

Evaluation of the Federal Judge Hans WIPRÄCHTGER

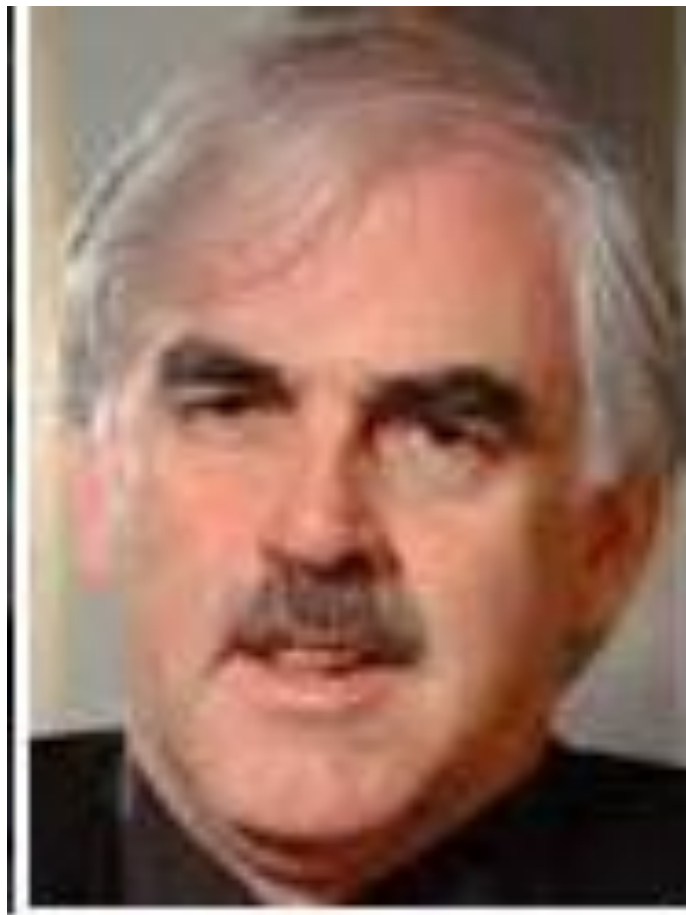
Private address:

Sonnenweg 2, 6010 Kriens LU

Private phone: 041 322 08 22 079 308 23 19

e-mail: wipraechtger@advokturteam.ch

Wife: Yvonne, born ELMIGER



Hans WIPRÄCHTGER, called «The unmitigated Liar »



According to the inscription on his mailbox, he is cohabiting with his wife
Yvonne, born ELMIGER



Access to the villa of WIPRÄCHTIGER from the north



The house seen from northeast with view on the Pilatus Mountain



South facade

Role assumed in the affair LÉGERET

WIPRÄCHTIGER did sit in the court of penal law of the Swiss supreme Federal Court which has rejected the recourse of François LÉGERET against the condemnation by the courts COLELOUGH / EPARD by decision of the Federal Court (ATF) 6B_683/2011 of November 20, 2011. He backslided in this affair once more, rejecting another recourse of François LÉGERET on the ground of another revision request. This concerns the ATF 6B_118/2009, 6B_12/2011 of December 20, 2011, always with the simple and comfortable «copy/paste».

Profile

Socialist. Originates from Lucerne, born in 1943.

Law studies in Fribourg and Zurich. Lawyer and Notary patent in 1970.

At the time, he did intrigue against his fellow federal Judge **Martin SCHUBARTH**, socialist as well.

Federal Judge from 1989 to 2011. Presided for some years the court of penal law. After retirement, he has opened a Law firm.

The list of schemings by WIPRÄCHTIGER is impressive. He hardly missed any category of law violation, which can be committed by a Judge. Among others, he has stifled 5 corruption cases, one serious medical mistake and covered 4 (four) judiciary crimes.

