



December 10, 2012

Executive Secretary NLRB

1099 14th Street NW

Washington DC

Mr. Secretary,

The Petitioner in the instant case alleges the incumbent is clearly defunct. The absence of collective bargaining talks during the critical period of Contract Changeover causes irreparable damage to the affected members in the instant case. The Employer, or any responsible Security Contractor, cannot be expected to contract with an organization lead by a convicted felon barred from employment or leadership by the provisions of 29 USC 504.

The legal issues regarding the leadership of NASPSO outlined in the earlier filed appeal of the RD Decision in 05-RC-092557 **First Coast Security** were resolved conclusively with the criminal conviction of the President of NASPSO (Incumbent and Intervener) before the US District Court for the District of Columbia on December 4, 2012. Pursuant to 29 USC 504, the President of NASPSO is barred from participation as an employee or officer of the Union. NASPSO and any assets of NASPSO must be encumbered to make whole members for the thefts of it's Founder, President and sole Executive. The remaining members of any ad hoc Board assembled have shown a complete lack of judgment by (1) returning Caleb Grey-Burriss to the office of National President between his various arrests and after being informed of his breach of his fiduciary duties on a Taft-Hartley plan they had a duty to safeguard and (2) retaining him as the titular head of their organization after his conviction as evidenced on the web-site www.naspsso.org as late as December 10, 2012.

It is clear that NASPSO is defunct and awaiting only a *per curiam* ruling by a court of competent jurisdiction. The Petitioner seeks an immediate NLRB ruling of NASPSO as a defunct labor organization ineligible *inter alia* to participate. Such a ruling would establish that NASPSO cannot be considered a Successor Union in the instant case and must bar NASPSO from participating. The petitioner's reasoning is that NASPSO with a convicted President, encumbered assets and no real Successor to a felon barred by 29 USC 504 is a defunct labor organization.

Ronald A. Mikell, President

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National League of Justice and Security Professionals (NLJSP)

Served by Email On Gregory Tyree First VP NASPSO (Heir apparent to CGB)

Earle Ginn First Security

Wayne Gold RD Region 5 NLRB