela: Ok. Thanks.

Hospital Worker: Ok. Thanks, Angela.

IN THE TWENTY-FIRST JUDICIAL CIRCUIT COURT
SAINT LOUIS COUNTY, MISSOURI

STATE OF MISSOURI)	
)	
Plaintiff)	Cause No. 21SL-CR00998
)	
v.)	Div. 40
)	
ANGELA FREINER)	
)	
Defendant)	

MOTION FOR RELEASE ON RECOGNIZANCE

COMES NOW Angela Freiner, through her attorney Evita Tolu, and moves this Court pursuant to Mo. S. Ct. R. 33.01(c) and 33.05 to reconsider its previously ordered cash only bail of seventy-five thousand dollars (\$75,000.00) and to release Angela Freiner from jail upon her written promise to appear or, in the alternative, to impose a set of nonfinancial conditions that will reasonably assure Angela Freiner's appearance as she remains in jail due her inability to afford her bail.

FACTS IN SUPPORT OF RELEASE ON RECOGNIZANCE

The following factors in Angela Freiner's life support her release on her own promise to appear for Court:

1. Family ties – Angela Freiner's father, Jim Freiner, and her brother, Chris Freiner, reside in Saint Louis, Missouri;
2. Employment – Angela Freiner owns a small cleaning business located in Saint Louis County, Missouri;
3. Education – Angela Freiner has obtained an associate college degree in video production;
4. Character – Angela Freiner has never been convicted of any criminal offense; she pays her taxes; she pays her financial obligations; she supports her family financially and

emotionally; she contributes to the community and helps parents who have been involved in difficult divorce proceedings; and she is a devoted advocate for child safety.

5. Angela Freiner is currently suffering from anxiety; panic attacks and waives of depression. Her conditions will worsen if her incarceration continues.
6. Angela Freiner has been residing in Afton in the Saint Louis metropolitan area for forty-two (42) years since the day she was born.
7. Angela Freiner does not have a criminal record.
8. Angela Freiner has no record of missing court appearances.

BACKGROUND FACTS

9. Angela Freiner (“Angela”) is a pro se litigant in family court proceedings in case *Judy v. Freiner*, 21SL-DR00544 pending in Saint Louis County Circuit Court. The case was filed by James Judy (“Judy”), who is the father of Angela’s fourteen (14) year-old daughter, Delilah Judy (“Delilah”).

10. Delilah was born and raised solely by her mother, Angela. Until August 2020, Delilah resided full time with her mother. At some point in 2019, Judy decided to get involved in his daughter, Delilah’s, life. Angela welcomed Judy’s initiative. In August 2020, as a result of custody modification proceedings the court in the underlying case ordered Judy to have custody of Delilah during the school year and for Angela to have custody of Delilah during school breaks and holidays.

11. Pursuant to the custody modification agreement entered in August 2020, Delilah, who lived her entire life with Angela, was moved to Montana to reside with her father.

12. Delilah returned to Angela for Christmas break in December 2020. She told her mother that Judy was abusive and molested her. She also told her mother that if she had to go back to Judy, she would commit suicide because she was very depressed.

13. Delilah’s father, Judy, is currently on probation for domestic disturbance. He was charged with domestic violence against Delilah’s stepsister and Delilah’s stepmother in the State of Montana. He pled guilty to domestic disturbance and was placed on probation until June 2021.

14. Delilah's stepsister left the family home when she turned eighteen (18) years of age. Delilah's stepsister urged Delilah to move in with her because of domestic violence she and Delilah experienced in Judy's custody.

15. Judy's father, Delilah's grandfather, is a registered sex offender. Judy made Delilah spend one week with her granddaughter, while Delilah was in Judy's custody.

16. At the completion of her Christmas break, Delilah refused to return to Judy.

17. Judy filed a habeas action in Saint Louis County Family Court, Case 21SL-DR00544. The case was assigned to Judge Nicole Zellweger.

18. On February 10, 2021, Judge Zellweger held a hearing on Judy's habeas petition. At this hearing, Delilah pleaded with Judge Zellweger not to be sent to her father because he is a sex molester, and he had molested her by touching her private parts. Judge Zellweger told Delilah that she needed to return to Montana with Judy. Judge Zellweger told Delilah and her mother, Angela, that "there will be consequences for your conduct, if you do not follow my order." Judge Zellweger threatened Delilah that if Delilah does not return to Montana with Judy, Judge Zellweger would punish Delilah's mother by putting her mother, Angela, in jail.