WIPRÄCHTIGER has participated as well in the affair of the Mountain Peasant Peter OTT from the canton of Lucerne. He and his brother Paul OTT are my friends since 2001. In this affair, the geniuses of Mon Repos needed 11 passes at their instance for understanding finally that OTT had acted absolutely legally. The case is particularly a shame for WIPRÄCHTIGER, since he could have driven from his home the 20 minutes by car to verify the situation on the spot.



**APPELL AL PIEVEL
APPELLO AL POPOLO
APPEL AU PEUPLE
AUFRUF ANS VOLK**

Gerhard ULRICH

The citizens initiative which is defending the interests of the consumers of Justice

January, 28, 2009

***After 10 wrong decisions, the Federal Court finally did understand at the 11th pass that the Mountain Peasant Peter OTT did have violated any law.
He had just protected his land against the erosion.***



Peter OTT, 2008

The Mountain Peasant originating from the canton of Schwyz, Peter OTT had acquired in 1979 a farm at Oberlangerlen in the commune of Schwarzenberg in

the Alps of the canton of Lucerne. His real estate is located on a moraine at 1000 m above sea level and is touching in the east the torrent Giessbach, flowing in a canyon alongside the moraine.



Photo of the Giessbach – The real estate property of Peter OTT at Schwarzenberg LU is located on the upper side to the right above the canyon.



The Giessbach, on a misty November day, taken from the height of OTT's land.

The canton of Lucerne did buy in November 1992 from a private owner for 3'000 francs the steep slope between the Giessbach and the land of OTT, located on the top of the moraine. A verification on the spot makes the observer to understand immediately that the real estate of OTT is exposed to an enormous danger of erosion. In fact, OTT estimates to have lost in the course of the last 30 years about $\frac{1}{2}$ ha = 500'000 m³ of mass, composed essentially by gravel. (5000 m² surface x 100 m of difference of altitude = 500'000 m³).

Since the acquisition of his small farm, it was the priority task of OTT to limit the erosion caused by the Giessbach, as he had learned it from his mountain farmer ancestors. He discussed with the owners of the steep slopes, scarcely wooded and economically un-exploitable, having practically no value. They allowed to OTT to serve himself with the worthless wood available on the spot which he needed for securing the slope. After the correction of the Giessbach in 1985 undertaken by the canton of Lucerne, costing some CHF 150'000, without providing a lasting solution, OTT interpreted the statements of representatives of the canton made to him in the period of 1986/87 in that way, that he shall henceforward care himself to stabilize the slope on the neighbouring parcel, for protecting himself against erosion. As a matter of fact, the canton payed him out for this purpose until 1988 a subsidy for assuming such works.

OTT bought a second hand excavator and started by transforming the canyon in the form of a V into a U. Perpendicularly to the water stream, at intervals of about 20 m, he lodged wooden timbers across the river which he stalled at their ends with rocks, for consolidating the riverbed. He knows by experience that the destructive energy power of a torrent is neutralized that way. He planted willow trees on the steep slopes, and for further stabilizing them, he covered them with organic matters, among others garden rubbish transported up to his farm by private house owners etc. By these means, he obtained a layer of protecting humus soil.

These measures were yielding its fruits, they were effective. The floods of the torrent did hardly any more carry gravel away. Suddenly, the transport of precious gravel into the tributary of the Reuss river, where the canton of Lucerne exploited a gravel pit just outside the city gates of Lucerne, was lacking. Consequently, the authorities prohibited to OTT simply from 1990 onwards to protect his property against erosion.

This was unacceptable for OTT, and he continued to operate with his excavator in the canyon. He was convinced to be in his good right to do so. He even felt himself obliged to protect his property. The prefect punished him at the beginning with money fines, and when these sanctions did not bring the expected result, he pronounced 3 firm prison sentences up to 3 months. Among others, he condemned OTT for timber theft and alleged «unauthorized valorisation of garden rubbish». From one day to another, the native Farmers did not remember any longer their previous oral engagements, allowing OTT to help himself with the worthless timber collected on the steep, un-exploitable slopes

for using it for his purposes. In addition, the authorities of the commune of Schwarzenberg were wearing dirty tricks against the OTT family.

