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14-10499

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Inquiry Letter

Please forward to all parties of 'Appeal Letter':

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We have submitted the "Appeal Letter in regard to Diane Feinstein's 'Violation to Constitution, Tarnish to Justice and Harmful to the Public' one month ago, until now, we still didn't receive any reply. What is the reason?

Maybe people think that Diane Feinstein's 'Three Constitution Violation Crimes' is not important; in fact, these 'Three Crimes' are harmful to the public, and damaging the image of the United States.

1. Harmful to the public. (1) 'Tri-Valley University Case'. If we completely implement Diane Feinstein's 'To attack similar school', 'order them to terminate', it must cause at least thousands of people imprisonment, unemployed and lose schooling. If she wants to warn hundreds by punishing one, then she punished the wrong person. I want to ask Diane Feinstein and her supporters: In the judicial history of the US, isn't the case to sentence the president 16-year imprisonment based on the ground of 'Visa Fault' ridiculous? --- If visa has problem, it should be the problem of the visa officer, but not the school. Why did they use civilians as scapegoat? The main function of a school is to organize teaching, how can it report visa materials? If it's simple and will obtain approval, how can they report to the superior. And visa officer's only duty is to verify and approve visas, they should take major responsibilities. The school didn't swindle a smuggler to visa holder, and didn't sell a visa at a standard network education tuition of more than \$2,700.00, therefore, it should not be a 'Visa Fault' case. (2) 'Leland Yee' case. Based on the newspaper, 'Diane Feinstein is an authoritative figure on San Francisco politics', if she has made up decision for this case, how could the judge deal with it? Only this case will cost taxpayer more than fifty million. (3) 'Short Rent Law'. Diane Feinstein declared in public 'we will overflow this law next year'. How can this be implemented? If we overflow this law, it will damage the benefit of several million public and government annual tax income of fifteen million.
2. Damage the image of the United States. China is self-acknowledged as a developing country without complete legal system, and it doesn't have 'a judicial senior officer at the class of deputy chairman of People's Congress, using personal name, to directly interfere with specific judicial case', and case like 'public declaration of overflowing local law'. It is well-known that recently, Jinping Wang, the legislative chairman of Taiwan, was deployed his party membership due to his 'interference' to specific judicial case, and he is facing lawsuit. This is the ruler: Diane Feinstein's 'Speech-Action-Statement' is more serious than 'Interference'. Taiwan is a student of the United States in terms of 'Independent Three Rights'. If the teacher is worse than the student, how can the United States leads the world?

Therefore, based on law, we should recall Diane Feinstein, then have a second hearing for 'Tri-Valley University Case', then have a hearing for 'Leland Yee Case', then implement 'Short Rent Law'. The reason is that: Diane Feinstein seriously violated the supreme law of the US --- 'Constitution', otherwise, what is justice? At least we cannot guarantee justice for these three cases.

I hereby submit this inquiry.

Inquirer: Chang Gui Su
12/06/2014

chang gui su

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U.S. COURT OF APPEALS
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Appeal Letter

In regard to Diane Feinstein's 'Violation to constitution, Tarnish to justice and harmful to the public'

— 仅供“三谷大学案”二审参考

For Reference of 2nd Hearing to "Tri-Valley University" Case

(11-CY-00288-TST)

This letter will be submitted to: The President's office, Federal Senate, California State Government, and California Senate, also submitted to federal court, World Journal, Sing Tao Daily, and Chinese Consulate in San Francisco, CA.

Appellant: Chang Gui Su, male, of Han Nationality, now 66 years old, residing at 3340 Gardella Plz Apt 104, Livermore, CA 94551. He is the father of Xiaoping Su, who is the 'Tri-Valley' case defendant with 16-year sentence term, and he is a teacher. He immigrated to the US in 2002, and became a US permanent resident in May 2003. He has five children, four of them are in the United States, one is in China. Among his children and their spouse, three obtain doctoral degrees, three obtain master's degrees. In the past, I truly appreciate the legal and educational system of the US, now I deeply feel that I need to reconsider the United States.

Defendant: Diane Feinstein, female, Caucasian, now 81 years old, residing at San Francisco and Washington D.C.. She has been senator of San Francisco for 10 years, and Mayor of San Francisco for 10 years. In 1992, she entered the Senate and had been Senator for 22 years. Her term will be expired in 2018, and she will be 85 years old then. Now she is 'Chairman of Information Committee' and 'Financial Chairman of Energy, water Investment Committee' for the Senate.

First, please answer one question: for the constitution violation of Diane Feinstein, why didn't she choose judicial procedure, but administrative disposition? The reason is very simple: 1, cannot afford legal charge; 2, Diane Feinstein is already 81 years old. From the consideration point of humanism, they don't want to investigate criminal charges against her. They only want her to resign, the reason is: China has an old saying, first, 'Aged people become wordy, and old trees become multi-root'. When Diane Feinstein resigns, even though she is wordy, she will not be charged with 'constitution violation'. Second, she still has four-year term, and she will harm more people.

Content of appeal: now Diane Feinstein is 'Information Chairman', she didn't obtain 'Real information, but has lots of fake information'. Is this related to 'Information Chairman'? Now Diane Feinstein is the 'Financial Chairman', does she have financial problem? I don't want to inquire about this. For the 40 years of administration, how many 'constitution violations' Diane Feinstein has committed? How many injustice cases has she caused? I don't want to inquire. I only want to appeal about the three 'constitution violation' crimes Diane Feinstein committed in the year of 2014.

'Constitution' is the highest law of the country, and the biggest law. 'Constitution' regulates: 'Executive, legislative and judicial is three independent government systems in the US.' Therefore, independent 'Three-branches' is the essence of US constitution. Based on the principle of independent 'Three-branches', as an executive senior officer, Diane Feinstein cannot and doesn't have the authority to interfere with detailed judicial case; cannot and doesn't have the authority to interfere with local governmental regulations and implementation of local executive officer. However, Diane Feinstein ignores the principle of independent 'Three-branches' in constitution, she committed three 'constitution violation' crimes in 2014.

First, 'constitution violation' crime: interference with 'Tri-Valley University' case, leading this case to become 'The First Injustice Case' in human network education history. Because 'Tri-Valley University' case has serious school nature mistake, serious racial prejudice, serious political torture, serious financial miscarriage of justice, and serious human right violation. Therefore, it is 'The First Injustice Case' in human network education history.

- 1, Statement and evidence for Diane Feinstein's interference with 'Tri-Valley University Case'.

Statement and evidence one: on Mar. 25, 2014, 'World Journal' reported: "Due to this case, CA federal senator Diane Feinstein specially proclaimed that: we should attack similar schools'.

Statement and evidence two: on Mar. 25, 2014, 'Sing Tao Daily' reported: 'Tri-Valley University Case' caused the attention from federal senator Diane Feinstein, and ordered them to closing the school.

- 2, The nature of statement for Diane Feinstein to interfere with 'Tri-Valley University Case'

- 1 Nature one: This is a qualitative statement from Diane Feinstein to 'Tri-Valley University Case'. Someone said that the proclaim from Diane Feinstein is targeting 'Social phenomena', but not targeting 'Tri-Valley University Case'--- please don't talk blindly with open eyes! The newspaper clearly said that 'Due to this case', 'This means 'Tri-Valley University'. 'Tri-Valley University Case' caused the attention from Diane Feinstein: Don't you understand? Someone said that 'This is freedom of speech' --- freedom of speech is based on the premises of law and no harm to other people. The statement of Diane Feinstein has violated the constitution, and has harmed many people. Someone said 'No Recording' --- many 'newspaper' with the same content is stronger than the fake 'recording'. Therefore, Diane Feinstein's statement is targeting 'Tri-Valley University Case', and also the qualitative statement for this case.

- 2 Nature two: Diane Feinstein's statement is purely individual opinion, but not government decision, and not a law. "US Herguan University Case" fully proves this nature: 'US Herguan University' case was originally planned for hearing in July, now it is changed to Nov. 17. On Mar. 35, Sing Tao Daily reported: "Another case similar to 'Tri-Valley University' case will be opened for hearing in July of this year at San Jose Federal Court, the defendant is Yunfei Wang, Administrative President of Sunnyvale 'US Herguan University', charged with operating fake school, and assist foreign students to obtain visas." However, this school was not ordered to close. In the contrary, on May 9, 2014, president Obama visited this school, and took a photo with Ying Qiu Wang(Chairman of the Board for this school), who is the father of the defendant. --- this fully explain two issues: one, 'To attack similar school' and

'Order them to close' are completely Diane Feinstein's individual statement for 'Constitution violation – illegal-harmful to people'. Two, explain that in judicial practice for similar cases, there are serious double standard.

- 3 The meaning of Diane Feinstein in 'Similar Schools'. What kind of school is 'Similar Schools'? Combined with 'Iceberg numerous schools', it can only mean 'Informal Universities'. That is what Chinese often means 'Civil Universities', and Americans means 'Informal Schools'. In the US, there are thousands of 'Informal Universities', all approved by the government. These universities contribute greatly to the employment, financial development of the US, as well as knowledge teaching. These universities have several commons: first, don't cost government money; second, various teaching methods; third, student's status doesn't stand for personal status; forth, exchanged knowledge with money for living and school development; fifth, students enroll in school on their own free will, and they have the freedom to stay or leave; schools are unique and rely on themselves for existence. --- 'To attack similar school' must first establish the law, but not one person makes the decision.

