

The Brief - argument section:

Comes Now, Petitioner Bernard Tocholke, and respectfully moves the Court to review the erroneous decision made in this case. This Motion is a modified version of all the prior Motions and Affidavits filed by Petitioner, with this one including Case Laws and more in line with the Judicial format and jargon.

I.) The main reason this case is deliberately and repeatedly brought back into the court for review is based on the Statute 767.32(1m)...

(1m) In an action under sub. (1) to revise a judgement or order with respect to child support, maintenance payments or family support payments, the court may **not** revise the amount of child support, maintenance payments or family support payments due, or an amount of arrearages in child support, maintenance payments or family support payments that has accrued, prior to the date that notice of the action is given to the respondent, **except to correct previous errors in calculations.** (Emphasis supplied)

I have fought this definition of "previous errors in calculations" for almost six years. This is the error and its origin: When calculation was made on May 6, 2002, the Commissioner did not take the "adjusted gross income" which is on line 33 of my 1040 IRS form for calculation. Instead a number on line 12 was used which is a figure that I

still had to pay expenses on, like self-employment tax and property tax. They added that wrong number together with another wrong accelerated depreciation number which by IRS and accountants rules, does **NOT** get added in for income.

There is an explanation letter from an accountant explaining the details of how my income should be calculated. The Kenosha Court and Judges were presented with that sheet soon after the date of error. I have fought for almost six years now, through almost every one of the numerous court battles, wishing for the court to exercise its discretion in this matter. Consistently they have refused every time to approach the examination of the manipulative calculations.

After almost six years of arguing "previous errors in calculations," I sorrowfully find case laws that rule against my case:

Strawser v. Strawser, 126 Wis.2d. 485' 490' 377 N.W.2d. 196' 199 (ct. App. 1985) (quoting In re Gibson's Estate, 7 Wis. 2d. 506' 515' 96 N.W.2d. 859' 864 (1959):

"A court cannot modify or amend it's judgment to make it conform to what the court ought to have or intended to adjudge." Even a court's nunc pro tunc authority is **limited** to rectifying what might be termed "**mechanical errors**" in our judicial system.

Let me give you three examples of mechanical errors. Child Support for five or more children is 34%. Examples:

1.) Take every entry number on every line of my 1040

tax pages and add the numbers together and multiply the total by 34%

2.) Use my Social Security Number. Suppose it is #ss 101-10-1010. That means we take \$101,101,010 and multiply it by 34%. The outcome is that I would owe for child support over 34 million dollars a year. Upon my anxious complaint the Judge dismisses my argument by saying that I provided those numbers and nobody else. I insist it is the wrong numbers (my SS number) and the judge yells silence or I am in contempt!

(Read my Transcripts - Judge Mary K. Wagner)

3.) My Case! The Judge does NOT take line 33 but instead line 12, and then adds accelerated depreciation instead of the legal standard depreciation. That total gets rounded up even higher and then multiplied by 34%.

The reasoning behind the three examples:

-Just because the last example is the lowest and most reasonable amount, it still is a "mechanical error" and technically the same as the first two examples:

- A.) All consist of wrong numbers taken for calculations.
- B.) All calculations are derived from someone that does NOT have a license in Accounting.
- C.) All three examples are contrary to IRS or Accountants rules.
- D.) All calculations derived from numbers taken off of

my 1040 forms.

E.) All calculations are wrong and destructive to my Rights and well being.

F.) All calculations would make me a criminal and in contempt for jail.

G.) All must be eliminated and CORRECTED!

The following is my criminal history and reason for incarceration, BUT first let us look at some Case Laws that have something in common:

- 1.) Rottscheit v. Dumler 2003 WI62 262 Wis. 2d. 292, 664 N.W. 2d. 525
- 2.) Parker 152 Wis. 2d. at 2-3' 6'
- 3.) Voecks 171 Wis. 2d. at 186, 189
- 4.) Modrow 2001 WI App. 2001 247 Wis. 2d. 889 634 N.W. 2d. 852

They all were responsible for Child Support. They all were incarcerated. They all had committed a crime. Dumler had Drug and OWI convictions. Parker had felony theft. Voecks was sentenced for cocaine delivery. Modrow had a 5th OWI offense. All wanted to utilize Statue 767.32 (1)(c):

"may constitute a substantial change of circumstances sufficient to justify revision of the judgement or order"

In the Modrow case page 18-21 "The court of appeals held that the court should consider"

"whether the **crime** was of an **intentional nature**, its potential effect on the pay[e]r's **future**

income, the **assets** of the pay[e]r, how the **needs of** the **children** will be met during the pay[e]r's incarceration and any other factors which the court deems relevant."