After each denunciation, followed by condemnations, OTT browsed through all instances, up to the supreme Federal Court, which defeated him 10 times, although each decision mentioned in the very beginning of such documents that OTT was risking damages due to erosion. The Attorney General of the canton of Lucerne, Peter BÜHLMANN and the President of the cantonal court Stephan WEY took care personally of this affair. In addition to them, the following first instance Judges were actively participating in this hounds hunting: O. SCHUMACHER, J. HIRSIGER, Mrs. SCHLÄPFER, Helen PFISTER-MAGUIN, Mr. HESS and Mr. WIRTHLIN as well as the cantonal Judges Marius WIEGANDT, Messr. MERZ and SCHERER and Lucrezia GLANZMANN. No less than 21 federal Judges did actively support this abuse of power:

Heinz AEMISEGGER (cooperated to pronounce 5 of these negative decisions)

Arthur AESCHLIMANN

Sergio BIANCHI

Emilio CATENAZZI

Jean-François EGLI

Elisabeth ESCHER

Michel FERRAUD

Jean FONJALLAZ

Fabienne HOHL

Alfred KUTTLER

Lorenz MEYER

Peter Alexander MÜLLER

Giusep NAY

Ursula NORDMANN

Martin SCHUBARTH

Hans WIPRÄCHTIGER

as well as the Deputy federal Judges FÜLLMANN, LEVANTE, PFÄFFLI, SIGG and STEINMANN

The condemnations for timber theft are absolutely ridiculous, because no concerned land owner could provide in a civil affair trial the evidence of material damage. The Attorney General BÜHLMANN risked once in a court audience to accuse OTT to have stolen timber for CHF 30'000 from the canton of Lucerne. This was just after the time in 1993, when the canton of Lucerne had acquired that slope parcel for just CHF 3'000). Even BÜHLMANN could not administer the proof.

Until 2002, OTT had insisted in vain the Judges to make the trip to his farm to verify the situation on the spot, for pronouncing subsequently their decisions in full knowledge of the emergency.

In 2001 the late Lawyer of Zurich, Jean-Rodolphe SPAHR made himself the honour to accept practically voluntarily to defend Peter OTT. To revive the whole lot of imposed injustice, it was unavoidable to launch a new procedure and to run again through all instances. To start the project, SPAHR advised his client to avoid that time carefully stupid denunciations for timber theft or «unauthorized valorisation of waste material».

Promptly, the administrative centre of Lucerne countryside pronounced in October 2001 a new condemnation for 14 days in prison, allegedly for having repeatedly violated the law of Lucerne for public water courses constructions without authorization. The arrogant prefect J. HIRSIGER wrote: «There exists no excuse justifying the behaviour (of Peter OTT)» – page 8 of his judgement. The Lawyer SPAHR addressed himself to the first instance court of Lucerne countryside. And he obtained the Judges Bernhard VON MOOS, MORGER and KÖNIG-BUOL to pronounce an acquittal. For the very first time, a court has made the effort to proceed to a verification on the spot, Extract from this judgment:

«During the verification on the spot on June 19, 2002, it has been established that timber had been disposed across the riverbed at intervals of about 20 m, blocked by rocks at the extremities.» (page 8).

«The transformations realized by the accused do not respond to the characteristics of a special exploitation. The accused has accomplished works of consolidation of the riverbed in the framework of his possibilities. (...) These are corrections, and not a special exploitation». (page 9).

«The realization of corrections without State authorization is not an act penally reprehensible. (...) He (P.OTT) has to be acquitted of any punishment (page 10).