19. At this hearing, Judge Zellweger told Delilah, "When your mom is taken to jail, you will have no other parent to live with but dad." "We can do this the easy way, or we can do it the hard way." The audio recording of this hearing is currently available on YouTube.¹

20. On the YouTube recording you can hear Delilah sobbing and addressing Judge Zellweger, "I have personal experience." Judge said, "I understand." The girl replied, "You don't understand; if you understood, you wouldn't force me to go with a child molester." "There is no evidence," the judge stated coldly. In response Delilah stated, "I am your evidence, your Honor." Delilah also told the Court that she would commit suicide if she were returned to her father.

¹ https://www.youtube.com/watch?v=HfKpCS_v0Bs&t=27s

21. Judge Zellweger did not allow Delilah to testify. Judge Zellweger ordered Angela jailed on February 10, 2021 for two (2) days because of Delilah's refusal to return to Montana with Judy. Judge Zellweger also ordered Delilah to be committed to Saint Louis Children's Hospital psychiatric ward. Delilah was not allowed to talk to anyone, except to the guardian ad litem, Venus Jackson, who was appointed to represent Delilah's best interests during the habeas proceedings.

22. While at the psychiatric ward, Delilah disclosed molestation and abuse to the hospital's priest and doctors. Saint Louis Children's Hospital hot lined these disclosures to the Department of Family Services ("DFS"). It is believed that Venus Jackson contacted the DFS and informed the personnel there that Judge Zellweger had found that "there was no evidence of abuse." The DFS promptly closed its investigation.

23. Once released from jail, Angela tried to get in touch with her daughter. Angela was not allowed to communicate with Delilah under any circumstances. Delilah was not allowed to have a phone call with an attorney who would represent Delilah. Subsequently, Angela learned that Delilah was released from Saint Louis Children's Hospital and moved out of state to an unknown location.

24. On February 28, 2021, an audio recording of Judge Zellweger's habeas hearing was disclosed to the media and posted on YouTube (footnote 1). On March 3, 2021, Judge Zellweger recused herself *sua sponte* from the habeas case. The Court has not appointed a new judge to hear the habeas case.

25. Angela, concerned and devastated about her daughter's disappearance, contacted Venus Jackson, Saint Louis County Family Court, and Saint Louis Children's Hospital personnel, seeking information on her daughter's location. Everyone told Angela that she had no right to know where her daughter, Delilah, was.

26. Angela became grief stricken and distraught after her attempts to find her daughter, Delilah, were ignored. On March 5, 2021, Angela wrote an email to Judge Zellweger, which stated:

The Court does not have the right to hold my daughter against her will or traffic her across the country! If she is not returned to me today there will be consequences for your conduct. You have stepped over the line for any time [sic] of immunity as a judge!

27. On March 6, 2021, a warrant for Angela's arrest was issued and Angela was charged with the Class D Felony for tampering with a judicial officer in violation of section 575.095, RSMo 2016.

28. The complaint charged that Angela Freiner "committed the offense of tampering with a judicial officer with the purpose to harass, intimidate or influence a judicial officer, Nicole Zellweger, in the performance of such officer's official duties. Defendant used a threat against or toward such judicial officer, Nicole Zellweger, in that defendant sent a threatening e-mail to Nicole Zellweger in which she threatened the Judge by stating there would be consequences for the Judge's conduct if the Judge did not change her ruling."

29. Angela was arrested and incarcerated on March 8, 2021, in the Saint Louis County Justice Center where she remains in jail. Her bail was set at seventy-five thousand dollars (\$75,000.00) cash only and cannot be satisfied subject to ten percent (10%) deposit.

30. Until she was incarcerated, Angela maintained full time self-employment in her own cleaning business.

ARGUMENT

Angela Freiner requests this Court order her release from incarceration upon her written promise to appear or, in the alternative, impose a set of nonfinancial conditions that will reasonably assure Angela's appearance in Court pursuant to Mo. S. Ct. R. 33.01(d) and 33.05. Rule 33.01(d) dictates that a "defendant charged with a bailable offense shall be entitled to be released from custody pending trial or other stage of criminal proceedings," unless it can be shown by "clear and convincing evidence that no combination of non-monetary conditions shall secure the safety of the community or other person, including but not limited to the crime victims and witnesses."

Here, there are conditions or combinations of conditions that will assure the appearance of Angela in future Court proceedings and mitigate any danger to the community. Angela has strong ties to this community where her family resides and where third-party custodians are available to assure her presence in Court and to protect the community.