- 3, Danger of Diane Feinstein's statement to interfere with 'Tri-Valley University' case.

- 1 Destroy justice hearing for 'Tri-Valley University' case. In any hearing, lawyer can have defending role. But the judge for 'Tri-Valley University' case ignored lawyer's defending. The defendant didn't have the money to hire a lawyer, till the end of the hearing, she still used public defender. The public defender Jon S. Tigar used justified words to defend the defendant as innocent, and he pointed out that, ' Xiaoping Su is a kind woman who want to independently operation a good school in Princeton.' 'There might be imperfect areas in the school operation, but should not obliterate the defendant's kind efforts.' 'Maybe Xiaoping Su didn't do everything right, but, this should not be counted as a crime.' (refer to 'Sing Tao Daily', Mar. 5, 2014). After the three-week hearing, from Mar. 3 to Mar. 21, on Mar. 21, at night, the defendant told her parents at home, 'The public defender has clearly defended my case, and my case is surely winning.'

From Mar. 22 to Mar. 23(Saturday and Sunday), hosted by judge Jon S. Tigar, the jury had two-day closed conference. After the 'Close Conference', there was a 180 degree change. We didn't know what did the 'Close Conference' talk about? We cannot imagine that two absurd matters appear: first, deny the qualitative nature of 'Tri-Valley University'. From Jan. 19, 2011 to Mar. 21,2014, more than three years, various medias have been reported 'Tri-Valley University' approved by the government. On Mar. 25, 'World Journal' suddenly reported that: " 'Tri-Valley University' is a fake education facility without qualitative nature." --- It is well known that if it is approved by the government, it is not fake. "Tri-

Valley University' was approved by California Education Bureau (we have approval document). No 'Acknowledgment Certificate' is because the acknowledgment committee didn't do its job. If it is fraud, why didn't the authority point out when they come for inspection? Why didn't it report for so many years? Especially the graduated master's degree holders perform excellently at their posts, which are strong evidence.

Second, create 'All American Numerous Iceberg Visa Factory'. On Mar. 25, 'World Journal' reported: 'This kind of behavior using fake school for swindling was pointed as 'visa factory'. "'Tri-Valley University' case is only one corner of the iceberg, there are many swindling schools in the US using this method." On Mar. 25, Sing Tao Daily reported: 'This case revealed the gradually increasing 'visa factory' in the society.' --- "unreal reporting material' is common social phenomena, otherwise, why do we still need visa officer to review? No matter how serious unreal report, we cannot exaggerate as 'Fake Document' and 'Visa Factory'. Everybody knows that visa issuance was conducted by government visa officers, the school didn't make one visa, didn't issue one visa, didn't buy one visa, how can it become 'Visa Factory'? This is 'Political Rumor'. 'Description' and 'Metaphor' cannot be outlawed. This kind of 'Political Rumor' can put millions of people in jail, how can that be so playful? I only hope this 'Visa Factory' will vanish forever in human society.

On Mar. 24, at the 'Closed Conference', the judge announced to suddenly put the defendant in prison. Even the public defender could not understand, and he angrily pointed out at court: 'The federal government only wants to torture the defendant.' 'She operates the school with her conscience.' (Mar. 25, 'World Journal') --- The straight statement by the lawyer explained the truth of 'Tri-Valley University': 'Diane Feinstein and supporters only want to target the defendant, thinking wishfully that they can punish one and warn hundreds.' This is the truth of "Tri-Valley University'.

Until Mar. 25, all major newspapers reported hearing results, Diane Feinstein's name and statement should not appear; but they were reported. This made people waking up: Diane Feinstein has been interfering with 'Tri-Valley University' case. It is regretful that newspaper didn't report Diane Feinstein's statement, only talking to the judge, or all members in the jury, or to the reporters?

Nobody can deny that the authority of Diane Feinstein had certain power. Like 'World Journal' reported: 'Diane Feinstein is authoritative figure in San Francisco politics'. The lawyer said a thousand times that 'She operates the school with her conscience, this should not be taken as a crime.' This cannot be compared with Diane Feinstein's 'To attack similar schools, and order them to close.' Otherwise, the media will not use Diane Feinstein's statement to hold the line. We realize that the two absurd matters: deny

qualitative nature of school operation and name school as 'visa factory' are servicing 'To attack similar schools'.

- 2 Seriously harm justice. Before the sentence of 'Tri-Valley University' case, before the hearing of the court, Diane Feinstein had determined the nature of this case. What is this about? If we didn't call this 'interference with justice', what do we call it? Then what do we need the judge for? In the modern society, is it the judge making decision based on law, or senior officer supported Diane Feinstein and made the decision? Is it the judicial doctor who have researched specifically on this case having less legal knowledge than Diane Feinstein? Isn't this harmful to the justice?
- 3, This issue is thought-provoking, and only has one answer. The 'Tri-Valley University' case lasted from Jan. 19, 2011 to Oct. 31, 2014, three years and nine months. It experienced two courts, two judges and two public defenders. Only the appeal with 35 crimes didn't change. Court A: Oakland Federal Court, lasted more than 3 years. Court B: San Francisco Federal Court, lasted for 9 months. Lawyer A: If the defendant plead guilty, the sentence term will be five years. The defendant plead innocent. Lawyer B: She ran the school with her conscience, it should not be taken as a crime. Judge A: the hearing will not be open for three years. Judge B: from acceptance of this case to being in jail, it will last two months. Sentence term is 16 years; confiscate all assets of \$5.6 million; an extra fine of \$0.904 million.

This issue is thought-provoking: 1, why do we change the court? 2, If it was really 'visa fraud', why didn't judge A proceed public hearing for three years? 3, The sentence term is increased from two years to 16 years, 8 times difference. Is law a rubber band? 4, The United States is the founding country for human network education, and Doctor Xiaoping Su is one of the explorers for human network education. Why did she have such a miserable fate?

There is only one answer: 1, Interfered by Diane Feinstein, court A will not have any action; 2, San Francisco is the lair of Diane Feinstein; 3, The judge is already hot supporter of Diane Feinstein. 4, 'Tri-Valley University' case is 'The No. 1 Injustice' in human network education history.

The second 'Constitution Violation': interfere with 'Leland Yee' case, causing tax-payers \$50 million.

Leland Yee is California Senator. On Mar. 26, 2014, Leland Yee, Guohui Zhou, totaled to 29 people were arrested, named as 'Leland Yee' case on newspapers.

1 For interference with 'Leland Yee' case, Diane Feinstein conducted three actions within one month.(we don't know what other actions she will take)

The first: issue declaration. As soon as Leland Yee was arrested, Diane Feinstein issued declaration, order Leland Yee resign from the position of California Senator. Leland Yee refused to resign, later he was recalled by California Senate.

This behavior of Diane Feinstein is rather abnormal. Before the arrest, Leland Yee was an officer warmly welcomed by the public, and he was running for Secretary of State. If voters found out that Leland Yee was arrested and he has retreated from the running, but in the voting for Secretary of State, Leland Yee still obtained high voting number. Before the arrest, Diane Feinstein was the immediate boss of Leland Yee. For such an officer warmly welcomed by the public, in common sense, when Leland Yee was arrested, Diane Feinstein should 'doubt whether he was wronged' However, Diane Feinstein issued a declaration. Due to this abnormal behavior in Diane Feinstein, people naturally doubted: for any investigation, FBI always has a 'early information' process. Then does this 'early information' having any relationship with Diane Feinstein, who is the 'Chairman of Information'? From the abnormal behavior in Diane Feinstein, we can fully explain: if Diane Feinstein was not behind the scene, at least she was the insider.

The second: issue award. On Apr. 17, 2014, reported on 'World Journal', with the title 'Diane Feinstein confiscated the award issued to Guoxiang Zhou two years ago'. Everybody is meritorious and guilty. When he is meritorious, we should not deny his guilt, when he is guilty, we should not deny his merit. Officers who issued award to Guoxiang Zhou include Newsome and Edwin Lee etc. Other officers didn't confiscate the award, only Diane Feinstein. It is obvious that confiscation was wrong, confiscation had the meaning of repudiation.

The third: banquet. On Apr. 25, 'World Journal' reported: 'On Apr. 24, Diane Feinstein went to San Francisco, and treated several decades of leaders to Empress Restaurant'. Among them, there were three judges. The newspaper reported: 'This is Leland Yee effect.' On the second day after Diane Feinstein's banquet, her good friend Lan Bai issued a public letter, with its major content as separation from Leland Yee. This explained that the purpose of Diane Feinstein's banquet was to 'conduct division and separate Chinese'.

In all, the three actions conducted by Diane Feinstein: issuing declaration, equal to Leland Yee guilty; issue award, equal to Guoxiang Zhou guilty; banquet, equal to launch division. If we didn't call this 'Interference with Leland Yee's Case', what do we call it? 29 suspects were arrested, we

should only take care of that according to judicial procedure, why did Diane Feinstein make such great efforts to interfere?

2 Only this case cost tax-payer money \$50 million, which is unfair for tax-payers.

The first expense: FBI spent \$20 million for investigation of 'Leland Yee' case. For this, the lawyer of Guoxiong Zhou pointed out: 'This is not fair to tax-payers'. Now we have found out that lots of expenses are illegal, now several investigators are accepting examination.