The Attorney General P. BÜHLMANN could not swallow that defeat. On September 6, 2002 he appealed and obtained a new audience before the tables of the President of the cantonal court LU, Stephan WEY, on January 30, 2003. A delegation of APPEAL TO THE PEOPLE was assisting. The advocacy of the Lawyer SPAHR, lasting several hours was impressive. He administered to the court the evidence that the undertaken works by his client in the Giessbach did not need any State authorization according to the present law situation. And where there is no law, there cannot be a punishment. (Nulla poena sine lege). He kept repeating the same rhetoric question: «Where is it written?» And as well: «As William Tell, OTT did not want to make his reverence to the hat.»

But he had made his calculations without the President of the cantonal court WEY and his companion BÜHLMANN. Splitting hairs on details, he formulated in his decision of February 24, 2003: «In conclusion, we have to do with works on water courses, subject to authorization (...) i.e. of an installation necessitating beforehand an authorization (...) because this water course, the Giessbach is this way exploited». However, he did not follow the Attorney

General who had requested for Peter OTT a firm condemnation of 14 days in prison, but pronounced only a fine of CHF 600 + CHF 7'737.35 justice fees. The Lawyer SPAHR did not miss to address a recourse to the Federal Court. By decision of ATF 1P.227/2003 of November 17, 2003, the federal Judges Heinz AEMISEGGER, Giusep NAY and Michel FERRAUD ended up to recognize lately at the 11th turn of this scandal: «Forthcoming from these considerations it has to be concluded that it is obviously not justified to charge the accused on the basis of the undertaken works in the torrent with an exploitation of a public water course – without previous authorization, and to sanction him penally» (page 11). They accepted partly the recourse of public law.

Lawyer SPAHR received a modest compensation and the canton of Lucerne was condemned to bear the justice fees. The confiscated machines of Peter OTT (an excavator and a tractor) had been sent by the police prematurely to the old car break, and were reimbursed by their civil responsibility insurance for compensating Peter OTT.

The whole story is an unbelievable mess. OTT has never been compensated for all the injustices suffered in the past. He did not even get reimbursed the very considerable amounts of Justice fees of the old procedures. He estimates himself to have had damages for a total of between CHF 300 and 400'000 – which is not a peanuts affair for the spouses Peter and Josy OTT, having brought up 7 children.

Are to be added the aftermath of the brutal interventions of the cantonal Gendarmerie of Lucerne. The youngest sons Markus and Urs have been especially traumatized by the un-proportional descent of the police on November 14, 2000. See:

www.swissjustice.net/dt/affaires/lu101_ott/lu101_030202_Aemisegge_fr.html

Their uncle, Paul OTT, never recovered completely of the physical brutalities of the cops Josef KÄCH and Andreas BUCHER who never had to respond to their evil actions.

**All Links in Red have been
illegally censored by the
Prosecutor Yves NICOLET by
secrete procedure.**

What has happened since then?

Even before the President of the cantonal court, Wey implemented the mentioned decision of the Federal Court, and before leaving his position into an unmerited golden retirement, the canton of Lucerne adopted on April 23, 2004 a reformed legislation concerning constructions in public water courses and Hydraulic driving forces (law on constructions of water courses LU of January 30, 1979). Prior to that date, the law stipulated: «§ 71 sanctions Is sanctioned with fines up to frs. 5000.- :

- i) who exploits a public water course by constructions and installations of all kinds or who is modifying existing installations, without disposing of an authorization beforehand according to §§ 32 and 33.»*

In the official sheet of Lucerne the following amendment was published on January 24, 2004:

«j) who is changing a public water course, enlarges or corrects it without a prior authorization (§ 32, part 4)»

It is obvious that one wants to prohibit to Peter OTT to continue to protect his property against erosion in the future. Alas, the Lucerne legislators did not have taken into consideration the following articles of the Swiss Civil Code, which has priority:

«659.3

If somebody can provide the evidence that parts of his land has been removed from his property, he may recover them within an adequate time span.