Angela remains incarcerated due solely to her inability to afford to pay her bail. This bail review process and due consideration of alternatives are required by Rules 33.01(e) and 33.05. These rules and the Missouri Constitution and the Due Process and Equal Protection clauses of the United States Constitution, require this Court to explore and implement the release conditions that assure Angela's appearance in Court. If this request is denied and the Court finds that the least restrictive conditions of release involve the imposition of financial conditions, Angela Freiner requests that such condition will be set no greater than one thousand dollars (\$1,000.00).

Angela is indigent under the laws of Missouri and the United States, pursuant to RSMo 600.086, based on her income compared to her expense and the number of people dependent on her support.² Angela is charged with the Class D felony, tampering with a judicial officer. Her bail is set at seventy-five thousand dollars (\$75,000.00) cash only, without an explanation of why monetary conditions were required to assure Angela's presence in Court or to keep the community safe. No inquiry into Angela's ability to pay was made, nor were less restrictive options explored at the time the bail amount was set. Angela is not paying counsel to represent her at this bail hearing. Counsel is serving Angela pro bono.

Angela has been confined since March 8, 2021. Angela has suffered and will continue to suffer significant consequences if her detention is prolonged. The consequences of Angela's incarceration will also harm her daughter, her domestic partner, her family, her business and clients, and the community. These consequences include, but are not limited to: (1) Angela's inability to find and

² Angela meets the criteria of indigency.

reunite with Delilah, who is suffering from depression, anxiety and has expressed that she is suicidal, as she reported to Judge Zellweger; (2) Angela is suffering from anxiety and distress because she has no access to Delilah and is unable to help her; (3) Angela is unable to earn income in order to pay her family's expenses; (4) Angela and her domestic partner are suffering because of their separation; (5) Angela is demoralized and has lost faith in our judicial system which placed her in jail for trying to save her daughter from sexual abuse. Angela's daughter was begging the Court to prevent her from suffering further molestation by Judy. Continued detention of Angela costs the taxpayers and does not promote public safety.

Mo. S. Ct. R. 33.01(c) has a presumption of release upon the accused's own recognizance.

Subject only to conditions under subsection (b) with no additional conditions of release unless the court determines that such release will not secure the appearance of the defendant at trial, or at any other stage of criminal proceedings, or the safety of the community or other person including but not limited to the crime victims and witnesses.

If this Court finds that a promise to appear is insufficient, there are alternatives to monetary release conditions that could assure Angela's presence in Court. The Court could order Angela to report daily from her phone. At the very least, the Court could order Angela to wear an electronic monitoring device. Angela poses no danger to anyone.

Although the allegations contained in the Complaint are serious at first glance, it is also obvious that Angela did not threaten Judge Zellweger with any physical harm. Angela's email reference to Judge Zellweger suffering consequences, was to civil liability as shown by the statement that Judge Zellweger would lose "immunity" because of her actions. Her email was the result of a distraught single mother who had raised her daughter, Delilah, without involvement of her daughter's father. Angela, for the sake of her daughter, was willing for Delilah to live with her father to get to know him, only to have that arrangement bring severe harm to Delilah. Angela was desperate to protect and save Delilah, like any other parent would do when their child is in danger.

Judge Zellweger has recused herself from hearing any further proceedings in Angela's case. It is very possible that a different impartial judge will assess the circumstances of that case and return Delilah to Angela's custody. It is incumbent on this Court, regardless of unproven allegations, to apply the presumption of innocence against the conduct alleged in the charge. Any pretrial custodial determination should be based on evidence and not on preconceived opinion made by the prosecuting authorities. Just as the Court instructs jurors at the beginning of trial, that statements by counsel are not evidence and should not be considered evidence by a jury. Rather they are what the prosecution hopes to prove and what counsel for the defendant hopes to disprove or rebut. Consequently, pretrial deprivation of liberty for any defendant, especially without the benefit of the preliminary hearing, should be the product of clear and convincing evidence and not based on so many words contained in a charging document. The presumption of innocence is a bedrock principle of our system of justice and deserve more than the lip service when a defendant's liberty is at stake.

The right to liberty is a carefully protected constitutional right, including in the pretrial release context. As the Supreme Court has noted, "[i]n our society liberty is the norm, and detention prior to trial or without trial is the carefully limited exception." *United States v. Salerno*, 481 U.S. 739, 755 (1987). No Court has made a finding that the posting of a cash only bail is necessary to assure Angela's appearance at trial. No Court has made a finding, after a showing by the State of Missouri, that Angela is a danger to any crime victim, the community, or to any person. As a result, Angela should be released upon her written promise to appear.