The second expense: compensation charge or imprisonment charge. In judicial history, there is always a saying 'It is easy to catch a criminal, but not easy to release him'. If it is an injustice case, to compensate \$1 million per person in average, it will be calculated to \$29 million. If it is ascertained as a felony, based on recent fraud crime, the newspaper reported: 'If Leland Yee's crime is established, he will be sentenced to 150 years.' Based on average sentence of 15 years per person, the average annual expense for one prisoner is \$60,000, $29 \times 15 \times 6 = \26.10 million.

Plus other expenses, it will not be less than \$50 million.

In regard to the standard of '\$60,000', please refer to 'World Journal' on Nov. 2, 2014, Page B2: 'in California, to educate a middle school or elementary school student will cost annually \$9,000, but a prisoner will cost annually \$60,000, six times more than educating a student.' 'In the past 30 years, California has built 22 jails, but only one university'. 'Last year, California's prison expense was more than ten billion, equal to 15 times of the year 1980'. --- if we used the increased sum of nine billion for education, medical treatment or basic construction, how much beneficial issues we can fulfill? If we didn't solve the problem of 'wrong arrest and wrong sentence', more 'wrong arrest and wrong sentence', the crime rate will be higher and higher, and the burden of tax-payers will be heavier and heavier.

3 'Leland Yee' case has bad influence, and causes people to change concept.

For this case, San Francisco Federal Court had five-time hearing, the result was that we had 29 suspects and none of them plead guilty. We had a total of 228 crimes, none of them was plead guilty. This result caused people to change their concept: in the past, people often said, 'Americans are honest, and hate deceiving'. We can tell that to create 228 crimes was backed up by political con man; or in the 29 American suspects, we have high ratio of con man.

Third, 'Constitution Violation' crime: interfere with San Francisco 'short-term rental law', damage local government legislation, and damage implementation of local administrative officers.

1, Brief process:

- Apr. 15 San Francisco senator David Chiu suggested 'Short-term Rental Law'.
- Oct. 20 Diane Feinstein attended the luncheon at San Francisco hosted by Democratic Party, and she talked about this case with friends, all attacking statement.
- Oct. 21 San Francisco city parliament formally passed this law.
On the same day: Diane Feinstein published a statement at 'San Francisco Chronicle', 'Damage city planning', 'Damage justice'. And ordered mayor Edward Lee to use veto power.
- On the same day: After San Francisco residents read the statement by Diane Feinstein, they all gathered at front entrance of city government, and supported David Chiu (but they dared not saying 'opposition to Diane Feinstein'.
- Oct. 22 'World Journal' and 'Sing Tao Daily' reported this issue. They pointed out: 'Edward Lee's dilemma', 'They also become attacking drifted statement for Edward Lee's running for continuous term.'
- Oct. 27 A grand signing ceremony was held in San Francisco. The mayor Edward Lee formally signed this law, and praised this law as 'standard for municipal law'. 'Standard' means 'Most valuable law'. Because this law can release resident's housing burden, and can bring annual taxation income of 12 million to 15 million.
- Nov. 12 'World Journal' reported: 'Edward Lee annoyed Diane Feinstein', "Diane Feinstein talked straightforwardly that she will have a new proposal for voters to overflow 'short-term rental law'".

2, This is Diane Feinstein 'Triple constitution violation', or we can say 'still continue constitution violation'.

Diane Feinstein interfered with local legislation, especially Edward Lee used his veto power, which was simply rare overbearing behavior in this world. When Diane Feinstein published a statement to attack David Chiu's proposal 'Damage city planning', "Damage justice", it was only two weeks from David Chiu participated in running of state congressman. We don't know what Diane Feinstein's intention is. In fact, it is more proper for Diane Feinstein to put the hat of 'Two Damages' on her own head. Is it damaging to city planning when she resides at rich people district? Is it 'Damage to justice' when people didn't follow what she suggested? Though 'Dilemma' mayor Edward Lee chose 'forward', but who can ensure that Diane Feinstein will not retaliate?

In comprehensive, because Diane Feinstein had three 'Constitution violation' crimes in the year of 2014, and it became more and more serious: speech-behavior-statement. "For protecting the dignity of 'Constitution', she should at least resign. Otherwise, how can we reason this?" 'once, twice and no more than three times' --- this is an old lecture. If the United States has several senior officers like Diane Feinstein, who will believe in 'Independent three-rights' in the 'Constitution'?

From ancient till modern world, all 'Aged people politics' are decay politics. People over 80 years old have unique viewpoints: you said 'She is running the school with her own conscience, this is not a crime'. She said 'we should attack similar schools, and order them to close'. You said that we could not 'confiscate' the award issued before, she said she wanted to 'confiscate'. You said this law is 'Standard of municipal law', she said 'Damage city planning, damage justice.' Now it is to the contrary, what can we do? ---if she became an ordinary people, then not any influence; if she continued to be an officer, she would harm more people.

It is difficult to understand: I don't know it is from coincidence, or the US society has existing racial prejudice to Chinese? If we said that there were 'many' 'Visa Factories', 'Numerous iceberg', why did we only see two Chinese punished? In 'Leland Yee' case, 29 people were arrested, and 90% were Chinese. The harmed David Chiu and Edward Lee in "San Francisco Rental Law" were Chinese. A lawyer pointed out: 'Guoxiang Zhou suffered from racial prejudice'. Are all these coincidence?

Best Regards.

Chang Gui Su

Appellant: Chang Gui Su
Nov. 12, 2014

Petition For Rehearing

No. 1 Injustice Case

**----- 'Tri-Valley University Case' is the
No. 1 injustice case in the human network
education history**

(11-CY-00288-TST)

'Tri-Valley University Case' is petitioning for rehearing

U.S. Court of Appeals for the Ninth Circuit:

First appeal judge Alex Kozinski:

Heard by Judge Jon S. Tigar from San Francisco Federal Court, with serial number as 11-cr-00288-TST, the 'Tri-Valley University' case is the No. 1 injustice case in human network education history. Its intensity level is that it has the following 'Five Injustices':

The first injustice: 'The Tri-Valley University' case has serious mistake on university qualitative. Real injustice!

The qualitative of 'Tri-Valley University' has three situations: regular university, network university and visa factory.

- 1 Regular university: At establishment of this university, it was reported as a regular university, which was a mistake as a result to lack of understanding to the new network education. In 2008, California education bureau approved this university as a regular university, and it was an obvious mistake. No matter when, the 'Tri-Valley university' doesn't meet the basic requirements for a regular university. What was the reason that the government made a mistake on the approval? The officer should answer this question.

If we said that 'The government was deceived by the university', this is really unfair! because obviously it doesn't have three zones --- teaching zone, living zone and PE zone. Any individual who studies in a university should have known that: if a university doesn't have 'three zones', it is not called regular university. This is the standard for discrimination, why didn't the government official know?

- 2 Network university: factually the 'Try-valley University' is a network university. 'Tri-Valley University' is one of the earlier universities in the world with creative, explorative and broadcasting network education. Network university doesn't have 'three zones'. If based on training objective and training vision, 'Tri-Valley University' is the first network university in the world --- with its training objectives as college graduates, and training vision as master's and doctoral graduates in computer major.

There are three reasons that 'Tri-Valley University' was natured as network university: 1st, teaching method. 'Tri-Valley University' is an independent university completely utilizing hi-tech computer network teaching method. Especially the 'Network Classroom Technology' by 'Tri-Valley University' is till the top level technology in the world, regular university still cannot reach that level. 2nd, tuition standard. The tuition standard for 'Tri-Valley University' is only equal to 1/10 of regular university standard, the annual charge of \$2700 is the total network tuition standard. 3rd, training talents. When the network education was still at the initial stage, 'Tri-Valley University' was already using

network education and trained several computer major masters. These masters have excellent performance in their occupations. These are strong evidence better than any 'Authorization Certificate'.

Further, undeniable facts fully prove that 'Tri-Valley University' is a university warmly-welcomed by students and teachers. For example, not too long after 'Tri-Valley University' was closed, a professor said, "I think 'Tri-Valley University' is very sincere and standard in its organization and teaching." These words were reported at 'The World Journal' and "Singtao Daily" in 2011. I think many people can still remember it. For another example, at the end of 2010, one professor from an Oakland district university asked a student, "what will be your plan after graduation?" one student answered, "I plan to pursue a master's degree in Computer Science from 'Tri-Valley University'." The teacher was not surprised to hear that. The student Xiaojia Su from UC Berkeley was present at time of these wording.

- 3 Visa factory: This was a determination by a judge for 'Tri-Valley University'. This was a joking mistake. How can he compare a university with a factory? Someone may say that 'Visa Factory' is an analogy. You cannot use analogy whatever way you want. How can you play with political analogy? This can put millions of people to jail. I only wish this type of vicious analogy will disappear in the human race! They determined a university as 'Visa Factory' in two steps: the first step was using the excuse that the university had no 'Authorization Certificate', as to deny the approval from California Education Bureau, first take this university as a 'Fake One'. The second step was using the excuse that the university 'reported wrong student visa document', and tried to exaggerate this normal working mistake to a huge crime. And create a 'Numerous Visa Factories'.

It is well known that if a university was approved by the government, it was not a fake one. No 'Authorization Certificate' was caused by unperfected job from the authorization committee. The government gave full acknowledgment to the university's work and no complaint. More importantly, the government has never provided the university with 'Visa Authority'.