Let us segment that sentence: 1.) Was the crime intentional? 2.) The future income effect. 3.) The assets. 4.) How the children's needs will be met during incarceration.

1.) Dumler, Parker, Voecks, and Modrow committed a crime (outside of child support) that incarcerated them. I have NEVER touched any drugs in my life. (alcohol exception) I have NEVER been drunk in my life. My lifes entire alcohol consumption could probably fit in a five gallon pail (which includes communion at some churches). My typical usage was one serving of wine or similar for that day. My next serving might be five days or five or more years later.

Back in the 1980's I received 3 moving violations. One of them was when I helped a farmer friend of mine in hauling some hay bales with my pickup. I had a choice of ticket; either an overload ticket or a mirror violation ticket. The other two were speeding tickets of 1-10 mph over the speed limit. The last I think was over twenty years ago.

Today I am wrongfully incarcerated on my third jail booking because of a Judge manipulating "mechanical

errors" as I already explained. Even though I was NOT incarcerated because of my own criminal activity (or absence of it), I was criminalized because of other peoples mechanical errors.

2.) The future income effect. Each time I get incarcerated I lose financial footing. After months of physical and financial struggles I slowly stabilize. Because of the impossibility to perform according to the mechanical errors, the vicious cycle of incarceration continues.

3.) The assets. - Before 2002, I had some assets. The process of divorce with the mechanical errors destroyed me. After my incarceration of 2004, everything I had once owned was either ripped from me, repossessed, or had liens against it. I am still in collection from several identities. My credit score upon release was 430. I drive next to junk with no credit to finance anything more reliable.

4.) Needs of my children. This topic leads into a major confrontation of beliefs. Before I get into the details of that, I will direct you to a dispute of a website.

II.) Website/"stricken." On this website (www.ScrewedKenoshaStyle.com), I installed a vast supply of information: Fourteen years of my 1040 IRS information; Information of my legal battle which includes - Transcripts, Motions, Affidavits, letters, Briefs,...etc.

(future-this Motion/Brief will get installed). I also have on the site information that covers details about a religious Cult that the respondent, Shereen Tocholke, is involved with and commits my children under their influence.

I have installed a lot of truth on the site, which causes animosity from those who have had their "dirty laundry" hung out there, for the world to see. I believe All the contents of the website are related and not irrelevant.

See Sellers, 201 Wis. 2d. at 594-95

("[W]e ultimately must trust the sound judgement of the trial court because the outcome in **divorce** cases is **intensively fact specific** for each case.")
(Emphasis supplied)

In contradiction, for the court to pursue insight and quest for substantiate truth of "intensively fact specific," my case has become a state of banishing evidence and facts. The judges have "**stricken**" any contents that I have tried to use from off of my website. If I receive a letter from the Judge, install it on my website, and try to print and use it on a later date, it becomes a prohibited document and stricken.

The website is a method or means by which I can efficiently store documents and information, and then effectively transfer that information proficiently, economically, and instantaneously to identities and

authorities just like you. I appeal the decision of the Judge in "stricken" (ing) my contents from off of my website. The website is a place where I can elaborate this situation with articles, pictures, audio, and future videos.

III.) Best interest of the Child. Throughout the 767 series of family law statues, the term "best interest of the child" is with repetition duplicated numerous times throughout. This section is also a continuation of I.) 4.) Needs of my children.

A.) Religious Cult? When we were still together as a family of seven children we got involved with a people that had very conservative ideas. As time went on things started changing and additional rules were added. Progression continued until the rules started to interfere with my conscience. The transmutation gradually changed from a conservative belief and practices, to a fanatical, cultish dictatorship. The two worst rules that I opposed which led to my demise, was their teaching on abstaining from medicine and doctors, and the second in the area of child abuse justified as discipline.