Missouri law provides that "[a]ny person charged with a bailable offense, at his or her appearance before an associate circuit judge or judge, may be ordered released pending trial, appeal, or other stage of the proceedings against him on his personal recognizance, unless the associate circuit judge or judge determines, in the exercise of his discretion, that such a release will not reasonably assure the appearance of the person as required." RSMo §544.455. Mo. S. Ct. R. 33 requires that any person charged with a bailable offense shall be entitled to release upon written promise to appear

unless the court has made a determination that such release will not reasonably assure the appearance of the accused. Rule 33.01 (a), (d).

Without the required finding that a bail amount is necessary to assure the appearance of Angela, she must be released upon her written promise to appear. There has been no showing in this case that release conditions more restrictive than release upon written promise to appear are necessary to ensure Angela's appearance in court or that she poses a danger to the community. No evidence was presented to the court on this factor prior to the setting of the *sua sponte* bail, and no finding was made that there is a danger to the crime victim, the community, or any other person. Angela, like anyone facing criminal charges, is a woman who deserves the opportunity to be free until such time as the jury determines, if ever, that her guilt is established beyond a reasonable doubt. It is a fundamental guarantee in America that we do not incarcerate our citizens prior to conviction, except in extreme cases. Angela's case does not fall into the category of prohibited conduct that would justify her incarceration prior to conviction.

The Eighth Amendment to United States Constitution, which is applicable to the states through the Fourteenth Amendment, bars the imposition of excessive bail, as does the Missouri Constitution, each providing that "[e]xcessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted." United States Constitution, Amend. VIII; Missouri Constitution, Article I, Section 21. The United States Supreme Court has said that bail is "excessive" when it is "set at a figure higher than an amount reasonably calculated to fulfill" the purpose of assuring the presence of the accused at future proceedings. *Stack v. Boyle*, 342 U.S. 1, 5 (1951). The Court further recognized that "[u]nless this right to bail before trial is preserved, the presumption of innocence, secured only after centuries of struggle, would lose its meaning." *Id.* at 4. There is no evidence in the record that the current level of bail is necessary to secure Angela's presence. If a court nevertheless sets financial conditions without an analysis about a defendant's ability to pay, the conditions of release effectively serve as a mandatory detention order and violate the accused's right to bail and to

equal protection rights as guaranteed by the Fifth, Eighth, and the Fourteenth Amendments to the United States Constitution and by Art. 1, section 2, 10, 20 and 21 of the Missouri Constitution.

WHEREFORE, Angela Freiner prays that this Court order her release on her personal recognizance or, in the alternative, upon her recognizance and monitoring through phone contact or an electronic monitoring device or, in the alternative, on one-thousand-dollar (\$1,000.00) bond and that the Court grant other and further relief as the Court deems just under the circumstances therein.

/s/ Evita Tolu
Evita Tolu, Esq. MoBar # 49878
1 Crabapple Court
Saint Louis, Missouri 63132
Phone: (314) 323-6022
Fax: (314) 207-0086
e-mail: evitatolu@outlook.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing was emailed to the Prosecuting Attorney for Saint Louis County Circuit Court, Missouri, through the operation of Court's electronic filing system.

/s/ Evita Tolu

IN THE CIRCUIT COURT OF ST. LOUIS COUNTY
STATE OF MISSOURI

-VS-

ANGELA MICHELLE FREINER
8547 PILOT AVENUE
SAINT LOUIS, MO 63123

RACE: White
SEX: Female
DOB: 12/25/1978
HGT: 5'04"
WGT: 140lbs.
P.D.: Clayton
ORI Number: MO0951400

SSN: 491-90-2720
OCN: No OCN
CASE ID: 189425086
RPT NO: 21-261
CT. NO: 21SL-CR04998

Aliases:

40 M

Defendant

CHARGES

Count: 01 TAMPERING WITH A JUDICIAL OFFICER—CLASS D FELONY

WARRANT AND COMMITMENT TO JAIL FOR TRIAL OR PRELIMINARY HEARING
WARRANT NO.

IN THE ABOVE DIVISION OF THE CIRCUIT COURT OF ST. LOUIS COUNTY.
THE STATE OF MISSOURI TO ANY PEACE OFFICER IN THE STATE OF MISSOURI:

The court, having found probable cause commands you to arrest the above-named defendant who is charged with the offense(s) listed above, alleged to have been committed within the jurisdiction of this court and in violation of the laws of the State of Missouri. You are further commanded to bring the defendant before this court as soon as practicable, but when the defendant is confined in St. Louis County, no later than 48 hours after confinement, excluding weekends and holidays, and if the cause is continued, you shall hold the defendant in the custody of the Department of Justice Services (JAIL) of St. Louis County, Missouri until the defendant is discharged in accordance with the law or upon proper posting of bond as set forth below.