No denial that 'visa', especially 'student visa' has problems. Based on the report of Sep. 3 on 'The World Journal', "ABC's investigation reveals that the current foreigners in the US with student visa have more than 1 million, with students spread out in 9000 universities." "The record from Central Security Bureau reveals that among foreigners entered with student visa, about 58000 people didn't leave the country after their visa expiration date. But Central Security Bureau has no contact with them at all." Certainly, it is nothing comparing 58,000 people with 11 million illegal immigrants. The government should be responsible for visa problems. The most obvious one is that 30 quotas were issued to more than 1000 people. Isn't this the government's problem? Therefore, I suggest that we can only solve this problem by

approving the visa reform system. To attack and terminate the university from one side is not fair and it is illegal.

If you want to complain, "The university knows that network university doesn't allow foreign students to live on campus, why did they report student visa?" -- - this should only be taken as opportunistic, not criminal. If only the university charge according to regular universities' standard, and didn't charge about \$100,000 like charging illegal immigrants, it should not be taken as a crime.

It is completely understandable: how can we reject a good opportunity to develop a university? Don't mention 30 quotas of visa issued to 1000 people, even issuing visas to 10,000 people and above, 'Tri-Valley University' will not exceed the allowance. The reason is that the modern famous universities normally have more than 100,000 network students. However, these famous universities recruit network students two years after 'Tri-Valley University' 'forced to terminate', which is the development history in human network education. Therefore, for the explorer walking in front of the network education, we should not condemn them.

In comprehensive, if we didn't even understand that nature of the university, it was meaningless to talk about other problems.

That is, if we use the standard of a regular university to measure a network university, it is certainly mistaken. It is like using a supermarket standard to measure a network chain store, it will have lots of problems. If we use network university standard to measure 'Tri-Valley University', the university should be normal, natural, reasonable and legal.

For example, the law of regular universities requires foreign students to live on campus and cannot work, while network universities, no matter what country of citizenship they are, most of them study and work at the same time. These students who come to the US to study are all university graduates, they come to the US to spend money, and even they work, and this will be beneficial to the US economy.

For another example, some foreign students became out of status. First, we should find out one issue that their illegal status were not caused by 'Tri-Valley University'. The student status of network university has nothing to do with whether they have legal status for staying in the US. Who connect these two together? Does university have this authority for the connection? Somebody said that 'Tri-Valley University' didn't have the qualification for running a university, why did they say that "The studentship of 'Tri-Valley University' protects the illegal students". Isn't this self-contradictory? The network university is only responsible for teaching knowledge, what crime is that to teach illegal people or criminal knowledge?

In regard to the nature determination of 'Tri-Valley University', there is another issue difficult to understand: regret that initially they didn't report as regular university, they change right away after they find out. Therefore, during the years of 2012-2013, the university spent money to hire 'experts for filing university report and application', and help report the network university. The reported university is named 'Global Network University', this is the abbreviation for 'Computer Network University'. This is a network university formally reported by experts, the filing period is one year and the expense is more than \$10,000, but it was rejected. The reported regular university was approved, while the reported network university was rejected. No matter what reason, the two results are difficult to understand and is not persuasive.

In comprehensive, for the above three situations, the law always uses facts as standards, but not other matters. Therefore, the correct nature of 'Tri-Valley University' should be a network university. The human network education history reveals that though multi-media teaching was adopted by universities at the end of the 20th century, but as an independent network university, 'Tri-Valley University' is one of the earliest network university.

The second injustice: The 'Tri-Valley University' case has serious racial prejudice. Real injustice!

- 1 Under 'many' situations, we only see punishment to Chinese. For the court hearing result of 'Tri-Valley University', media reported as follows --- 3/25 reported on 'The World Journal': "The case of 'Tri-Valley University' is only a corner of iceberg, there are lots of universities in the United States using they type of swindling method." 3/25 reported on 'Singtao Daily': "This case reveals gradually increasing 'visa factories' in the society". "This case is only an iceberg corner of visa swindling problem."

There are so 'many' visa factories, like 'icebergs', why till now, we only see attacking 'Tri-Valley University' and 'US Heguan University'? These two universities are run by Chinese. Under 'many' situations, why do they only attack Chinese? Isn't this prejudice against Chinese? 'Singtao Daily' reported on 3/25: "The other case similar to 'Tri-Valley University' will be heard at San Jose federal court in July of this year, the defendant is Yunfei Wang, administrative president of US Heguan University at Sunnyvale. He was charged with running a fake school and assist foreign students to obtain visas."

However, 'US Heguan University' was not 'forced to terminate'. On the contrary, two months before the court hearing date, on May 9, president Obama visited this school, and took a picture with the defendant's father Ying Qiu Wang(chairman of the board for the school).

--- This fully explain two issues: 1, 'Attack similar schools', 'Force to terminate school', and 'Numerous iceberg visa factories', are not decision from federal government. 2, In the law implementation of similar cases, serious double standards are existed.

- 2 'Tri-Valley University' case and 'Leland Yee' case, are two cases with prejudice against Chinese.
From the surface, people may say that 'These two cases have no connection'. In fact, they have close connection: 1, For the two cases, FBI investigators use espionage status and swindling method, for so-called evidence. These investigators pretend themselves to be illegal students who wanted to study in 'Tri-Valley University', and they bribed people to register at the university. How much money they spend on taxpayers? We still don't know. However, these investigators spent \$20 million taxpayer money on 'Leland Yee' case. These are figure reported on newspaper, and now it is revealed that many expenses are completely illegal.

2, The two cases are two judicial cases interfered by senior officer Dianne Feinstein.

The facts for Dianne Feinstein interfering with 'Tri-Valley University' are: 1st, the newspaper in 2011 has reported Feinstein's speech interfering 'Tri-Valley University'; 2nd, special appeal: 'Attack similar school' (reported on 3/25 'The World Journal'); 3rd, special appeal: 'Force them to terminate' (reported on 3/25 'Singtao Daily')

The facts for Dianne Feinstein interfering with 'Leland Yee' case are: 1st, when Leland Yee was arrested, Feinstein immediately declared to force Yee to resign, Yee rejected, later California Senate recalled him; 2nd, confiscate the awards issued to Guoxiang Zhou several years ago with her own personal name, which was a repudiating behavior; 3rd, She invited ten leaders to Express restaurant in San Francisco, among them are three judges, this was to separate Yee from Chinese people, and form cliques in eating.

3, The two cases were heard by the same court, and used the same swindling method. The 'Tri-Valley University' swindling case: '35 crimes', and 'Long-term sentencing'. The 'Leland Yee' swindling case: '228 crimes', "10,000 pages of evidence", and 'if proven, Leland Yee will be sentenced to 150 years in jail'. (newspaper can be evidence)

4, The most direct connection for the two cases are: On Apr. 28, the relevant person's father Chang Gui Su for the 'Tri-Valley University' case filed a lawsuit to Dianne Feinstein for interfering with justice, among it, including to interfere with 'Leland Yee' case. He wrote clearly in the appeal: "comply with the constitution, we must first recall Feinstein, then hear the 'Leland Yee' case".

What is the role of Dianne Feinstein in 'Leland Yee' case? This is a very doubtful problem. It is well known that any case under investigation should have a 'early information' process. Then, what is the connection between the investigation of Yee's case and Feinstein as 'information chairman'.

Facts reveal: Yee was Feinstein's old subordinate for many years. Based on human nature, when Yee was arrested, Feinstein should be doubtful 'whether he was unjustified'? But Feinstein issued a 'force to resign' announcement. Compared with California voters: they knew that Yee was arrested and resigned, but in the senator voting, Yee still had high score, which said that Yee was warmly welcomed by voters. This abnormal behavior by Feinstein will cause doubt: whether she was the informant, or even hidden director? At least, she is the person designing this 'smuggling ammunition' trap. Further, only two weeks after the incident, Feinstein confiscated the award to Guoxiang Zhou: within one month after the case eruption, Feinstein came to San Francisco and spent on guest invitation. What can these behaviors explain?

The second day 3/26, after 'Leland Yee' case was heard at court for the 'Tri-Valley University', total of 29 people were arrested, among them, Chinese was 90%. Isn't this prejudice against Chinese?

Like the attorney of 'Leland Yee' case said, 'Guoxiang Zhou suffered a lot from racial prejudice.' The 'Tri-Valley University' and 'Leland Yee' case are the two big cases of 'prejudice against Chinese' erupted in Bay Area in 2014. Whether 'Leland Yee' case was unjustified, we still have to wait, but one point was obvious unjustified ---'smuggling ammunition'. Because the one editing the story had a bad design: the buyer for 'smuggling ammunition' should be the United States, and the Philippines should be the seller, it is out of order! No transaction completion, can it be called a transaction?

The third injustice: 'Tri-Valley University' case has serious political torture. Real injustice!

- 1, 'Torture one and give warning to hundreds' is the most typical political torture. From ancient to now, all cases of 'Torture one and give warning to hundreds' are all injustice cases, only small or big injustice.

Like public defender Erik Babcock ordered to 'put the defendant in jail' and 'confiscate his assets' on Mar. 24, when the judge Jon S. Tigar announced that the jury sentenced the defendant guilty, and said that 'This is the federal government punishing the defendant.' 'She uses her conscience to run this school.' (3/25, 'World Journal')

Erik Babcock was really daring to talk! He has pointed out the truth of 'Tri-Valley University': 'Tri-Valley University' case is the senior officer Dianne Feinstein and her supporters create 'All America Iceberg Visa Factory' for

'Greed for Honor', then use Tri-Valley University as a live target for punishing visa factory --- this is the truth of 'Tri-Valley University' case. I want to point out that it was not 'Federal Government' who 'want to punish the defendant', but Dianne Feinstein and her supporters.