701 Case of emergency.

If somebody cannot protect himself or protect the property of a third person from an eminent danger or damage otherwise than by breaching the property of a third person, the latter has to accept this breach, provided that it is of minor importance in comparison with the threatening damage which has to be prevented.»

In the meantime, the civil engineering Office of the canton of Lucerne has spent other big amounts of money for correcting the Giessbach, which are not at all improving the situation satisfactorily in the long term, in what the erosion is concerned. A verification on the spot in autumn 2008 (during my time in the underground) has shown that fact.

To start with, one has simply cut the timbers laid across the riverbed by Peter OTT with a chain saw.



This consolidation of the riverbed has been efficient, as everybody will understand it. There existed no objective need to destroy it.



The bad intentions of the civil engineering Office of Lucerne is demonstrated by the fact that one has cut the timbers positioned across the riverbed by Peter OTT by a chain saw.

Thereafter, the civil engineering Office has constructed alongside the slope opposite to the property of Peter OTT a construction of massive timber. On the one side, this construction does not neutralize the dynamics of the floods, and on the other hand, it is protecting at best just the opposite slope, and not at all the real estate of Peter OTT. His land remains unprotected at all!





An expensive construction of little use is just protecting the slope opposite the land of Peter OTT.

This massive timber wall is configured as a banana, in order to redirect the floods against the slope on the side of Peter OTT's property, in order to carry away the precious gravel!



The expensive construction in the Giessbach conceived by the civil engineering Office and financed by the tax payers, is already threatened by ruin, because of its negligent realization.

Conclusions

21 federal Judges, earning fat salaries did need 11 passes to finally understand that their victim, Peter OTT had just protected his land against erosion, without violating any law. If just one of these lazy pen pushers would have made the effort to verify the situation on the spot, he would have grasped the situation instantly.

A small farmer has been smashed by the bad faith of the authorities, without that the caused damages would have been compensated to this citizen, even partially. This abuse of power endorsed by the scum of the government clerks of Lucerne continues until today.

*Peter OTT, today a relaxed pensionary living of his AVS rent was described at the time by an officious psychiatrist because of his persistence as a man with limited responsibility, seen his «unwavering attitude of obsession» (page 16 of the decision of the cantonal court of Lucerne of February 24, 2003). The diminished responsibility because of their «unwavering attitude of obsession» describes exactly these persons – the Attorney General **Peter BÜHLMANN**, the former President of the cantonal court **Stephan WEY** as well as the federal Judge **Heinz AEMISEGGER** and their deputy sheriffs. These offenders were never made responsible for their misdeeds in our so called Constitutional State. They are irresponsible.*

Gerhard ULRICH

Studied documents:

[www.2001-10-22 Urteil Amtstatthalteramt LU](#)

[www.2002-07-03 Urteil Amtsgericht LU Land](#)

[www.2002-09-06 Appellation Staatsanwalt LU](#)

[www.2003-02-24 Urteil Obergericht LU](#)

[www.2003-11-17 BGE 1P.227-2003](#)

[www.2004-03-25 Entscheid Obergericht LU](#)

Quotation: «Le Tribunal fédéral n'est pas une référence. Il est en **déchéance**.» (The Federal Court is not a reference, it is in degeneration.)

The teenager Alexandre RYDLO, presently Member of the Vaudois Parliament, socialist.

Thereafter, the content of a flyer is reproduced, origin of the nickname «The unmitigated Liar», designating WIPRÄCHTIGER. (Spread while I lived in the underground; the indicated links are not any longer activated.)