Based upon the available information about the individual circumstances of Defendant* and the case, pursuant to Mo. S. Ct. Rules 22.04(a) & (d) and 33.01(e), the Court has considered the following factors:

- | | |
|--|---|
| <input checked="" type="checkbox"/> The nature and circumstances of the offense charged; | <input type="checkbox"/> Defendant's record of convictions; |
| <input checked="" type="checkbox"/> The weight of the evidence against Defendant; | <input type="checkbox"/> Defendant's record of appearance at court proceedings or flight to avoid prosecution; |
| <input type="checkbox"/> Defendant's family ties; | <input type="checkbox"/> Whether Defendant was on probation, parole or release pending trial or appeal at the time of the alleged offense(s); |
| <input type="checkbox"/> Defendant's employment; | <input type="checkbox"/> A validated evidentiary-based risk assessment tool approved by the Mo. S. Ct. |
| <input type="checkbox"/> Defendant's financial resources, including ability to pay; | |
| <input type="checkbox"/> Defendant's character and mental condition; | |
| <input type="checkbox"/> The length of Defendant's residence in the community; | |

More specifically, the Court finds the following facts to be relevant and makes the following findings:

Defendant threatens judge presiding over her custody trial

*The Court notes that, as this is an *ex parte* proceeding, limited, if any, information has been presented regarding Defendant.

The court further finds reasonable grounds to believe the defendant

- will not appear on a summons;
- is a danger to the crime victim, the community or another person.

After consideration of the above factors, the Court orders:

- Non-Monetary Conditions ONLY:** Defendant released upon written promise to appear for all court proceedings (recognizance) subject to the least restrictive conditions set forth in **Section A**.
- Monetary Condition Added:** Based on the findings contained herein, non-monetary conditions alone are not sufficient to: (choose at least one)
 - secure the safety of the community, crime victim or others; and/or
 - secure Defendant's appearance.Therefore, Defendant is released upon the non-monetary conditions set forth in **Section A**, if any, and the monetary conditions set forth in **Section B**.
- NO BOND:** Defendant be detained. The Court finds, upon *clear and convincing evidence*, that no combination of non-monetary and monetary conditions will secure the safety of the community or others (see findings above).

SECTION A: Defendant is ordered to comply with the following least restrictive conditions of release:

- Compliance with the conditions of the
 - Pre-Trial Release Program
 - MacArthur Programper Program agreement/contract
- No alcohol
 - SCRAM Bracelet:* (no tampering)
 - Proof of installation payment prior to release
 - Within _____ hrs of release
 - Soberlink obtained within _____ of release*
 - Ignition Interlock installed within _____ of release*
- EHD Bracelet:* (work/school/med/legal appts only/no tampering)
 - With GPS
 - Proof of installation payment prior to release
 - Within _____ hrs of release
- GPS Bracelet:* (no tampering)
 - Proof of installation payment prior to release
 - Within _____ hrs of release
- Other:

- Defendant cannot be within 100 feet of Judge Zellweger.
- Obtain/maintain employment
- Attend school full-time part-time
- No firearms/weapons (in possession or vicinity of)
- No drugs (except as prescribed by a doctor)
- No driving
- No contact or communication with victim and _____
- Defendant is ordered released to the custody of _____, who shall supervise Defendant as directed by the Court.
- Defendant shall sign up for Track This Case within 48 hours of release at www.courts.mo.gov (see instructions from Clerk).

*Defendant shall bring proof of installation/rental to next court date

SECTION B: In addition to any conditions stated in Section A, Defendant's bond is set at: \$ 75,000.00

Cash Only (no surety) 10% Authorized (being \$ _____) 10% NOT Authorized
 Property Authorized (if of sufficient value): Owned by: _____
Located at: _____

**DEFENDANT MUST COMPLY WITH ALL MUNICIPAL, STATE, AND FEDERAL ORDINANCES AND STATUTES.
DEFENDANT MUST PERSONALLY APPEAR AT ALL COURT DATES.**

If defendant is charged with any of the following and is a concealed carry permit holder, defendant shall surrender his/her permit to the serving officer to be forwarded with the return of this warrant to the court.