1.) As new members we were never pushed to not use doctors or any kind of medication at first. As the years progressed I became discouraged and fearful at watching my oldest son suffer for several days whenever he got an asthma attack. Throughout the 6-

8 years that I was with them, I noticed that I NEVER witnessed a single "Divine Healing" which they preached about. I saw a lot of people go sick to the altar, get anointed and prayed for, but remain sick for the same length of time that it would take for a natural healing. I saw people pray for the divine removal of warts. If it was a sickness that could not be healed by natural healing, the person died. Here is a few of the horrors of the cult that turned sour because of medical neglect.

- a.) Wieb's baby died at 11 months of age.
- b.) Ralph had a stroke in a Kenosha home and died I think about two weeks later with no medical attention given.
- c.) Rhoda Tinsman (maiden name) died of child birth after several days in labor, at home.
- d.) Gerald Tinsman, Jr. endured a hernia the size of a volleyball without medical attention. Two Church/Cult members tried pushing the hernia back in. A blood vessel ruptured and he bled to death, leaving behind a wife and six children, the youngest 8 days old.
- e.) The respondent, Shereen, as of October 2007 was living with my children in the home of the parents of both Gerald Jr. and Rhoda Tinsman.
- f.) There were many other deaths. Details on my

website.

For my son with the asthma I secretly bought an inhaler for him. That was found out and the Pastor viscously unloaded his fury upon me. This was one of the leading up steps to the abandonment that the Pastor demanded my wife to do to me.

2.) Child Abuse, but to the Cult explained as discipline. While being part of this group earlier, I learned and witnessed their barbaric teachings of discipline. The child that violated something was ordered to bend over the bed or chair, to receive a designated amount of swats or strikes. If they couldn't submissively do that, the parent is ordered to use physical force to break the "strong willed spirit of the child." All preliminary "wrestling" beatings are extra and not part of their "submissive" spanking. If it requires 500 extra strikes from a stick to "break" the ungodly spirit of the child before they lay down submissively for their designated strikes, the real ones are yet to be applied. Please read my website of the gruesome child abuse I witnessed. Read about...

a.) The black and blue mark (ONE massive mark) covering the entire buttocks area from belt level down to the back of his knees of my five year old son.

b.) The cruel punishment of my daughter being

banished to the bathroom from noon until I came home from work.

c.) My wife beating my children in the head with wooden hair brushes, or spoons, and in rage using wire clothes hangers or even shoes to inflict the required pain for punishment by the Cult.

d.) The pastors wife beating her own children across the back of their hands with wooden dowels.

e.) How the Pastor and wife beat my two oldest boys with a paddle he made which resembled a handled bread board.

f.) And how the Canadian's don't have the same liberties as Americans do in the area of Discipline. Several families fled Canada to Ohio and Indiana because of the threat of child removal by social workers for their child abuse practices.

g.) read about what crime the child committed to receive this brutality. They may not have ate their lunch and therefore got locked in the bathroom half the day.

3.) Mental and Social Abuse. There are so many more abuses that the children endure being captives of that system of beliefs. My children have NEVER gone swimming without their wrist and ankle length clothing.

They are NOT allowed any Motion Viewing on a screen; computer or television. The motion screens at a museum are sin. They are home schooled and Public School is demonic. College is highly frowned upon and must be approved by the Pastors. Careers in medical, distant truckers, television repair, military, police force, attorneys and even judges are ALL ungodly professions. All professional sports are a sin. Instead of wasting space here, read the rules on the website.

4.) Freedom of Religion. Do we have unlimited religious freedom in this Country? in the United States? This is not the only fanatical religion. There was David Karesh, Jamestown, Hale Bop Comet group, Charles Manson, and others. Does America have enough religious freedom to allow a new group to sacrifice their first born child?