To whom it may concern

April 11, 2008

www.appel-au-peuple.org

How the unmitigated Liar/federal Judge WIPRÄCHTIGER covers the judiciary fraud of the Court of WINZAP at the costs of APPEAL TO THE PEOPLE

To the great displeasure of the Judges, our citizens initiative is denouncing since 8 years the judiciary misconducts. For this reason, the judiciary apparatus has entrusted the repression of the freedom of speech to «Judges» of their confidence, being in the comfortable position of being Judge and party. A first phony show trial lasting two weeks has taken place in November 2006 and has resulted in exemplary condemnations. It was by no means a fair procedure. Details see:

www.swissjustice.net/fr/affaires/vd118_juges_av_c_aap/vd118_fr.html

One month ago, the Federal Court has rejected our recourses against those scandalous condemnations. The time has come to publish the procedure as a whole, together with all relevant documents on Internet, for establishing transparency. This way, we preserve this judiciary fraud, constructed jointly by the 3 judiciary instances of this country, respectively by 10 Magistrates for the posterity.

One has to remember that the court of WINZAP (1st instance) has ignored 3 requests for an efficient defence, violating thus the right to be heard, and producing reiterated judicial denials: www.2006-08-9requete_saal_a_winzap_citation_temoins.jpg

www.swissjustice.net/id/winzap-181006

www.swissjustice.net/fr/affaires/vd118_juges_av_c_aap/2006-11-03winzap.htm

*In his judgement of November 24, 2006, WINZAP has concluded on page 84: «All accusations (which we had pronounced against the Judges/Lawyers, plaintiffs in this trial) proved to be unjustified». The excess of this pretention can be demonstrated with the example of the notice of law formulated by a known law professor and published on Internet. This specialist of law has come to the same conclusion as we, i.e. that the sale of the real estate owned at the time by **Birgit SAVIOZ** in relation with his judiciary scandal was illegal. See: www.worldcorruption.info/savioz.htm*

This notice of law has been submitted to WINZAP. He has simply overshadowed it in his judgement, for whitewashing the fraudulent Lawyer Michel TINGUELY, and other judiciary offenders (the plaintiff «Judges» of Fribourg Jean-Luc MOOSER, André PILLER and in the first place Louis SANSONNENS), applying the weak dogma, according to which the Judge may interpret freely the evidences = this is rendering judiciary fraud easy.

WINZAP has stricken without inhibitions. According to the analysis of the judgement WINZAP, published on Internet, he has forged 83 falsifications. For achieving his objective, he served himself by exploiting a psychopath as a crown witness. Evidence in the file: www.swissjustice.net/links/doc050511a

*In his judgement of June 21, 2007 published as well on Internet, the court of **MONTMOLLIN** (2nd instance – penal cassation court VD) has blindly covered **WINZAP**. He has backed up the subordinate instance by forging modestly 32 falsifications. See recourse of October 1st, 2007 to the Federal Court (on the web). MONTMOLLIN has just imitated WINZAP: He overshadowed the mentioned requests of August 29, October 18 and November 3, 2006 calling for an effective defence. In that way, he has violated article 6 of the European Convention of Human Rights!*

The supreme court of the country, the court of WIPRÄCHTIGER (penal court of the Federal Court) has loyally hidden the cats' shit of the subordinate instances. The decision of the Federal Court 6B_592/2007/rod of February 22, 20.08 by WIPRÄCHTIGER is repeating cunningly the lying by omission of the subordinate clerks: He does not mention at all the violations of the European Convention of Human Rights in the context of the 3 ignored requests for an effective defence. WIPRÄCHTIGER did get clumsily ambushed in the act of cheating, since he pretends wrongly that the recourse submitted to the Federal Court on October 1st, 2007 (on the web) was not containing a copy of the letter of my former Lawyer ex officio, dated August 29, 2006, requesting the call of witnesses.

The letter of my present Lawyer ex officio of March 13, 2008 is proving the opposite. The revision request of March 16, 2008 is proving that WIPRÄCHTIGER has lied 9 times intentionally. Expressed in another way: He has forged 1 falsification per page of text. This elevates the court of WINZAP to an Academy of Lies, and WIPRÄCHTIGER is to be qualified as an unmitigated Liar.