Dianne Feinstein and her supporters take punishing Tri-Valley University as the opportunity for award. They think that they have found a 'New Continent' --- All American Iceberg Visa Factory. What is this 'All American Iceberg Visa Factory'? --- under 'special announcement' by Dianne Feinstein, on Mar. 24, 2014, at the federal court in San Francisco, a political rumor created by Jon S. Tigar.

The whole creation process for this type of political rumor is 'against constitution--- illegal---harmful to people'.

'Against constitution': mainly means US constitution regulations, 'Legislative, judicial and executive' three independent bodies are US government system. Based on the principal of 'Three independent bodies' in the constitution, as senior officer--- 'Chairman of Senate Information Committee', Dianne Feinstein has no authority to interfere with detailed judicial cases. People saw the executive senior officer interfered with judicial case: recently, Jinping Wang of Taiwan chief court executive was expelled from the party and suffered from lawsuit, due to his interference with a detailed judicial case. It is well known that: 'Special Announcement' is more serious than 'Interference', and the 'Three independent bodies' of Taiwan learns from the United States, is it student better than the teacher?

'Illegal': mainly means that 'punish similar schools', 'order them to terminate', and 'Iceberg visa factories' etc. they are not any decisions from the government, and they don't have this type of jurisdiction. All 'Special Appeal' from Dianne Feinstein and her supporters are illegal.

'Harmful to people' mainly means that once the conspiracy of 'punishing iceberg visa factories' is successful, millions of people will be in jail; millions of people will lose their jobs; and more people will have to terminate their schooling.

It is worth of our thinking: If there is really 'iceberg visa factory' in the US, then the direct victims will be millions of foreign students from the world who have student visas! Then US government should apologize to the world. This type of political rumor is an insult to the US. We want to ask: can Dianne Feinstein and her supporters have a name list for 'visa factories'?

- 2, Tri-Valley University's qualification for running school is repudiated, another strong evidence for political torture.

From the more than three years of Jan. 19, 2011 to Mar. 24, 2014, all big medias reported that they acknowledged Tri-Valley University is a school approved by the government, and its recruitment qualification is also approved by the government. News paper announced that their annual student recruitment quota is 30. Even though a report said that 'The government has cancelled Tri-Valley University's qualification for student recruitment'. But this is based on the premise of acknowledgment to 'Having approval'.

From Mar. 24 the announcement of court result, in one night, all medias have changed. On Mar. 25 'World Journal' reported with the title 'Fake university swindling case, Chinese woman guilty of 31 crimes'. On Mar. 25, Singtao Daily reported: 'Tri-Valley University' is fake education facility without qualification for running a school'. This type of abrupt repudiation is obvious caused by political reason. Therefore, this is a typical political torture.

- 3, The 'Political game' that is harmful to the country and people is the motive for serious political torture.

Human society is a big political stage, while political figures on the stage, and regular people under the stage. The history cannot deny, 'Tri-Valley University' case really caused a political wave in the world: Because US government rejected thousands of Indian students who have obtained their student visas to enter the US, and deported Indian students who have entered the US with student visa, this caused millions of Indian people parade in the street, and strongly protest in front of the US embassy. This was caused by government's wrong disposition.

The 'Political Game' played by modern political figures is that: Take an early network university as 'fake', take millions of 'visas' as 'visa factory'. This cannot clear the political influence in those years, but harmful to country and people. Harmful to the country: means that people knows the visa is a government behavior, and nobody can treat others. This caused the United States becoming a country of apology from a country of human network education. Harmful to people: means that for disposition of 'Iceberg visa factories' will harm many US citizens.

Only 'Facts' can endure the test of history. We can only factually explain this political wave: This was completely caused by 'Human has little understanding of this new network education' --- network education doesn't need students to go abroad with their visas. 'It is always nice to be home, and difficult to go abroad'. Human has a knowing process for new issues. There are many earlier examples in the world that 'Science invention will pay painful consideration'. There is no exception for the United States to invent 'Network Education'. Is this wrong to provide a factual explanation?

The fourth injustice: 'Tri-Valley University' case has serious wrong economic judgment. Real injustice!

Talking about wrong economic judgment, we will think: the double standard for modern law implementation is more and more difficult to understand. The charges can only be distinguished by comparison: for 'Tri-Valley University', charges for doctoral students, the most having registered master's students of 1550. If based on tuition standard of regular university, the total tuition charge for three years will be at least \$60 million. In fact, 'Tri-Valley University' is based on the standard of network university, the total tuition charge for three years is \$5.5 million. This is based on the free will of students, and the university provides them with high quality and high standard network courses, which is completely proper schooling charge. As a result, judicial department accused them as 'Greedy' and 'Enrichment'. And this case was sentenced as 'Fraud' by the 1st judge, take legal gain as illegal gain.

How can we sentence legal tuition charges as 'Fraud'? --- There are numerous universities in the world to students to choose from, and students for 'Tri-Valley University' are all university graduates, can they be so easily making fraud? If there is really fraud, why no victim files a complaint? The fuse for 'Tri-Valley University' case is the repudiation from corruption and blackmail people: caused by several people who use corruption money in the school and blackmailed the school \$1 million. They were repelled from the university. As a result, these people tried to repudiate and made up various crimes, and caused FBI investigator for research. The appeal statement in reality became the spokesperson for the corruption and blackmail people.

In this year when 'Tri-Valley University' case was heard, one political person has collected a total of \$12 million for public speech expenses, equal to double of total tuition charge for three years in Tri-Valley University. And this collected public speech expenses are now willingly submitted by the public, mostly coming from universities at the speech location, directly from school funding, and obviously public expenses. This political family didn't have any enterprise, mainly rely on playing political games, and it has become top 100 richest people in the US! And this type of expenses was considered legal gain. No prosecutor dares to charge her with 'Greedy' and 'Enrichment', her supporters plan to elect her as US president in 2016.

Talking about wrong economic judgment, we must explain a 'In-process case can be traced': because accurately speaking, the defendant is a doctoral degree graduate from UC Berkeley, and is one of the explorers for human network education research, as well as one of the founders of American-invented 'Network Education'. The mission statement for 'Tri-Valley University' is: 'To operate the university for developing and expanding human network education.' She reconciled this invention difficult to achieve and the research result is voided in vain, in order that this can be flourished, on Mar. 26, the defendant appealed

to the judge of San Francisco Federal Court, on the letter, it said, "If 'Tri-Valley University' cannot be saved, the university is willing to donate all network teaching science and all university assets to her alma mater --- UC Berkeley."

I want to ask: why did the repudiated victim have more serious punishment than the corruption and blackmail people? Why did they trace after the \$5.5 million charge for running the university, but couldn't see the \$12 million public speech expenses? Why is that 'to teach knowledge is guilty, and to play with politics become rich and prestigious'? ('Rich' means top 100 richest people, 'Prestigious' means electing to become the president)

The fifth injustice: 'Tri-Valley University' has serious violation of human rights. Real injustice!

- 1, On the day of the eruption of this incident, it has combat and brutal law implementation, violating human rights.
Combat: means on Jan. 19, 2011, police from two states of California and Florida came out in midnight at the same time. They were separated into three routes: Apart from the relevant person, they sent out several police vehicles to the houses of her brother (professor of Florida University) and her sister (California computer engineer) for investigation. It was fortunate that they promptly found out it was wrong, and a more serious injustice didn't come into being.

Brutal law implementation: means the relevant person was sleeping soundly upstairs when it was still dark, she didn't hear the policeman knocking at the door, the policeman broke in the door. Though at the time, the policeman promised that they would compensate the damaged door, but they never fulfilled the promise, while the relevant person found somebody to fix it.

- 2, Implement asset confiscation in a manner of 'Total house damage' and violation of human rights.
The most basic human right is a person's right to life, while for right to life, residency occupies important position.
If we ask: Now where does the doctor who runs the school live? No residence: the garment, blanket and all furniture for the doctor who runs the school are messily placed in her sister's garage. All people who saw this will feel chilling! Isn't this violation of human rights for this type of 'House Damage' behavior?
- 3, Ignoring the relevant person is a fact for neuropathy people, conduct to the opposite will discredit the world's human right.
The relevant person suffered from serious schizophrenia one year before running the school. She was hospitalized for several days for treatment, the hospital can prove it. Neuropathy is a disease with every now and then eruption. Relatives reported the relevant person's disease history to the judge, the judge didn't pay attention, but threatened her relatives.

During the bail period, the relevant person didn't have abnormal situation. But the judge suddenly ordered the person with neuropathy be put to jail, during the bail period and when the case was not formally sentenced. In the modern world, there is relevant law that will spare the neuropathy patients, why did the judge conduct to the opposite? Isn't this a discredit to the world's human rights?

Based on the above five injustices, we can say: The guilty decision by the first instance juror is completely a result of executive senior officer Dianne Feinstein 'violation of constitution' and interference of justice.

