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> *Truth Comes to Light editor's note: The following article was mentioned in a post at Elsa Scheider's Truth Summit substack. The article was published in German and was mentioned on Bittel TV (German podcast) in an update about Reiner Füellmich's situation. Elsa's substack is the best source that I've found for keeping up with Reiner's situation. She speaks German and English, has connections with Reiner's legal team and with Inka, Reiner's wife. This article was translated from German to English using deepl translator. (Füllmich is the spelling used in the original article.) ~ Kathleen*

The Prejudgement of Dr. Füllmich

Even before the main trial against Dr. Reiner Füllmich begins, the courts indicate what they intend to do – a short trial and a quick verdict against the critical lawyer and human rights activist: they impose a muzzle on a Füllmich lawyer with a penalty clause, ignore motions by the defence, disregard legal

deadlines and construct a case that does not even exist. Has the verdict been reached before the first day of the trial has even begun?

by **Wolfgang Jeschke**, *Laufpass*
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The judges of the courts entrusted with the various aspects of the Füllmich case are guaranteed a place in history. Like so many terrible jurists from Germany's past, they too will be honored accordingly. The suspicion is obvious that the judges here have to deliver a verdict to the system and disregard the rights of the persecuted.

Illegal abduction and deprivation of liberty

After the illegal abduction of Füllmich from Mexico (due to the lack of an international arrest warrant, the lawyer was only arrested at Frankfurt Airport. The abduction was coordinated with the Mexican authorities, who accompanied Füllmich to the FRG and then handed him over to the FRG police); now follows the second act in the illegal persecution of the unbending critic.

Reiner Füllmich is to be silenced. He was locked up because of accusations made by his alleged comrades-in-arms in the Corona Committee: Justus Hoffmann, Marcel Templin and Antonia Fischer. They drafted a lavish criminal complaint, which ultimately led to Füllmich's arrest and his deprivation of liberty, which continues to this day.

Of the many accusations that Hoffmann and his accomplices had woven into their sometimes blatantly false suspicions, only one accusation remains for the criminal proceedings in the current partial opening: Dr. Füllmich is said to have embezzled 700,000 euros and used it for his own purposes. A

bizarre accusation, as there are contracts and receipts for the 700,000 euros.

The 700,000 euros were to be parked in a secure store of value that the state could not access. So Füllmich parked the money in his own sphere. After selling his house, the loan was to be repaid in accordance with the contract. During the coronavirus crisis, the system blocked and/or seized the accounts of many critics. Securing the company's capital was intended to ensure the long-term viability of the Corona Committee. The same applies to the purchase of physical gold, which was stored at Degussa as a crisis-proof investment.

There are contracts with the Corona Committee for the loans to Füllmich, concluded with his then co-partner Viviane Fischer, who also took over a loan of 100,000 euros. She signed the loan agreements and is also authorized to sign for the Corona Committee's gold reserve. Füllmich and Fischer can only access the gold reserves together.

The court apparently understood that Füllmich and Fischer had transparently documented the transactions together. However, instead of taking note of the fact that these were normal civil law agreements between managing partners, they constructed a collusive – illegal – collaboration between the two heads of the then Corona Committee and an "embezzlement" by Dr. Füllmich.

But if Viviane Fischer is involved, why are there no proceedings against the Berlin lawyer? Or to put it another way: why were the investigations against Viviane Fischer dropped? The reason given for dropping the investigation against Viviane Fischer was that she could have repaid the loan. Which she did, albeit belatedly. The same applies to Füllmich – if over one million euros of the purchase price of his house had not been diverted to another account.

Muzzle for the defense

Deconstructing the allegations is quite simple: the loans were based on contracts, were listed in the company's financial documentation and were to be repaid. In Füllmich's case, after the sale of his property. However, this was thwarted by the people who filed the complaint against Dr. Füllmich. They succeeded, in this case the lawyer Marcel Templin in particular, in diverting EUR 1,158,000 of the purchase price to his own account. As a result, Füllmich lacked the funds to repay the loan.

Dagmar Schön, one of Reiner Füllmich's lawyers, had pointed out in a Bittel TV program that a large part of the sum that Füllmich had allegedly appropriated was already in an account of one of the complainants. This clarified two things: 1. why Dr. Füllmich was unable to repay the loan and 2. that more than the loan amount was already under the control of the Corona Committee co-partners.