5.) The Argument. This does not have to be an argument over the freedom of religion. The real question is, if it is in "the best interest of the child" to give primary placement to the parent that makes the child a captive of an organization where they don't have a choice, power, courage, or opportunity to remove themselves from?

a.) The GAL, Nicole Beddigs, intentionally kept silent on the facts.

b.) Judge Mary K. Wagner dismissed my argument

away as total freedom of
religion,...undisputable!

c.) Judge Bruce E. Schroeder dismissed my
argument away as totally frivolous saying that he
was beat by sawed-off golf clubs by the principal
when he was a child. He stated that he didn't
see anything of lasting or of permanent effect of
a harsh beating.

d.) I think the case was bought out.

e.) I am in pursuit of getting more publicity,
books, videos, and media attention on this case
to find out what the typical American feels about
the activities revolving around this case.

f.) I definitely want this case to be published
for future case Laws.

(III) B.) **Best interest of the child** - Primary Placement

767.41 There was a prejudice discriminatory judgement
made by the court over which child and primary
placement was regarded.

1.) The court had placed my two older children in
my care of primary placement. They are the two boys
that I mentioned earlier that had been physically
abused or beaten by the Cult Pastor and his wife
several times. Because of that the boys refused to go
with the (mother, respondent, Shereen) who is involved
with the Cult. Therefore the Court placed them into my
primary placement.

2.) The Court then placed the younger five children into Shereen's primary placement against my wishes.

That too was documented, however, my two boys and I have yet to receive the first penny in child support and/or the same statutes applied to us without partiality by the courts. Here are some of the points that I have contested without success for almost six years. Every hearing was bias against me except Judge Bastianelli (December 2003).

My boys have NEVER benefited from the following "Best Interest of the Child" Statutes.

1.) 767.41 (2) (d) "domestic abuse"... (Pastor beating them) (c)

"and there is a rebuttable presumption that it is detrimental to the child and contrary to the **best interest** of the child to award joint or sole legal custody to that party."

I challenge the concept of why the court allowed Shereen, respondent, the children that I wrote about in III.) 2.) a, b, c of this Brief. Beating them black and blue and also in the head is not discipline, and yet why did she receive the primary placement for them?

2.) 767.41 (5) Factors in Custody and Physical Placement Determinations.

"The Court may NOT prefer one parent or potential custodian over the other on the

basis of the sex or race of the parent..."

I was either discriminated against because of sex, or my case had behind the scenes bribery of some sort, I believe.

(5)4. "The amount of time..."

For over five years I had been restricted to seeing my children to only 1 1/2 days per month and one week in the summer. My boys usually could not take the round trip to get and return their other five siblings during that placement. Because of that denied change for placement, my children sometimes or usually saw each other only about ten hours per month.

During my incarceration of 2004 they didn't see each other at all. On March 2004, upon sentencing me to six months in jail, Judge Mary K. Wagner stated that my boys are old enough to take care of themselves. They have never received a penny in child support and at that moment had to take the responsibility of an adult. They were 15 and 17. The oldest was forced to quit his Senior year of High School. He worked nearly full time to support his brother and himself while I was in jail.

3.) 767.511 (1m)(c)

"If the parties were married, the standard of

living the child would have enjoyed had the marriage not ended in annulment, divorce or legal separation."

Their mother had abandoned us when the Pastor told her to leave me. She did and moved in with him. I tried providing the best I could for the two and pay the outrageous \$400 a week that was ordered upon me. The three of us lived in poverty until March of 2004. It was then that I was incarcerated after paying about \$18.000 of child support in 22 months, and my oldest was forced to provide.

When does the "best interest" apply to them? Why could they not ever get a penny of child support?

4.) 767.41 (7)

"Whether the mental or physical health..., "
"...negatively affects the child's intellectual, physical, or emotional well-being."

How does that statute apply to my five children that are physically, emotionally, and mentally affected by their fanatical religious environment? Even if they were questioned now, they would have a mental fear and control over themselves to answer the questions presented according to the way the Cult has trained them. That is all they have ever known.

They would be going to hell if they viewed a safari trip on television. They would be lost if they go to any church besides their own. How would someone expect them to answer if questioned by social workers? That is what they are taught.

5.) 767.41 (8 and 11)

"The need for regularly occurring and meaningful periods of physical placement" "to provide predictability and stability for the child"

For five years I was deprived that placement and stability. I sure wish the Court of Appeals Judges could reverse the placement and make up for what I was cheated out of. I plead for much more time.