During the hearing period, the defense from the public defender was objective and powerful. The lawyer pointed out with righteous rhetoric that 'Xiaoping Su is a kind woman who concentrated herself in running an independent school in Pleasanton.' 'It might be imperfect issues during the process of school operation, the defendant's kind endeavor cannot be obliterated.' 'Maybe Xiaoping Su didn't do everything right, but this is not a crime.' (refer to 3/5 'Singtao Daily')

Until three weeks after the court hearing started, the relevant person told her relatives confidently: 'The lawyer has defended all my problems, my lawsuit will surely win.' I cannot imagine that after two-day discussion by the juror, it characterized 'Tri-Valley University' as 'visa factory'! What is inside this strangeness?

Fortunately, for the sake of hotline, all major newspapers mentioned the name of Dianne Feinstein in articles reporting the court hearing, and said that she wants to 'punish similar schools', and 'order them to terminate'. Otherwise, a human being was tortured to death and he still didn't know who was behind it? How can a public defender have more political influence than Dianne Feinstein? Even though the lawyer said one thousand times: 'This should not be a crime.', it cannot be compared with Dianne Feinstein's words 'Punish Similar Schools'! And even FBI must listen to the command by 'Senate Information Committee'.

In all, because 'Tri-Valley University' case has serious qualitative mistake, serious racial prejudice, serious political torture, serious wrong economic judgment, and serious violation of human rights, therefore, 'Tri-Valley University' case became the No. 1 injustice case in the human network education history. I hereby request for a rehearing.

The rehearing request is as follows:

- 1, Request within the whole country of the United States, immediately terminate all 'violation of constitution --- illegal ---harmful to people' activities and stop 'Punishing similar school' and 'ordering them to terminate'.
- 2, Request to acquit doctor Xiaoping Su, and resume the legal authority of 'Tri-Valley Network University' for running a school and teaching. ('Tri-Valley' is a name of a location: means a small town at the interchange of three valleys)

- 3, Request judicial facility to investigate Dianne Feinstein: mainly investigate how many 'Constitution Violation' cases she has conducted in relate to 'administratively interference with justice' and 'legislatively interference with justice', ever since she became 'Mayor of San Francisco' and 'Chairman of Senate Information Committee'. And how many injustice cases had she conducted? So as to protect the dignity of the United States 'Constitution' with 'Three Independent Branches'.

It is clearly speaking: The US has several thousands of 'Pheasant Universities', all approved by the government. Except for Dianne Feinstein of over 80s develops a 'punishing visa factory law' in her left life, like human beings attacking 'Religious Temple' in those years, and attack 'Pheasant Universities'. If there is a law, we will abide by it. Otherwise, with individual's 'Special Appeal': 'Attack similar school, order them to terminate!'--- This is constitution violation-illegal-harmful to people. Punishing one and give warning to hundreds, only punish one network university is not persuasive.

As the father of the doctor who runs a school, I didn't appeal to protect my daughter. My wife and I are educators all our lives, and we believe we should teach and cultivate people. If the defendant really committed a serious crime harmful to people, his family members will abide by the law and take the education obligations. The problem is that this is an injustice case, and the defendant is a neuropathy patient, I have to appeal.

I have a total of five children, four have become US citizens, one is in China. Among my children and their spouses, three have doctoral degrees in the US, and three have master's degrees. To tell the truth: in the past, my children and I really appreciate the education and rule of law in the United States; after the continuous eruption of two major 'Prejudice against Chinese' cases --- 'Tri-Valley University' and 'Leland Yee' cases, I deeply cry out: "I must have new understanding about the United States."

Individual who requests for rehearing and appeal:

Changgui Su

(Father of defendant with neuropathy disease and Chairman of the Board for 'Global Network University')

Sep. 8, 2014

Changgui Su

请求复审上诉状

第一冤案

——“三谷大学案”是人类网络教育史上的第一冤案

(11-CY-00288-TST)

“三谷大学案”请求复审上诉状

旧金山联邦第九巡回上诉法院：

首席上诉法官柯辛斯基 Alex Kozinski：

经旧金山联邦法院法官狄加 Jon S. Tigar 主审的编号为 11-cr-00288-TST 的“三谷大学案”，是人类网络教育史上的第一冤案。其最严重的是存在如下“五大冤屈”：

第一大冤屈：“三谷大学案”存在严重的学校定性错误。真冤！

“三谷大学”的学校定性共有三种情况：普通大学、网络大学、签证工厂。

一、普通大学：学校开办时是按照普通大学申报的，这是由于对网络教育新生事物缺乏了解所造成的错误。2008 年加州教育总署也是按照普通大学审批的，这显然也是错误的。因为无论什么时候三谷大学都不符合普通大学的基本条件。关于政府审批错误是什么原因？这个问题应由官员自己回答。

如果说：“政府是受了学校的欺骗”。这就太不公平了！因为最明显的是无“三区”——教学区、生活区、体育区。只要上过大学的人一见便知：不具备“三区”就不叫普通大学。这就是判别的标准。难道政府官员没看出来？

二、网络大学：客观上三谷大学就是一所网络大学。而且三谷大学是世界上最早开创、探索、推广人类网络教育事业的早期大学之一。网络大学则不存在“三区”。如果以培养对象和培养目标而言，可以说三谷大学是世界上第一所此种类型的网络大学——培养对象：大专毕业生；培养目标：电机电脑专业的硕士以及博士。

定性三谷大学为网络大学主要有三大理由：其一，教学手段。三谷大学是一所独立的完全的使用电脑网络高科技手段进行教学的学校。特别是三谷大学所掌握的《网络教室技术》至今仍然处于世界尖端领先水平，一般大学至今仍望尘莫及。其二，收费标准。三谷大学的收费标准只相当于普通大学收费标准的十分之一，每学年 2700 元是完全的网络学费标准。其三，培养人才。早在人类的网络教育还处于始蒙阶段，三谷大学就能使用网络教学培养出多名电机、电脑专业的硕士。这些硕士当今在社会工作岗位上个个工作得相当出色。这是比任何《认证书》还要铁的认证。

而且不可否认的客观事实还足以证明当时的三谷大学：是一所深受师生欢迎的学校。例如，在三谷大学遭关闭不久，有一个教授鸣不平讲道：“我认为三谷大学在组织教学方面是很正规和认真的。”此话 2011 年的《世界日报》和《星岛日报》都曾报道过，相信有印象的人多的是。又例如，2010 年底，奥克兰社区大学有一个教授问学生：“你们毕业后有什么打算？”其中一个学生答道：“我准备攻读三谷大学的电脑硕士学位。”老师听后，并无讶异。如今伯克利大学学生苏小健，当时就在这个对话的现场。

三、签证工厂：这是一审法官给三谷大学的一种定性。这种定性显然是荒唐性的错误，怎么能把活生生的一所学校判为工厂？有人会说：“签证工厂”只是一种比喻。——“比喻”也不可胡作非为！这种“政治谣言”岂能当儿戏？因为它能把成千上万的无辜人送进大牢。但愿这种恶毒的“比喻”永远从人间消失！他们把一所学校定性为“签证工厂”分两步完成：第一步是以学校没有《认证书》为借口，用以赖账否认加州教育总署的审批，先把学校说成“假冒”。第二步是以学校“申报学生签证材料存在不实”为借口，加以无限夸大，将这种带普遍性存在的工作性质的错误，夸大为惊天动地的犯罪。从而制造出“冰山之多的签证工厂”。

众所周知：只要有政府批准这个学校就不叫“假冒”。没有《认证书》是认证委员会工作不到位造成。因为政府多次对学校检查工作都给予充分肯定，并无多的指责。更重要的是：政府从来没把“签证权”下放给学校。

不可否认，“签证”特别是“学生签证”确实有问题。据《世界日报》9/3日报道：“美国广扩公司（ABC）的调查显示，如今持学生签证的外国人超过100万，学生遍布全国9000所学校。”“国安部的记录显示，在持学生签证入境的外国人中，约5万8000人在签证过期后至今没有离境。但国安部却与他们完全失联。”当然，5.8万对比1100万非法移民又算什么？所出现的签证问题政府要负主要责任，最明显的把30个名额签证1000人以上，难道不是政府的责任？所以建议：只能通过改革签证制度加以解决。单方面打击和停办学校是不公平的，也是非法的。

如果要追究：“学校知道了网络大学并不需要外籍学生来美住读，为何还要申报学生签证？”——这只能算是一种投机取巧，并不犯法。只要学校没按照普通大学收费，更没按照非法移民一人收费10万左右，就不构成犯罪。

完全可以理解：天赐良机发展学校，何而拒之？莫说30个名额签证1000人，就是签证一万人，三谷大学也不会超员。因为当今名牌大学的网络大学生一般都超过十万。但是，这些名牌大学近年招收校外的网络学生，是在三谷大学遭“勒令停办”两年之后才开始的，这是人类网络教育的发展史。所以，对于发明网络教育走在前面的探路人，不宜求全责备兴师问罪。

综上，如果连学校定性就没弄清楚，讨论其他问题都是没有意义的。

也就是说，如果用普通大学的法规去衡量一所网络大学，肯定有犯法之处。就像用超市的标准去衡量一个网络商店一样，肯定问题多。如果用网络大学的标准去衡量三谷大学，则一切正常、自然、合理、合法。

例如，普通大学的法规要求外籍学生必须住读，并不得打工。而网络大学的学生不分国籍，大多数都是一边工作，一边学习。这些来美的学生都是大学毕业生，来美消费，即使打工，对美国经济也有好处。