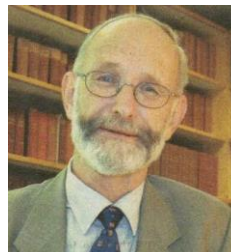
Extract from the gallery of judiciary offenders www.swissjustice.net/references



Michel TINGUELY
Swindler
Lawyer
Condémine
1638 Morlon
026 912 89 50



Pierre-Henri WINZAP
Frauding Judge
Av. de Rumine 50
1005 Lausanne



François MONTMOLLIN
Frauding Judge
Cantonal Judge
Ch. des Chantres 23
1025 St-Sulpice
021 691 87 26



Hans WIPRÄCHTIGER
Unmittigated Liar
Federal Judge
Sonnenweg 2
6010 Kriens
041 322 08 22

These ladle government clerks managed in their quality as Judges and parties to set in scene jointly an obvious judiciary fraud at the costs of their critics. This is a badly disguised act of revenge, making systematic use of lies.

This abstract and the revision request of March 16, 2008 are issued in French and German to be published on Internet. The 2 documents are describing the mechanisms of the denounced judiciary fraud. The readers who want to check the evidences, can consult the original documents in French and German.

Gerhard ULRICH, in the underground since July 7, 2007

PS: The following liars did participate to establish this judiciary fraud:

«Judges» of 1 st instance	Pierre-Henri WINZAP , Av. de Rumine 50, 1005 Lausanne Georges BORER , Chemin du Château 97, 1008 Prilly Jean-François VUILLEUMIER , Ch. de la Fleur de Lys 8, 1008 Jouxtons-Mézery Elisabeth VERMEIL
cantonal «Judges» VD	François DE MONTMOLLIN , ch. des Chantres 23, 1025 St-Sulpice Blaise BATTISTOLO , chemin du Chêne 6, 1009 Pully Christian DENYS , Pré-du-Marché 19, 1004 Lausanne
federal «Judges»	Hans WIPRÄCHTIGER , Sonnenweg 2, 6010 Kriens Dominique FAVRE , Sous Cor, 1262 Eysin Michel FERRARI

By ATF 6B_592/2007 of February 22, 2008, the federal Judges Hans WIPRÄCHTIGER and Co did get rid of the relevant complaint. They took over without any verification the falsification of the alleged abuse of law, and they did not correct one single arbitrary interpretation of the facts.

Then, they helped themselves with an additional dirty trick. On page 7 of their decision, they insinuated wrongly that I had forgotten to join the evidence to have had my lawyer ex officio submit to the court of WINZAP in writing a list of witnesses of discharge to be called to the bar. WINZAP had intentionally ignored that request, without informing me ...

According to their habits, after having defeated me, they returned the file containing the evidences submitted as enclosures to my recourse. In a routine case, I would not have been in a position to prove the ly. But at that time, I was living in the underground, and my new Lawyer ex officio received the return parcel from the Federal Court. I requested him immediatly to testify that that document of evidence number 2 existed well in the file, contrary to the declaration made by Mon Repos, and I submitted a request for reconsideration. Whereupon the court WIPRÄCHTIGER reacted on May 28, 2008 with another ly, according to which the first Judges had considered the requested witnesses «*by anticipating appréciation*» to be superfluous. That was wrong as well. WINZAP and Co did not have appreciated anything. They had simply ignored illegally my request to have witness of discharge called to the court, a right granted by the ECHR, without commenting it. And how is it possible by the way to appreciate something in anticipation, what one does not know?

Some victims of this law offending judiciary officer:

Peter OTT

Paul OTT

Gerhard ULRICH

Danielle RUSSELL

Daniela SAUGY

His victims of judiciary crimes:

Alain BOLLE

les époux M.-E.+J.-P.S.

Damaris KELLER

François LÉGERET

List of references (observations collected since 2000):

Number of negative references: 20

Number of positive references: 0

Analyzing the dysfunctions of WIPRÄCHTIGER, one observes that he is acting by silliness, but as well motivated by the sheer sadistic lust to impose his tyranny.

25.10.16/GU

Evaluation of Lawyers