6.) 767.41 (12) "engaged abuse"

Where does this statute have effect on either my two boys when they got abused by the pastor and his wife or for my other five children that are still abused by their beliefs? It continues with 767.51 (1m)(f) as a repeat except for the part of "health insurance." They don't have a use for that since they don't use medicine or doctors. This last summer during one of my five children placements my youngest daughter was sick. I know that I would get some heat if I tried

taking her to the doctor. I asked the children if Bethany would take children's Tylenol if I bought some. Their response was that medicine like that makes the skin fall off. They heard of someone who needed skin replacement from a pig because she was given Tylenol.

7.) 767.511 (1m)(g) "the child's education needs"

Their entire life consists of home schooling by their Church. I don't think they have certified teachers and I believe they are illegally taught. They do not get monitored by the State. My oldest daughter is 19 but still is supposedly going to school. I have no way to evaluate where she is academically, or if she is in school just so they can profit from child support. My guess is that she is teaching the younger students.

IV.) **SHIRKING** financial/underemploying (Exhibit included)

For the entire duration of this court case, I have NEVER had the motive to convince the court that I am only capable of producing a sarcastic \$100 a year, I have always stated that I can and have made about \$20,000 a year after the major expenses. However, in the last few years it has been much more difficult.

The problem with this case was addressed in the first 2 pages of this Brief dealing with **mechanical errors**. Because of that I was framed with a \$40,000 a year income.

Then the malicious conniving continued by placing all seven children on my child support statement even though two were living with me. In 2006, there were eleven dependents listed against me.

In that same year 2006 I made about \$31,000 gross receipts, and deducted the major obvious expenses off, such as equipment rental and disposable supplies that gets used up quickly in this trade. Chainsaw gas, gas mix oil, bar oil, chains and bars for the chainsaw are only some of the examples of some of the expenses. And then comes the legal tactics.

I can't leave the chainsaws and equipment in the woods or at home when I go to the woods. Therefore when I go to a job I am transporting equipment and because of that I can write off mileage. That write off is standard if I was driving the most expensive brand new 4x4 pickup or a rusty junker but has 40 mpg. Because I can only afford junk I can benefit by that legal IRS deduction.

The following questions are the answers of why my AGI income is below \$10,000 a year. If I got penalized for child support because of mechanical errors, why should I stop using Income Tax deductions when I reach \$18-20,000 AGI? If I can legally, save every receipt down to every penny, find legal IRS allowed deductions, and then be capable of bringing my AGI almost down to nothing, why should I not do that? This legal tactic is everybody's desire, and is not motivated to bring my child support to

zero income. It is to protect me from getting punished by income taxes also.

I think the laws effecting the next example needs to be changed. Suppose I made \$20,000 a year, but had to pay \$10,000 in child support. Suppose she made \$10,000, and then received my \$10,000, giving her \$20,000. I pay taxes on \$20,000 even though I only lived on \$10,000, and don't qualify for any assistance including medical. She not only lives on \$20,000 but qualifies for food stamps and all other assistance because she only made \$10,000, which she files for income tax calculations on. **Child Support is Non-Tax Deductible!** So why should I not itemize my income as low as I can to avoid getting penalized twice?

My Court battle motive was always to get labeled for \$20,000 AGI a year and her definitely with an income somewhat in line with a 4 year college degree in teaching salary. She used to be a teacher. Why should my boys have suffered because she chooses to under employ herself at \$7 per hour? However, her religion tells her that teaching in a public school is less than favorable and possibly sinful.

If I had been labeled with the \$20,000 from the beginning, I would have never been in contempt, never been in jail, and wouldn't be \$40,000 in arrears. I was mentally, emotionally, and physically destroyed (physically by surrounding environment) because of the malicious mechanical errors and I wish that could get corrected from the beginning.

V.) Placement Expense/Tax Dependents/Incarceration-Child Support

767.511 (1m)(b) "The financial resources of both parents"

I have been destroyed financially so much that it is difficult to provide means to all my expenses and debts. On the other side Shereen has great resource potential in education that I don't have, and yet is allowed to intentionally under employ herself.