又例如，有的外籍学生身份黑了。首先要弄清一个问题：这些人身份黑的造成，与三谷大学无关。又因为网络大学的学生学籍，本来就与是否能合法在美国居留的身份无关。到底是谁硬要将这二者挂钩？学校有这个权利挂钩吗？有人既然说三谷大学不具备办学资格，为何又兴师问罪：说“三谷大学的学籍保护了身份已黑的人”？这不是自相矛盾吗？网络大学只负责传授知识，莫说身份黑，就是对犯人传授知识又犯什么罪？

关于三谷大学的定性还有一件令人费解的事件：因为后悔当初不该无知的申报普通大学，知错则改。所以2012—2013年间，学校特花钱聘请“专门经营申报学校的专家”，帮助申报网络大学。申报学校的名称叫《环球电大》，“电大”就是“电脑网络大学”的简称。这可是找专家正式申报的网络大学，历时一年，耗资一万多，结果被拒批。申报的普通大学获得了批准；申报的网络大学反而遭拒绝。这两种结果无论用什么理由解释都令人费解，难以服人。

综上所述三种情况，法律向来都是以客观事实为标准，而不是其它任何东西。故三谷大学的正确定性应是一所网络大学。人类的网络教育史表明：虽然多媒体教学于20世纪末已被学校所应用，但作为独立的网络大学，三谷大学是最早的网络大学之一。

第二大冤屈：“三谷大学案”存在严重的种族歧视。真冤！

1. 在“很多”的情况下，只见惩罚华人。

“三谷大学案”开庭审理的结果媒体报道如下——3/25《世界日报》报道：“三谷大学一案只是冰山一角，在全美以此手法进行诈骗的学校还有很多。”3/25《星岛日报》报道：“该案揭示出社会上日渐增多的（签证工厂）的情况。”“该案只是签证诈骗问题的冰山一角而已。”

既然签证工厂“很多”，像“冰山”一样多，为何到目前为止，只见打击“三谷大学”和“美国核关大学”？这两所大学正是华人所办。在“很多”的情况下，为何只打击华人？这不是歧视华人又是什么？《星岛日报》3/25 报道讲：“另一宗类似三谷大学的案件，将于今年 7 月在圣荷西联邦法院开庭，被告是辛尼维尔的美国核关大学行政总裁王云飞，被控营办虚假学校，协助外国学生取得签证。”

然而，“美国核关大学”并没有被“勒令停办”。相反，奥巴马总统于开庭前两个月 5/9 还亲自视察过该校，并与被告的父亲王英秋（该校董事长）有合影留念。

——这足以说明两个问题：①说明“要打击这同类学校”、“勒令他们停办”、“冰山”之多的签证工厂“这些东西，根本不是联邦政府的决议。②也说明在类似案件执法中存在严重的双重标准。

2. “三谷大学案”及“余胤良案”，同为歧视华人的两大案件。

只看表面的人，会说：“这两大案件无必然联系”，其实有密切联系：①两案因为 FBI 探员以间谍身份，用欺骗手段，采取引诱犯罪的方式而获取的所谓证据。这帮探员除亲自乔扮成“身份已黑的学生”到三谷大学去报名外，还送钱给其他人，让其到三谷大学去假报名。他们共花销纳税人的钱知多少？目前尚不清楚。然而这帮探员仅调查“余胤良案”这一个案件，尽然花销纳税人的钱高达 2000 万元，这是见报的数字，现已查明有很多开支完全是非法的。

②两案同为立法高官范士丹“违反宪法”干涉司法的案件。

范士丹干涉三谷大学案的事实有：其一，2011 年的报纸就报道了范士丹干涉“三谷大学案”的言论；其二，特别呼吁：“要打击这同类学校”（3/25《世界日报》报道）；其三，特别呼吁：“勒令他们停办”（3/25《星岛日报》报道）。

范士丹干涉“余胤良案”的事实有：其一，余胤良逮捕的第一时间范士丹发声明勒令余辞职，余坚决不辞，后由加州参议院罢免；其二，收回几年前她以个人名义颁发给周国祥的贺状，这是一种赖账行为。其三，亲自赴旧金山市于皇后酒店宴请数十名领袖人物，其中含三名法官，这实属发动与余切割、分离华人，吃吃喝喝，拉帮结派

③两案同为一个法院审理，而且诈案手法相同。三谷大学案被诈案：“35 项罪”、“要判很长刑期”。余胤良案被诈案：“228 项罪”、“证据 10000 页”、“若成立余胤良要判 150 年刑”。（有报纸为证）

④两案最直接的联系是：“三谷大学案”当事人的父亲苏长贵于 4 月 28 日曾起诉范士丹“违宪”干涉司法，其中包括干涉“余胤良案”在内。并在起诉书中明文写到：“遵照宪法必须先罢免范士丹，再审理余胤良案”。

范士丹在“余胤良案”中究竟充当了什么角色？这是一个非常值得怀疑的问题。众所周知：任何案件被立案调查，都有一个“情报先行”的过程。那么余案调查与范这个“情报主席”到底有什么关系？

事实表明：余本是范多年的老部下，按人之常情，在余被捕的第一时间，范应有所怀疑“是否被冤”？可是范却发“勒令辞职”声明。对比加州的选民：明知余已被捕并已退选，但州务卿选举时余仍得高票，说明余是深受选民欢迎的官员。范士丹的这一反常行为，自然引人怀疑：是否她就是提供情报的人甚至幕后指挥？至少她是设计“走私军火”陷阱的知情人。还有：案发只短短两周，范就收回曾颁给周国祥的贺状；案发一月内，范亲赴旧金山不惜花重金请客。这些急于求成的行为又说明什么？

“余胤良案”于“三谷大学案”庭审结束后第二天 3/26 共逮捕 29 人，其中华人占 90%，这不是歧视华人是什么？

正如“余胤良案”的律师指出：“周国祥受尽了种族歧视。”“三谷大学案”和“余胤良案”同为湾区 2014 年发生的两件“歧视华人”的大案。“余胤良案”是否冤案还得走着瞧，但

有一点显然是冤枉的——“走私军火”。因为编导故事的人设计反了：“买卖枪支”设计美国是买方，而菲律宾是卖方，太离谱了！没成交的事能叫买卖吗？

第三大冤屈：“三谷大学案”存在严重的政治迫害。真冤！

一、“惩一儆百”是最为典型的政治迫害。古往今来凡属“惩一儆百”的案子，没有不冤的，只是大冤小冤的问题。

正如公派律师巴克 Erik Babcock 3月24日在法官狄加 Jon S. Tigar 宣布陪审团裁定被告有罪，并下令“收监被告”和“没收她的资产”的当庭，所一针见血指出的一样：“这是联邦政府只想拿被告开刀。”“她办学是凭良心去办的。”（3/25《世界日报》）

巴克律师真敢直言！他一言道破了“三谷大学案”的真相：“三谷大学案”就是立法高官范士丹 Diannt Feinstein 及其热捧者为了“贪功”，从而制造出“全美冰山之多的签证工厂”，然后把三谷大学当成当务之急打击签证工厂惩一儆百的活靶子。——这就是三谷大学案的真相。

值得说明一点的是：“只想拿被告开刀”的人并不是“联邦政府”；而是范士丹及其热捧者。

范士丹及其热捧者把打击三谷大学当成立功的机遇。他们自以为发现了“新大陆”——全美冰山之多的签证工厂。这“全美冰山之多的签证工厂”到底是什么东西？——它是范士丹“特别呼吁”的煽动下，于2014年3月24日，在旧金山联邦法院，由狄加一手主持制造出来的一种荒唐的政治谣言。

这种荒唐政治谣言的整个制造过程，本身就是“违宪—非法—害民”的。

“违宪”：主要指美国宪法规定，“行政、立法、司法”三权独立是美国的政府体制。根据宪法“三权独立”原则，范士丹身为立法高官——“参院情报委员会主席”，不可也无权对具体的司法案件进行干涉。立法高官干涉司法的案件活生生的摆在世人面前：近期台湾的立法院长王金平就因对具体的司法案件加以“关说”，而被开除党籍正吃官司。众所周知：“特别呼吁”比“关说”要严重得多，又台湾的“三权独立”还是学习美国的，难道老师还不如学生？

“非法”：主要指“要打击这同类学校”、“勒令它们停办”、“冰山之多的签证工厂”这些东西，根本不是政府的任何决议，更没有这方面的立法。纯属范士丹的“特别呼吁”和热捧者鼓吹出来的东西，所以是非法的。

“害民”：主要指一旦“打击冰山之多的签证工厂”阴谋得逞，必将带来成千上万的人坐牢；数以万计的人失业；更多的人失学。

值得深思的是：美国若真有“冰山之多的签证工厂”，那么，直接受害的人，将是世界各国千千万万被签证的留学生！那么美国政府则应该向全世界道歉。所以，这种荒唐的政治谣言是对美利坚的侮辱！试问：范士丹及其热捧者能列出“签证工厂”的名单来吗？

二、三谷大学的办学资格被赖账，是政治迫害的又一铁证。

自2011年1月19日—2014年3月24日历时三年有余，各大媒体的报道都承认三谷大学是经政府批准的学校，其对外招生资格也是经政府批准的。报纸上公布了对外招生名额为每年30名。尽管中途有报道讲：“政府已撤销三谷大学的对外招生资格。”但这仍然是以承认“有批准”为前提。