Hoffmann and his accomplices did not like this clarification by the lawyer Schön – they obtained a court order from the Berlin Regional Court that Dagmar Schön was not allowed to state the true fact that considerable funds (1,158,000 euros) from the house sale were in Marcel Templin's account. The Berlin judge Wiesener thus ordered a ban on stating a proven fact – in other words, the judge prohibited Wiesener from stating a truth that would exonerate the defendant and incriminate the complainants. The court has the documents that prove that this large sum of money was diverted to Marcel Templin's account.

The justification for the ban on making statements is downright absurd: the money that the buyer of the property had transferred to Marcel Templin was not identical to the money that Füllmich had received through the loan agreements. Is Judge Wiesener living in old crime novels where money was moved around in suitcases? In times of digital transactions,

there is no money that could have a physical identity. Money paid by bank transfer is never identical to a ‘sum of money’ that was used to pay for something else, unless it is cash. Moreover, it is completely irrelevant what money Reiner Füllmich wanted to use to repay his loans. What is significant, however, is that 1,158,000 million euros are in the account of the complainant Marcel Templin without legal grounds and Reiner Füllmich was thus deprived of the power of disposal over his assets. Judge Wiesener’s interpretation of this point appears to be completely inappropriate and unworldly.

A further problem arises from the decision of the Berlin judge Wiesener: the prohibition on making statements, which was imposed on the defense with the verdict, violates the rights of the accused. While the public prosecutor’s office sends out press releases in which the accusations are publicly described, the defense has been prohibited from expressing exculpatory circumstances. Until a verdict is reached, however, a defendant is presumed innocent. He himself and the defense have the right to make exculpatory statements.

The lawyer Dagmar Schön appealed against the verdict. The Court of Appeal allowed her appeal and stated, among other things: “However, the application made by the plaintiffs for the injunction is already inadmissible.” To avoid unnecessary litigation, the plaintiffs in the injunction should consider withdrawing the action as it had no prospect of success. So there are still ordinary judges in the country after all.

The notary and the 1,158,000 euros

The role of the notary who notarized the property sale will be examined in more detail. Notaries act as public officials. Notaries are obliged to be neutral and independent and have a duty of confidentiality. Their task includes not only the notarization of contracts, but also the official duty of executing the notarized legal transaction.

In the Füllmich case, the contracts state that the purchase price for the Füllmich property is to be transferred to a Füllmich account. This was notarized by the notary. However, after the contract was concluded, the notary instructed the buyers to transfer large parts of the purchase price to Marcel Templin's account. In doing so, the notary may have breached his fundamental notarial duties and his duty of neutrality. His conduct in the course of the real estate transaction will be the subject of a separate investigation.

Biased judges – political process?

Dr. Füllmich's lawyers have filed several motions for recusal against judges Schindler, Wedekamp and Hoock of the 5th Criminal Chamber – Commercial Criminal Chamber – of the Göttingen Regional Court. A chain of misconduct to the detriment of the person being prosecuted is shown therein. Everything points to the fact that Reiner Füllmich is to be given a short trial.

The three judges disregarded statutory deadlines (which is an official misconduct), ignored the appeal for detention and did not take it into account in the partial opening order of the trial. The three judges also rejected an application by the defense for an extension of the deadline, which was based on the illness of both lawyers.

The motion for recusal also complains that the fact that the public prosecutor's office allowed the defense to inspect the files after a long delay was not taken into account. The incomplete transmission of the files, the decision on the detention complaint without an oral hearing, the opening of proceedings before the conclusion of the investigations and other reasons suggest that the judges of the 5th Criminal Chamber were biased.

Likewise, the Göttingen judges Schindler, Wedekamp and Hoock did not take into account numerous exonerating circumstances that speak for the innocence of the persecuted person. In

particular, the fact that Reiner Füllmich wanted to and was able to repay the loans was not taken into account. This is the only way the accusations can be upheld – by the court ignoring facts and framing the "case" in such a way that a conviction can result:

> **Serious misconduct at the expense of the defendant:**
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> In the opinion of the defense and established case law, Judges Schindler, Wedekamp and Hoock were guilty of serious misconduct. They were obliged to check the electronic receipt of files, as they knew that the defense's pleadings were received by the court electronically. The three judges also knew that further documents would be submitted by the defense. At the same time, there was an application for an extension of the deadline until January 5. For these reasons, they were obliged to check whether the documents had been received in the court's electronic mailbox.
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> If they had dutifully carried out this check, they would have found that something had been received on the night of January 3rd – namely a well-founded complaint of detention. Judges Schindler, Wedekamp and Hoock should have given priority to dealing with this detention complaint and could not have opened the proceedings. They did not do so. This conduct is a serious misconduct. As a result, this serious misconduct must also be punished by disciplinary action. This alone justifies the application for recusal against Judges Schindler, Wedekamp and Hoock – because an application for recusal is justified whenever there is serious misconduct that must also be punished by disciplinary action.