767.511 (1m)(bp) "The needs of each...to support himself...at a level...established under 42USC9902(2)."

I struggle to rise above the poverty standard of living.

767.511(1m)(em) "Extraordinary travel expenses incurred in exercising the right to periods of physical placement under S.767.41."

It is a tremendous cost to travel from Minnesota to Ohio once a month, stay in a motel with all my children, have some form of entertainment, and provide for all the food which is more in the line of convenience food. For my last 1 1/2 day placement I had with my children in October, I spent about \$500-700 on that trip, depending on the cost breakdown. The higher number is accurate if birthday gifts and vehicle breakdown cost is

included. I was stranded in Indiana.

767.511(1m)(h) "The tax consequences to each party."

I explained in the IV SHIRKING section of the motive for lowering my AGI as low as I can. I plead with the Court to allow me to claim the youngest two children at least, for my IRS deduction for dependents. The most recent years would have had a much higher AGI if I had those dependents. There would then have been an advantage to NOT claim all of my depreciations.

767.511(1m)(hs) "The earning capacity of each parent, based on each parent's education, training and work experience and the availability of work in or near the parents community."

Not my Argument Section, but a further elaboration Exhibit

Tocholke v. Tocholke

Court of Appeals Case No. 2007AP2967

Exhibit PXX (Personal eXperience & Knowledge)

I must elaborate on just a dozen experiences to present an understanding of the foundation of this case. I hope the following will portray to the Court of Appeals the spirit of why this case is even in the Court system. While reading this, please constantly question if this is in the "Best Interests of the Child."

1.) Disrespect To The American Flag - This last summer, I believe it was July of 2007, I had all my children together for a full week placement. I took them to a Lumberjack competition show in Stillwater, Minnesota. I remember a new rule of this Cult just before my wife left me, that had not been mentioned before when I first was attracted to this group. I heard preaching at that time which was against the American Flag and how it is sinful to say the pledge or honor the flag.

Before the Lumberjack competition began the typical display of the flag and the anthem was sung. The entire crowd stood up out of respect. I looked toward my five children and they were defiantly sitting down. Randy and

David, my two oldest boys which are in my placement, were standing and irritated too at the defiant show of disrespect. My oldest brainwashed daughter, Rachel, folded her arms and made sure that the other four children would NOT stand up. I knew that the four younger children would receive punishment when they got back home if they dared to violate the Church/Cults teachings. It was humiliating to be next to such defiant demonstration apposing the flag. Why does the Cult then though want to partake of freedoms of this Country (Religion) when they despise it?

2.) Sinfulness of Carousels - I have taken my children several times to the Milwaukee County Zoo. One time while I was with only my five children, the zoo had very few people and we were able to roam easily. The zoo had a small train ride that circumferences around the grounds. We had enjoyed that ride before in times past. As we approached it this time I noticed the carousel practically empty. I knew the Cult in recent years had preached against rides and amusement parks. Never-the-less, I asked if anybody wanted to go on the Merry-Go-Round which is permissible. The youngest four shouted, yes, with glee!

I did not notice it but as we went, Rachel, was warning the others about the sin before we walked the hundred yards. Upon arrival none of the children wanted to go on it anymore. The attitude change was that it was not a Merry-Go-Round, but a sinful Carousel and capturing people to hell. There was fear in not obeying the Cult's

teaching.

While we were at the zoo we went in the gift shop. Now, I do remember that the Cult had preached against the game Monopoly. There in the gift shop I see Animalopy, a revised version of Animals instead of Boardwalk and Parkplace, and such. "Hey children, would anybody play this with me in the motel room?" "If I bought it?" They studied the box and saw the "demonic" dice pictured and the answer was NO! Dice are sin.

3.) Mall of America - "Sinful Attraction" - I was enjoying all of my children one time in Minneapolis and St. Paul. I discretely pulled Randy and David aside and told them that I wanted to stop at the Mall of America. I told them that I also wanted to take the children on rides in the Mall's center, the Camp Snoopy Amusement Park. We discussed the opposition we would get from Rachel, that would know that rides like that are a sin to the Cult. So we agreed upon a plan that might work.

