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Criminal defense - criminal law relating to narcotics - commercial criminal law - criminal tax law - criminal law relating to appeals - criminal traffic law - juvenile criminal law

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To the
Göttingen Regional Court
5th large criminal chamber - as commercial criminal chamber -

Court box: **K 1571**

Göttingen, 03.05. 2024

In the criminal

case against: Dr.

Füllmich

5 KLs 504Js 35904/22 (18/23)

in view of the legal advice given by the Chamber outside the main hearing, which has not yet become known to the defendant himself and with which the defense has therefore not yet been able to discuss, the suspension of the main hearing, or alternatively its interruption, is hereby requested, in any case for a sufficient period of time. The following is considered sufficient

In this respect, according to established supreme court case law, a time frame is considered to be sufficient to enable the defense, taking into account the changes that have occurred, to sufficiently examine the legal information and then to make statements and applications in this regard, whereby the determination of the sufficient period of time is subject to a generous standard, (***cf. on the whole only already RG, judgment of 20.02. 1891 - 12/91; RGSt 21. 372, 374, Radtke in Radtke / Hohmann , StPO, § 265 Rdn. 89; BGH, 5 StR 578/64 Rdn. 7; BGH, Beschl. V. 13.07. 2018 - 1 Str 34/18 m.w. N.*** *)*, especially since - as here - the announcement of a speedy end to the taking of evidence and the reference to an extremely short granting of the time limit of Section 244 (6) sentence 3 of the Code of Criminal Procedure in the legal notice itself, which has now been declared for the first time and unexpectedly by the Chamber, is about a currently unexpected approach by the court, which to date had also expressed the opposite view with regard to the necessity of further taking of evidence.

In particular, the sudden announcement of the termination of the taking of evidence, this in connection with a new legal construction that can already be described as absurd and adventurous, is also surprising because the court had informed the defense, if only the co-defending colleague, by means of an email dated April 24, 2024, that in the period between May 20 and
07.06. could not be negotiated and therefore had to be negotiated on 17.05. and 10.06. in any case and the defense also had to make use of the available dates from the
16.05. 2024 by the end of June 2024.

Without anticipating a detailed argumentative discussion of the court's legal

reference, I would like to point out already now that the now

The court's invented construction of a "fiduciary custody", conveyed by an almost absurd and blatantly factually contradictory assumption of the nullity of the loan agreement expressly titled as such, bends not only the facts but also the law in a result-oriented, obviously desired direction of a conviction of the defendant.

This new, almost absurd construction also documents the fact that this is a case of
In our opinion, this is a trial that is not based on the objective standards of the law, but on the ultimate goal of convicting the defendant Dr. Füllmich as a "political opponent" at all costs, and thus a politicized trial influenced by political guidelines and constructs by various actors. Although I was already aware when I took over the mandate that this was more or less a "political trial", including the incomparable empowerment of the defendant in Mexico, I could not have imagined the legally untenable constructs that are now being used to try to achieve this final objective.

This corresponds with the increasingly obvious and more or less apparent impression that this does not appear to be a normal criminal trial, but a politicized court hearing, which in the end corresponds to the specifications of the dossier read out here and the actions of the actors involved.

It should be emphasized that when the public prosecutor's office asked whether this dossier came from the BKA, the highly ridiculous answer was given that this was unlikely. So, as a public prosecutor, I ask an authority whether it has a corpse in the

cellar and was told that this was unlikely because bodies are usually buried in the attic.

On the contrary, this reaction confirms the authenticity of the dossier read out here (and we will also speak about this later) and documents, on the one hand, that it is also specially secured internally against normal access and its significance for state security. The persons questioned obviously had no access to the secured data on the accused, otherwise they would have to know whether and if so what information was available there and they would not have to rely on assumptions about probabilities, which documents nothing other than their ignorance.

In this respect, after consultation, I can already inform you that, contrary to other claims, the dossier itself does not bear a diary number, because such a number is not used in the overall dossier, but is of course presented as a query as an overall document of many documents compiled by different services and persons, whereby the so-called internal diary number mentioned on page 4 does not refer to this dossier and also to no other dossier, but concerns a purely internal process.

I can assure you that my sources were amused in unison by the e-mail correspondence regarding the dossier presented here.

The involvement of another public prosecutor, the interim threat to the signatory, to whom, however, his own safety is now a matter of

The fact that a Swiss channel for the Federal Republic of Germany was "guaranteed" to support whistleblowers, as well as the blocking of a Swiss channel on you tube in connection with this dossier, speak for themselves.

Likewise, however, the court's sudden legal reference, with which the court tries to avoid the involvement of the so-called port lawyers and certain services in the construction of the non-repayability of the loan granted to the defendant to secure the committee's funds. Hafenanwälte and certain services in the construction of the non-repayability of the loan granted to the defendant to secure the funds of the committee, of course precisely for this reason also interest-free, because of course this "legal figure" of a quasi retrospective construction of criminal liability requirements de lege lata has no basis in the applicable law, documents that one now wants to avoid dealing with this illegal construction in connection with the encumbrance of the defendant's property, since it is too obvious that here, among other things, Mr. Templin, who, according to the information available here, acted as a V person for two services acting on behalf of the defendant, was involved.Mr. Templin, among others, who, according to the information available here, is acting as a V person for two services from his closest environment, with whom he is connected via a political group called B.R.D., wants to punish the defendant via the criminal complaint known here and the property selected as security for the committee's funds not without reason - unlike a bank account that can be easily attacked at any time for state measures.

The fact that one goes so far as to no longer accuse an originally co-defendant of collusion in the context of the legal reference and thus quasi incidentally objectively "thank" her for her statement, which is not particularly valuable in and of itself as a person still accused, but simply ignores the fact that when interpreting an agreement it is of course subjectively dependent on the

The question of the defendant's perception at that time, who openly communicated at all times that it was a loan granted to him. A loan that was of course granted interest-free, as is also the case, for example, in the context of families, also in relation to the quasi-political family network of persons supporting the Corona Committee, precisely because it served to secure the funds of the Committee itself by means of a valuable property that was subject to much more difficult state measures.

Quasi in the same way - if one were to refer to the committee as the child of the defendant and his comrade-in-arms V. Fischer - as if one were to grant a loan to one's child, of course without interest, especially since the securing of the funds from state access - we must attest that accounts have already been terminated without reason due to state interference - was precisely in the very interest of the lender.

As already mentioned, the defense naturally intends, in granting the legal hearing to which the defendant is entitled, to legally contradict the adventurous construction of a fiduciary agreement by subsequent declaration of the loan as null and void, which is now considered necessary by the court in the sense of the final conviction sought, and to expose it for what it is, a necessary piece of the puzzle in the form of a legal "sleight of hand", if I may say so.

So the game is not over yet.

It is necessary to proceed in accordance with the application, whereby the period of time to be granted, assuming that a suspension of the proceedings is not considered necessary - here I do not want to prejudge the certainly objective opinion of the now no longer singular representatives of the Göttingen public prosecutor's office, who certainly always keep the welfare of the accused in mind - until the main hearing date of 14 May 2024, which has already been scheduled, is in any case considered necessary. May 2024, especially since the defendant is still wrongfully imprisoned in our opinion and this naturally makes the necessary communication with him more difficult.

Lawyer