Furthermore, the criminal complaint against Justus Hoffman and Antonia Fischer for false accusations and the question of whether Justus Hoffmann and Marcel Templin – possibly together with the notary who notarized the deed – illegally obtained access to the majority of the proceeds from the sale of the

property remain unconsidered. Despite these suspicions, Hoffmann and his accomplices are summoned as witnesses against Reiner Füllmich.

The summoning of witnesses who are unable to make any material contribution to the charge of embezzlement also appears curious. For example, the notary who notarized the sale of the Füllmichs' property is to testify. It makes no sense to call him and others as witnesses, as they cannot make any contribution to the question of breach of trust. On the contrary: in court, witnesses can always invoke Section 55 of the Code of Criminal Procedure and refuse to testify if they could incriminate themselves. The more intensively you look into the case, the more the bogeyman that is being set up here becomes apparent. The suspicion that this is intended to be a short political trial becomes more and more substantiated.

With their behavior, the judges are violating the principle of the presumption of innocence and denying Reiner Füllmich the right to a fair trial guaranteed under Article 6 of the European Convention on Human Rights.

> **Schindler's cunning?**
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> The presiding judge Schindler, who has a particular penchant for violating the rights of the accused, recently had his own motion for recusal overturned. The defense had already announced at the beginning of the year that it wanted to mandate two additional lawyers to defend the accused. So that the two lawyers could familiarize themselves with the case, defence lawyer Katja Wörmer had requested that the start of the trial be postponed.
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> Schindler also rejected this request to postpone the start of the trial. He was apparently of the opinion that he had to determine what the representation of the defendant should look like. He did not consider it necessary to call in additional lawyers. In times when the judiciary is

> controlled by the executive, anything seems possible. Even the court's decision on the staffing of the defense of a persecuted person.
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> In rejecting the motions, Schindler refers to a "manageable subject matter of the proceedings" – meaning that the court is obviously already finished with the investigation and assessment of the facts and only wants to pass judgment in line with the prosecution. The judges violate the rights of the persecuted person in such a clear manner, commit malpractice and give the impression that they want to deny the persecuted person a constitutional procedure. It seems as if they want to be relieved of their responsibility for the political process by means of an application for bias. Or (the worse alternative): They were promised benefits in return for a harsh and swift guilty verdict – promotions, career-enhancing transfers or something else. We will also keep an eye on this.

The application of Section 266 StGB by judges Schindler, Wedekamp and Hoock also seems more than questionable. In its case law on Section 266 StGB, the Federal Court of Justice states: "What is required is not only that the perpetrator is given a wide scope of action, but also that there is a lack of control, i.e. his actual ability to access the trustor's assets without simultaneous control and monitoring by the trustor." However, the loans were officially and transparently contractually agreed. They were booked with the company. There was no secrecy and the company was aware of the loans at all times.

The Berlin judge who imposed the muzzle on Füllmich's lawyer Dagmar Schön does not consider Section 266 StGB to apply: "The mere non-repayment of a loan does not constitute a criminal offense and certainly does not constitute embezzlement within the meaning of Section 266 StGB." So why Section 266 StGB is being applied here seems more than questionable. Unless, of course, the judges have been taken in by the complainants

Justus Hoffmann, Marcel Templin and Antonia Fischer. The mandatory element of financial loss on the part of the lender is also missing.

The complaint dated 02.09.2022 is an excess of accusations with numerous contrived accusations and interpretations of criminal law that would probably not have passed in any university exam. The complaint reads like a hodgepodge of accusations – along the lines of: something works, something sticks. In any case, Hoffman, Templin and Fischer do not consider the case law of the Federal Court of Justice – why should they? It would invalidate the main point of the indictment.

Abuse of criminal jurisdiction

One can continue to speculate about the motives of the complainants. It smells and tastes of a collaboration between the system and the persecutors. It seems obvious that they are also abusing criminal jurisdiction in order to promote their own financial interests and shape civil law disputes with the help of the criminal division. The inflated civil law dispute between shareholders is now being dragged before the criminal court.