1. Any felony;
2. Any misdemeanor involving explosive weapons, firearms, firearm silencer or gas guns;
3. Any misdemeanor offense involving a crime of violence;
4. Any misdemeanor offense involving possession or abuse of a controlled substance, or prior or persistent DWI alcohol or drugs; or
5. A fugitive from justice or charged by information or indictment in any other state of any similar offense described in the above paragraphs 1-4.

The officer serving this warrant shall execute in writing a return on this warrant to this court.

WITNESS THE HONORABLE Dean P. Waldemer Judge of the said Court and the seal thereof, issued in the County and State aforesaid, on this 6th day of March, 2021

Dean P. Waldemer

Judge

RETURN

I certify that I served the within warrant in the county of St. Louis, Missouri, on the _____ day of _____, _____, by arresting the above-named defendant and committing him or her to the custody of the Department of Justice Services (JAILER) of the County of St. Louis, Missouri, as commanded.

Mileage \$ _____
Arrest Fee \$ _____
Commitment Fee \$ _____
Total Fees \$ _____

Officer

Department

WARRANT NO. _____

From: Daily Docket News <dailydocketnews@mail.com>
Date: March 15, 2021 at 11:18:27 AM CDT
To: REDACTED
Subject: STL Family Court Update

SPECIAL EDITION

Daily Docket News is dedicated to shine light on the **grave injustices** taking place in the family court in **multiple states** including the State of Missouri. Our news coverage extends to the most devastated regions of our country with **boots on the ground** seeking out the truth. Each edition we run is focused on a different state where **corruption runs deep**. It has been a national scandal for decades in which **family courts in this country systematically failed** to protect our children from physical, emotional, and sexual abuse by predatory parents. What is equally scandalous is the silence on the coverage of this **unimaginable issue**. It is a dreadful reality of **child trafficking** through the family courts in the United States of America.

***The Worst Interest of the Child, The Trafficking of Children and
Parents Through U.S. Family Courts***

Book by Keith Harmon Snow

Keith Harmon Snow's meticulously documented investigation into sex-trafficking of children by American judges is not to be missed. This scandal is one of the most important censored stories in our country today ...

<https://www.amazon.com/Worst-Interests-Child-Trafficking-Children/dp/0981611486>

Daily Docket News investigative team has come across an unbelievable and tragic event unfolding in the Saint Louis County Court. Just when we thought the court could not stoop any lower, we thought wrong.

MOTHER UNJUSTLY JAILED TRYING TO SAVE HER CHILD

Angela Freiner, who **spent her last dime fighting** in court **for her daughter's life**, has been jailed a second time by **Judge Nicole S. Zellweger**. The first time Angela was **wrongly jailed** by Judge Nicole S. Zellweger was on **February 10th, 2021 for 48 hours**, as an apparent **scare tactic** directed at Angela to be **submissive to the court**. This second time, Angela was **picked up without a warrant on March 8th, International Women's Day**, on a **\$75,000.00 cash only bail**, by refusing Judge Nicole S. Zellweger's court order to **force her 14-year-old daughter to live with the man** her daughter states **molested her**. Cash only bail, is normally imposed on the most violent of criminals which this mother is categorically not, but only **guilty of trying to protect her child from being molested**, or worse. Judge Nicole S. Zellweger, of the Saint

Louis County Family Court, Missouri, was caught allegedly **violating the civil rights** of this family by **forcing** this innocent 14-year-old girl, **against her will**, to be with her perpetrator father who was **convicted of domestic violence** against her older sister.

This jailing of Angela is apparently in **retaliation**, by Judge Nicole S. Zellweger, to the **leaked audio** of a Zoom court hearing by this brave 14-year-old girl that showcases an ongoing pattern of alleged **lawlessness in Saint Louis County Family Court**, Missouri. Angela's daughter was **entrapped and forcibly taken against her will**, on Judge Nicole S. Zellweger orders without Angela's consent, by court officers during a hearing a few weeks ago and remanded to a **mental facility** in Saint Louis **without the ability to speak with anyone** except her alleged lawless guardian ad litem, **Venus Jackson**. This traumatized 14-year-old girl has now been **torn from her mother's arms**, yanked out of her school, ripped away from her classmates, and **shipped like a piece of cargo out of state** to an **unknown destination** on the orders of Judge Nicole S. Zellweger. We do not know if this scared 14-year-old is even in the United States anymore. Hundreds of thousands of children go missing in this country every year without a trace. **Please help find this missing child.**

Please help this frightened mother get out of jail so she can start the **search for her child before it is too late.**

This **horrific and unbelievable** story is an absolute abomination and clear violation of Angela's rights as an American under the Constitution of the United States.