Once in the van the pre-planned discussion began. Randy pipes up, "Hey Dad, can we split up in two groups and run around the mall in different areas?" I played my part, "Well...yeah, I guess so." Several of the children asked, "Can I be with Randy's group?" I said, "Wait a minute, I think the four oldest could take care of themselves, but I think the three youngest should stay with me." They all agreed.

As soon as they were out of sight I took them straight

to the center of the building where Camp Snoopy is. I bought tickets for at least two rides each. The Red Barron was a delight to them. "Now which ride do you want to go on?" As we walked around, deciding which one, they spotted a carousel. Oops! Suddenly it dawned on them that this must be one of those Hell bound places that their Mother's Church preaches against, suddenly the desire for any more rides vanished.

They started looking over their shoulder to see if Rachel was coming. To use up the tickets I could only talk them into going on the Red Barron again. I had a few points remaining, I had my sister along too that day and I remember her watching the youngest two while I took Stevie against his fears of getting caught, to introduce him into something new.

Stevie is my child that was beat by my wife about 300-500 swats in trying to break his stubborn will. He was not submissive when she had ordered him to willfully lay across his bed to receive his punishment. The result was a massive black and blue bruise beating before he could submit.

Steve and I climbed the stairs to the roller coaster. How he squealed in extreme delight, I will never forget. Seeing his joy, made my violation of the Cult's rules worth it to me. I wish I could do it again when the children don't have to fear punishment when they get home.

4.) Video Games - Technology of the Devil - I have to be

careful here with giving too much detailed experience now for the sake of protecting my younger children. This Exhibit will wind up in the hands of the Cult and I must protect my children from the punishment and rebuke that they would get if I revealed details.

Video games are a sin because there is motion on the screen. However, watching a child hysterically laugh at watching a funny video game is exciting. It is difficult to remain somber while a child verbalizes such great delight.

5.) Bonduel, WI Harley Shop - Sinful and evil! - My ex-wife is constantly moving in pursuing the Cult. If the Cult moves, she moves. In the first part of 2007 my family lived near Bonduel, north and mostly west of Green Bay, WI. Alongside of this freeway is a Harley Davidson dealer, not very far from where they lived.

On my way to pick my children up one time I stopped to take a look around. It also was a museum and a small zoo. On the front of the building mounted, airborne, going as if over the roof of the building were two cars. The first was a Dukes of Hazards car being chased by a black and white police car. Inside was a room filled with rare collector cars and several antique items.

They also had a display of reptiles, alligators, turtles, iguanas, and snakes. One man wrestled with a 4-5 foot gator. I thought it would be interesting to my children if I could get them past the motorcycle and

supplies room. I do know the teachings of the Cult that motorcycles in general are frowned upon and Harleys are evil and unacceptable.

I remember one time two new church members drove to the Ohio camp meeting on motorcycles. The bikes were quietly banned off the Church grounds and were forced to be parked on the neighbors property. Those two bikes were not even Harleys!

After I picked up the children I brought them back to the dealership. They didn't want to leave the safety of my vehicle very easily. After persuasion they came inside and seemed scared though, as if God would strike them dead if they delayed there too long.

6.) Water Sports - if wet, then potentially wicked! It was just basic knowledge within the Cult that swimming almost entirely is wrong. Never will a Cult family allow even their children to use a swimming pool. Renting a motel room that has a pool or waterpark is spiritually deplorable and not an option of activity that I can do with my children.

There are four specific sins at risk here; exposure, age, cross gender, and undress according to them. This Church/Cult refers to themselves as the "Saints," and everyone else are the "Aints." A saint does not place themselves at a visual exposure risk with wet clothing except for one time. That only time is when they get "submerged" baptized. When a child reaches puberty,

swimming gets eliminated which becomes an age barrier or restriction. Cross gender restrictions are also magnified everywhere. At their camp meetings there are children's swings, slides, monkey bars and such. Either only the young boys play on the recreation equipment or just the young girl play, never both at the same time.