> The disputes between the members of the Corona Committee are classic civil law disputes between shareholders. They therefore belong in mediation discussions or civil law proceedings. However, civil proceedings cost money and sometimes take a long time. Shifting the clarification of claims to a creatively designed criminal complaint avoids costs and can shorten the proceedings. And since you have done the system a favor here, you can expect a positive verdict. Because the system wants to silence Füllmich. This is only possible with a guilty verdict, for the imposition of which it must in turn clarify the civil law issues in the same proceedings. 2 in 1: The FRG silences a critic and the complainants get their Judas wages.

It seems obvious that the complainants are misusing the criminal chamber to clarify civil law issues. Perhaps also in order to have their civil law dispute resolved quickly with the help of the criminal chamber, because it can be assumed that the criminal courts in Germany make short work of critical people. Paragraph 1 of Section 262 of the Code of Criminal Procedure makes this possible: “If the criminal liability of an act depends on the assessment of a civil legal relationship, the criminal court shall also decide on this in accordance with the provisions applicable to proceedings and evidence in criminal matters.”

However, in view of the facts of the case, the evidence available and the conduct of the complainants, the court could also apply section 262, paragraph 2 of the Code of Criminal Procedure: “However, the court is authorized to suspend the investigation and to set a time limit for one of the parties to bring the civil action or to await the judgment of the civil court.”

Justus Hoffmann and Antonia Fischer have since been charged with false accusations. Many of their accusations are demonstrably untrue. For example, Marcel Templin already has 1,158,000 euros from the sale of the Füllmich family’s house. Another example: The complaint states, “Füllmich has also made himself liable to prosecution for embezzlement by purchasing the gold bars without the consent of the shareholders, obscuring their existence and possessing them for himself.” The gold bars are stored at Degussa. Removal is only possible with the joint signatures of Reiner Füllmich and Viviane Fischer.

How long will the court allow itself to be led around by the nose here? Just reading the criminal complaint insinuates the intentions of the complainants. Not only do they point out possible misconduct that the public prosecutor’s office would have to prosecute – they also provide an assessment of the facts in their “pleading” and thus prepare a verdict, so to

speak.

Misleading the public prosecutor’s office?

The public prosecutor’s office should also gradually realize that it is being deceived and instrumentalized. Recognizably false accusations, but also obvious misleading by the complainants, should set the public prosecutor’s office on edge. One example: the complainants had misled the public prosecutor’s office by submitting incomplete minutes of the company’s founding meeting. This was the only reason why the public prosecutor’s office assumed that the shareholders did not have sole power of representation.

On the other hand, the conduct of the public prosecutor’s office is also remarkable: while Reiner Füllmich’s accounts were frozen and his assets arrested in the course of the arrest, the public prosecutor’s office apparently did not confiscate or freeze the EUR 1,158,000 from the account of the lawyer Templin. What happened to the money? Why is the public prosecutor’s office not taking action here?

The key question, however, is: Why is the public prosecutor’s office investigating embezzlement under Section 266 StGB at all? Even a cursory examination makes it easy to see that the conditions for embezzlement are not met here. The actions of Reiner Füllmich and Viviane Fischer were documented (loan agreements and accounting lists) and therefore known to the company. There is even an indication in the email correspondence that Füllmich had informed the complainants Justus Hoffmann and Antonia Fischer about a loan.

Finally, there is a lack of another essential element for the existence of embezzlement: there is no financial disadvantage for the Corona Committee. The loans should and could have been repaid. The funds for this were to be generated from the sale of the house. The loans were not paid out to a destitute borrower: the Füllmich family’s property (a large house in Göttingen) always had enough substance to enable the loans to

be repaid. The public presentation gives the impression that Füllmich secretly pocketed money and used it privately. But how he used the loan is irrelevant. The money was to be placed in a safe place and later repaid – and this was ensured until the illegal appropriation of the purchase price of Füllmich's house. Without a financial disadvantage on the part of the Corona Committee, there is no offense of unlawful appropriation.

The obvious inconsistencies give many friends of the Enlightenment hope that Dr. Reiner Füllmich will soon be released. That this hope may be unfounded is shown by the many verdicts against critics of the measures, lawyers, doctors and journalists in the FRG and the Western world: the "legal system" is once again proving to be the servant of a repressive system that will accept neither criticism nor resistance. The clearest voices are to be silenced. No matter what the cost – even if it means giving up the rule of law.

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