PLEASE HELP US RAISE THE FUNDS NEEDED TO FREE ANGELA FROM JAIL, FIND HER DAUGHTER AND HELP PAY FOR LEGAL REPRESENTATION FOR THIS UNCONSTITUTIONAL INJUSTICE

Daily Docket News legal team is stunned and offers no explanation for the ongoing atrocities being committed in the Saint Louis courts. How could the **Saint Louis County Prosecuting Attorney, Westly Bell**, hold this mother on a **\$75,000.00 cash only bond**, who was only trying to protect her child from harm. Is Westly Bell doing his job or is he just one of the **many pawns** being used in a **cover-up** for the courts? Is Westly Bell **aiding and abetting** in the disappearance of this 14-year-old girl or worse, helping the alleged **Kids for Cash** scheme? Is Westly Bell sending a message to the **hundreds of parents stepping forward with lawsuits** to back off? You be the judge. Please **share this link below** to help **free this mother** so she can **find her child**. We pray this child will be found before it is too late.

https://www.gofundme.com/f/help-falsely-jailed-mother?utm_source=customer&utm_medium=copy_link&utm_campaign=p_cf+share-flow-1

Daily Docket News investigative team is digging deep into an alleged **money laundering scheme** involving Saint Louis County Court **Judges, attorneys, guardians ad litem, therapists, and forensic evaluators**. Because the **Missouri Bar**, as well as **multiple Missouri law firms**, requested **removal from our distribution list**, we suspect that they could all be involved in this alleged money laundering scheme from the **profits made by trafficking in children**. Our legal sources feel many, if not all **involved directly or indirectly**, will be convicted, and sentenced to **prison time** if justice for the children prevails. We will bring you our findings as we uncover them.

Daily Docket News is following **hundreds of victims** who will be **filing their lawsuits shortly** against these alleged child predators including, but not limited to, those calling themselves attorney's, guardians ad litem, therapists, and forensic evaluators. The alleged **Saint Louis County Court Swamp** has gained **national attention** over the last few months and is being picked up and **broadcast by numerous media platforms**. This certainly has **overwhelmed the court** system and is **exposing all involved**. The court appears to be in **panic mode** and unable to comprehend what to do, as lawsuit after lawsuit is filed alleging **blatant court corruption**. Our legal sources estimate that these lawsuits could amount to **billions of dollars in recovery for the victims** who were harmed. Unfortunately, it will come too late for the **thousands of children** whose lives have **forever been permanently damaged**. No one can put a cost on that.

Daily Docket News coverage of cases across the United States, like in Missouri, present a clear pattern of alleged **child trafficking through the family courts** which involve alleged colluding judges, attorneys, guardians ad litem, therapists, and forensic evaluators, who engage in divorce, child custody, adoption, and paternity cases, which coincidentally all involve well to do predatory parents. The **common thread** in most of these family court cases appears to be the **deliberate withholding of damaging evidence perpetrated by the predatory parent while manufacturing damaging evidence for the submissive naive parent**. We will bring these **victim's stories** to you as we investigate them.

Daily Docket News wants everyone to watch the Netflix movie called '**I Care A Lot**' which is a **true story of a greedy businesswoman** (played by Rosamund Pike) who works as a legal **guardian** for unsuspecting elders and drains their assets which is exactly what is happening in the **Saint Louis County Family Court** except it is happening to our **children** and for all we know, most likely our **elderly** too. Also, please watch the movie '**The Guardians**' which is the same story.

Daily Docket News wants everyone to know that the casualties of this alleged **Kids for Cash** scheme are our **defenseless minor children**. Many parents have joined the **fight to stop family court corruption** by suing their own lawyer, guardian ad litem, forensic psychology evaluator and therapist, who are all allegedly colluding together to sell or have **sold their children to the highest bidder**. If you know someone who is currently in litigation with minor children involved, please reach out to them, and help **save their children from being sold** and their bank accounts from being drained. Please **forward this letter** to everyone you know that is concerned about a **child's safety**.

Daily Docket News legal team wants our readers to know that the **family court** has unfortunately, and we pray not intentionally, **lost sight** of the following: Missouri Law is premised upon the **public policy** that “custody of **minor children cannot be bartered and traded as goods in the marketplace**, so as to foreclose a judicial determination as to the present welfare and **best interests of the child.**” *Matter of W-K-M-*, 537 S.W.2d 183, 186 (Mo.App.K.C.1976). Rather, “**the welfare of the child is and must be the prime and overriding consideration**, and the rights and claims of the parents are and must be of **secondary importance.**” *Id.* At 185.