自3月24日宣布庭审结果开始，一夜之间各媒体全自食其言变卦了。3/25《世界日报》报道的标题就是“假大学诈骗案华女31罪成立。”3/25《星岛日报》出尔反尔道：“三谷大学是假冒且未领有办学资格的教育机构”。这种风云突变的赖账趋势，显然实属政

治因素造成。所以这是地地道道的政治迫害。

三、误国伤民的“政治把戏”，是造成严重政治迫害的动机。

人类社会就是一个大的政治舞台，政治人物在台上，老百姓在台下。历史不可否认，“三谷大学案”确实引起国际上一场不大也不小的政治风波：由于美国政府拒绝数以千计已签证的印度学生来美，并驱赶签证已来美的印度学生，引起数万印度人游行示威，到美国大使馆门前强烈抗议。这是政府处理不当造成的。

如今政治人物所玩的“政治把戏”是：把一所早期的网络大学说成“假冒”，把数以千计的“签证”说成“签证工厂”所为，这样不但不能肃清当年的政治影响，反而误国伤民。误国：指世人都知道：签证完全是政府行为，谁也骗不了人。这使美国本来是人类网络教育的发明国，反而成了道歉国。伤民：指要处理“冰山之多的签证工厂”，必伤害大量无辜的美国公民。

只有“实事求是”才能经得住历史的检验。这场政治风波只能“实事求是”的加以解释：这完全属于“人类对网络教育新生事物早期缺乏了解”造成的——网络教育根本不需要学生签证出国奔波，“在家千日好，出门一时难。”人类对新生事物向来都有一个认识的过程，世界“科学发明付出沉痛代价”的先例多的是，美国发明“网络教育”也不例外，这样实事求是的解释有什么不好？

第四大冤屈：“三谷大学案”存在严重的经济误判。真冤！

论到经济误判自然使人想起：当今执法的双重标准越来越令人费解。同样都是收费，有比较才能鉴别：“三谷大学案”一个博士办学收费，最多时学校注册研究生达 1550 人，若按普通大学的学费标准，三年应共收学费至少 6000 万元。而实际上，三谷大学是按网络学费标准，三年共收学费 550 万元。这是在交费者自愿的原则下收取的学费，随后学校为交费者提供了高质量和高水平的网络课程，这完全是正当合法的办学收费。结果却遭到检方公诉为“贪婪”和“敛财”。并被一审法官判为“诈骗”，将合法所得判为非法所得。

合法的办学收费岂能误判为“诈骗”？——当今的世界大学林立可任意选择，三谷大学的学生都是已经毕业的大学生，那么容易诈骗吗？如果真是诈骗，为何没有一个遭诈骗的人告状？三谷大学案的导火线是来自贪污勒索人的报复：有几个人因贪污学校的钱，并阴谋勒索学校 100 万而未成，被学校开除。于是，这几个人伺机报复捏造各种罪名诬告学校，引起 FBI 探员调查。起诉书客观上正好起到贪污勒索人的代言作用。

而正当“三谷大学案”被审判的这一年，有一个政客一年共收演讲费等高达 1200 万元，相当于三谷大学三年共收学费的两倍。而且所收的这些演讲费，并非由听众自愿交费，大部分费用是由各演讲点所在的大学，直接由办学经费支出的，这显然是公费支出。这个政客家族没经营任何实业，主要靠玩弄政治，已经玩弄成全美首富 100 名之内！而这样的收费却能被认为是合法所得。不但没有检方敢去公诉她“贪婪”和“敛财”；反而还有热捧者要选她 2016 年当美国总统。

谈到经济误判，有一“在案可查”之事有必要作以交代：因为确切的讲，被告是一名伯克利大学毕业的博士，是致力于人类网络教育研究的探路人之一，是美国发明“网络教育”的奠基人之一。三谷大学的办学宗旨就明文写到：“为开创和推广人类的网络教育事业而办学。”她不甘心学校好不容易发明的东西，和研究的科技成果，就这样白白报废。为了能得以发扬光大，于 3 月 26 日被告方曾上书旧金山联邦法院大法官，书中写道：“如果三谷大学难保，学校愿意把所掌握的网络教学的科学技术及全部的校产捐给母校——伯克利大学。”

试问：为何被勒索报复的人，反而比贪污勒索的人惩罚还重？为何 550 万的办学收费要紧咬不放；而 1200 万的演讲收费却视而不见？为何“传授知识罪该万死，玩弄政治大富大贵？”（“大富”指 100 首富，“大贵”指要当总统）

第五大冤屈：“三谷大学案”存在严重的侵犯人权。真冤！

1. 案发当天存在大动干戈和野蛮执法，有辱人权。

大动干戈：指 2011 年 1 月 19 日，加州和佛州两州的警察深更半夜同时出动。兵分三路：除对当事人外，还对其弟（佛州大学教授）和其妹（加州电脑工程师）同时出动数辆警车到家叫门盘问。庆幸及时发现错误，才未造成更大冤案。

野蛮执法：指当事人因天还没亮在楼上睡得正香，没能听到楼下的警察叫门，于是警察破门而入。被毁坏的大门，当时警察虽然口头认错并答应赔偿，但一直没有兑现，还是自家找人修理的。

2. 实行“毁家式”的资产没收，侵犯人权。

人权最基本的是指人的生存权，而人的生存权中，居住权占重要地位。

若问：现今办学博士居住在什么地方？没有住处：办学博士的衣服、被子和全部家具都被乱七八糟的扔在她妹妹的车库里。所有见到此情景的人都感到十分寒心！这种不讲人道的“毁家”行为，难道不是侵犯人权？

3. 无视当事人是神经病人的客观事实，反其道而行之，给世界人权事业抹黑。

当事人在办学前一年患过严重的神经分裂症。曾住院治疗数日，医院都能证明。神经病本来就是一种时发时隐的疾病，家人向法官反映当事人发病的具体情况，法官不仅不理不睬，反而威胁被告家人。

又当事人在保释期间，没有出现任何异常。可是法官在有效的保释期间，在案件还没有正式宣判之前，突然对神经病人下令收监。当今世界各国都有对神经病人网开一面的相关法律，为何法官要反其道而行之？这对世界人权事业难道不是抹黑？

介于以上五大冤屈，所以说：一审陪审团的有罪认定，完全是立法高官范士丹“违宪”干涉司法的产物。

本来庭审期间，公辩律师的辩护还是客观有力的。律师曾义正言辞的指出：“苏小平只是一名带着善意，一心想在 Pleasanton 独立经营好学校的女性。”“办学过程中或有不完满的地方，但不可抹煞被告善意的努力。”“苏小平或许没有把每件事都做对，但是，这不该是一项罪行。”（见 3/5 《星岛日报》）

直到开庭审理三周结束后，当事人仍然满怀信心的对家人讲：“律师把我的问题都辨清了，我的官司赢定了。”怎么也想不到陪审团闭门讨论两天后竟然定性三谷大学是“签证工厂”！这其中到底有什么蹊跷？

幸亏各大报纸为了压阵，在报道庭审结果的文章中，讲出了范士丹的大名，还讲出了她“要打击这同类学校”、“勒令它们停办”的号令。否则，人被整死还难以知道幕后的祸首到底是谁？公辩律师哪有范士丹的政治影响力大？即使律师讲一千遍：“这不该是一项罪行”！也抵不上范士丹一句：“要打击这同类学校”！就连国安部（FBI）也得听“参院情报委员会”的指挥。

总之，由于三谷大学案：存在严重的定性错误；存在严重的种族歧视；存在严重的政治迫害；存在严重的经济误判；存在严重的侵犯人权。所以，三谷大学案是人类网络教育史上的第一冤案。特请求复审。

复审诉求如下：

1. 要求在全美范围内，立即停止“打击这同类学校”、“勒令它们停办”的“违宪—非

法—害民”的一切活动。

2. 要求无罪释放办学博士苏小平，恢复“三谷网络大学”的办学和教学的合法权益。
（“三谷”是地名：指三条三谷交汇处的小镇）
3. 请求司法机关立案审查范士丹：主要审查她自“旧金山市长”到任“参院情报委员会主席”，总共干了多少“行政干涉司法”和“立法干涉司法”之“违宪”的事？共造成多少冤案？以此捍卫美利坚“三权独立”《宪法》的尊严。

话说白了：美国有几千所“野鸡大学”，都是经政府批准的。除非年逾八旬的范士丹在其有生之年制定出一个“惩处签证工厂法”，就像人类当年打击“宗教寺庙”一样去打击“野鸡大学”，只要有法咱们服法。否则凭个人的“特别呼吁”：“要打击同类学校，勒令它们停办！”——这是违宪—非法—害民的。惩一儆百只拿一所网络大学开刀，更是难以服众的。

身为办学博士之父，并非出于庇护子女而上诉。本人和其母一生都是教书人，教书就得育人。如果被告真犯有害民的重罪，家人定会服法，并负有教育的责任。问题在于此案是冤案，被告又是神经病人，所以本人不得不上诉。

本人共有五个子女，四个成美国人了，一个在中国，子女及其配偶中，现已有3个美国博士，3个美国硕士。说实话：过去本人及其子女对美国的教育和法治多有赞赏；经过连续发生的“三谷大学案”和“余胤良案”，这两件“歧视华人”的大案之后，深感：“有必要重新认识美国”！

Changgui Su

请求复审上诉人：苏长贵（神经病被告之父
“环球电大”董事长）

2014年9月8日