

# statement in affirmation of true fact

dated january 26, 2023

i: the woman; cristina marni delia do hereby attest and affirm the following to be a true account of fact by recollection;

on january 18, 2023, between the hours of 10:45 am and 11:25 am at 3<sup>rd</sup> floor courtroom of alison mccarty and nearby hallway, i did attend conversation between the man: joseph edward senk and the man: john w greven, who do sometimes act as public defender for Summit County Ohio Criminal Court Case [CR-2020-10-2863](#) at the request of the man: joseph edward senk;

the man: john w greven did initiate conversation with the man: joseph edward senk by challenging prior repeated statements by senk about his position of innocence of charges of retention of recycled tires and transporting by driving, the two charges listed by the secret grand jury indictment from 2020 upon which the currently reinstated case is based;

greven asked senk on what basis he thought he had right to plead innocent in the face of the multiple EPA and local Northfield police agent testimonies; senk, being slightly cognitively delayed due to May 18, 1990 assault, death, and 5-week coma caused by Northfield Police, looked to me to fulfill my purpose of being present on his behalf: to recount the conversation he and i had just been having moments before the arrival of greven, which i then did with the permission of greven;

i asked whether the hearing today was a *pretrial*; greven responded in the affirmative; i reminded senk that the purpose of a pretrial is *strictly* for his attorney to repeat to the judge the plea that the accused is in agreement with: not guilty, requests a trial by jury;

greven repeated his question, "what makes you (him) think you (he) can even plead not guilty here" to which i repeated statement senk had made to me: i am blind and can barely even sit in this walker/wheelchair, how does anyone think i drove the truck which i don't own to move tires that i never touched, that were never stored long term on my property"

i furthered the point by asking greven how this case was even open since the docket showed it had been *terminated* well before 2022;

greven became agitated and began, for the first time, by his admission, looking at the docket on the case there in the hallway at around 11:00 am on january 18, 2023;

argument ensued between greven and i regarding his due diligence, he deflected to the use of the word terminate versus dismissed, continued or dismissed with prejudice, since the word terminate is not an option in the codes and statutes for disposition of cases, yet that is how it was listed in the Summit County Ohio Court of Common Pleas Criminal Docket and challenged

me when he wasn't able to see it in any of the titles documented on the docket; i reminded him it wasn't my, or senk's job to do his homework for him;

senk then began to instruct greven in the steps and procedure required of a member of the BAR in criminal cases; i interrupted and soothingly advised senk that certainly greven understood his obligations under his own codes and statutes, upon penalty of malfeasance/misfeasance and potential sanctions by The BAR;

greven then demanded that senk, or i, or both *actually hire* an attorney for senk, since we clearly were dissatisfied with his performance;

i responded to this challenge, asking greven if he thought we misunderstood that The State was going to compensate him well regardless of the outcome of senk's case, encouraging greven to give no care and as little time as possible to get the file off his desk;

tellingly, greven responded that he wasn't being paid well at all to complete this assignment on senk's behalf;

i then turned to senk and reminded him that today was simply a pretrial hearing and he had already made up his mind about how he intended to plead : not guilty, trial by jury demanded;

greven then walked away, into the courtroom; i departed shortly thereafter, once senk and i had concluded that my presence was clearly presenting a tremendous distraction to greven, potentially preventing him from issuing the accurate response on behalf of senk that had been stated multiple times in the last year: plea is not guilty, trial by jury demanded;

i state here and will affirm in open court before a magistrate or jury all to be true and correct to the best of my recollection.

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cristina marni delia

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