Daily Docket News has received **thousands of emails** from our **faithful Missouri readership** stating they had the **same or similar circumstances** occur in their family court case, as what happened in the cases we are covering, and are **asking us for help**. If you feel that you and your children were **wronged by the family court**, go to the **links below** for a wealth of helpful information and write about what happened to your family. **Call your government representative** and tell them how the **family court destroyed your family**. Also, please **fill out the ‘OMB’ - feedback on professionals associated with family courts’** section to be connected to other victims in your area.

<https://www.facebook.com/St-Louis-County-Family-Court-Stories-102729701406009>

<https://www.facebook.com/evita.tolu/>

Daily Docket News wants to thank an **anonymous group of generous attorneys and donors**, who have pledged **unlimited resources to help change laws** that currently protect this alleged **Kids for Cash** scheme that is deeply embedded in the Family Court, and vows to **hold accountable every person** participating in it, to the **fullest extent of the law**. Our suggestion, for victims of this **Kids for Cash** scheme in need of **immediate help**, would be to contact the attorney below who is helping coordinate the effort to get **justice** for other victims. We are hopeful that you will be connected to the **ever-growing team of honest attorneys**, whose mission is to put an **end** to the **injustice taking place in the family court**. If there are any **attorneys willing to help these victims**, please reach out to Larry Mass who is handling multiple other lawsuits in this endeavor.

Laurence D. Mass, Esq. MoBar # 30977

230 S. Bemiston Avenue, Suite 1200

Saint Louis, Missouri 63105

Phone: (314) 862-3333 ext. 20

Fax: (314) 862-0605

e-mail: laurencedmass@att.net

Daily Docket News legal team wants litigants who believe they were **wronged by the family court** to either file a **Motion to Modify** and/or **Motion to Vacate** prior custody decisions in all cases involving these alleged **Kids for Cash** players. For currently pending cases, our legal team

suggests filing **Motion to Strike** your current forensic psychology evaluator as an expert and **Motion to Remove** your guardian ad litem.

Daily Docket News believes one of the **hallmarks** of the American judicial system, and of any good judicial system, is **judicial accountability**. Accountability **prevents corruption and abuses of power**; it also helps to ensure that governmental policy reflects the **community's values and interests** in ensuring everyone a day in court, in **protecting individual rights** and, perhaps most importantly, in a **stable rule of law** that is **free from undue influence by politicians and special interests**. Our investigative team is working day and night to penetrate deep inside the Saint Louis County Court system and **expose all involved** in the **Kids for Cash** scheme.

Daily Docket News will make every endeavor to accommodate **those who do not believe** in 'Childs Lives Matter' and **whole heartedly apologize**, on behalf of the **children whose voices have been silenced**, if anyone is **offended by our reporting**, as that was **emphatically not the intent**. If you have received our publication and wish to be permanently removed, please **email us a polite request** and we will do everything we can in a timely fashion to **remove you from any further editions**. Our **sincere apologies** if you or a concerned friend were removed inadvertently. Please email us a request, at your earliest convenience, to **restart your subscription**. If you know someone you think would want to be on our distribution list, please forward their e-mail to: dailydocketnews@mail.com. **Knowledge is power** and together, **we can make a difference in a child's life**.

Daily Docket News wants every reader to unite, armed with the sense of responsibility, and take action to protect our children from this **alleged swamp** of sleazy **predatory** parents, unethical **greedy** forensic psychology evaluators, unethical **corrupt** guardians ad litem, unethical **shady** therapists, and unethical **colluding** attorneys. There is **no greater tyranny** than that which is **perpetrated under the shield of law** and in the **name of justice**. **Absolute Power** in the Family Court, **Corrupts Absolutely**. Laws protecting this **outrageous conduct** in our family courts must be changed now. Child trafficking through the family court system is an epidemic across the United States, and it takes many ugly forms. **Our children deserve safety, justice, and protection from ALL PREDATORS!**

03-12-2021(supplement)

Missouri Edition

Reported to you by Daily Docket News

Always Fair, Honest, Unbiased, Balanced & Objective

A Voice for the Children who have been silenced by the Family Court System

Corporate Headquarters: New York, NY

Readership circulation: 465,000+ Saint Louis Metro

1,073,000+ Missourians

15,928,000+ Nation-Wide

All persons mentioned herein are presumed innocent at the time of our publication

Our readership is growing because of your support to make a change to save our children