Therefore, that same gender segregation applies in swimming too. Isolated and secluded swim spots are required, and then with only my children, and then also if they are not mature yet. The last absolute "risk" requirement is the "undress" part. There is a dress code that is absolute 24/7. The clothing is to the ankle with long sleeves buttoned at the neck is mandatory, full time for every activity. Male and female alike, only the hands and face ever gets exposed when other people are around. That includes shaving in the mens bathroom at the camp meetings. It is forbidden for a man to take his shirt off to shave when other men are also using the facility. With that dress code they go to Church, but also is required for every activity including swimming. Swimming in long pants for boys is still easier than what my daughters must abide by. They have never experienced swimming without their ankle length dress on. They don't swim, if it is a problem swimming inside a "sleeping bag" or "parachute." The same Church rules are applied for every activity, boating, tubing, canoeing, kyaking, or even things other than water sports like horseback riding or skiing. The

young women are usually restricted from that type of "men" sports.

7.) Wisconsin Dells - mostly a Den for Devils and Demons

- There is an extreme limitation at what I can do with my children at the Dells. I have taken them on the Army Ducks and the boat cruises. One time someone gave me free tickets to the Tommy Bartlet Show. According to the Cults standards I corrupted my children extensively that day. All shows are shunned. The waterslides, roller coasters, go-karts, reverse bungy jumps, and other rides were condemned as a sin, but interesting to watch.

There was one very hot day that I remember well. This happened about five years ago. I had all my children that day driving and walking around trying to find something permissible to do which was difficult. In the heat (90°+) my five year old youngest child, Bethany, suddenly starts crying and acting strange. Looking back now I realize that she was having a heat exhaustion attack.

We all went to my van and started to think along those lines of what is going on. I then realized how hot she was and I started wetting her down with water. Upon that episode of cooling her down I discovered that the "modesty" of dress was the issue of this life threatening situation. She had on a t-shirt, a full length slip over that, with a full dark color dress with long sleeves and length down to the ankle, with I believe a vest on top of that. All of my five children must wear something like that even if the

temperature is over 90 degrees. Are the Church rules on modesty in the "Best Interest of the Child?"

8.) Epsom Salt - the religious freedom protection cure - I have elaborated on the Church teachings on discipline, My belief is, it is NOT discipline when a child gets bruised, but abuse. I found it ironic of what the parents get instructed to do if they practice the Cults teaching. The Pastors wife, Sue O'Shea, used to be a nurse before they became members of the group. Even though they preach against medicine and doctors, Sue O'Shea instructs parents to soak their bruised child in Epsom Salt to quickly remove the evidence.

9.) Christmas Shopping - search for the needle in the haystack! First of all the Cult honors NO holidays. They are Anti-Christmas, Easter, Labor Day, Memorial Day, Independence Day, and even Thanksgiving is condemned. "Worship the Turkey" is what I had heard preached. So instead I go winter gift shopping with my family.

Here is a list of sinful toys. I think at least 95% of toys are considered sinful. All Barbie dolls and Celebrity dolls are Evil. All other dolls must be capable of being "sanctified." If the doll is a child there is more tolerance than if it was a woman doll. A doll of a woman must have long hair so that it can be put up in a bun on the back of her head. The clothing has to be what they call Godly.

Any toys to do with sports cars, racing, race tracks,

collector cars, war equipment, vanity vehicles, lively COLORED toy vehicles or other toys are all wrong. Most books are usually wrong especially fiction or fables. Coloring books usually are corrupted with "unsanctified" pictures. Even if a toy is permissible, if the color is "loud," the toy becomes sinful and condemned.

My 5th child Steve, or 6th child Joel was deciding on a bicycle. It looked nice to me. The price range of \$50 for each child qualified the bike acceptable too. Then Rachel came over to evaluate if it was "Saintly" enough for the Church standard or if it would get pitched when he brought it home. She whispered something to him and suddenly he didn't want the bike anymore. It was blue but it had orange pin-stripping and highlights which were ungodly. There was no "modest" bike in that price range.

I would have bought that bike and kept it at my place if I had a different placement situation. My son would hardly ever be able to ride it under this present condition. In the last couple of years when I was still married and in the mutation of the Cult, I had noticed my wife had thrown several brand new toys away which were given to my children from relatives. The relatives did NOT know that the toys they selected were sinful. I wish you could fathom how extensive their reality really is.

10.) Milwaukee County Museum/simulators - virtual reality to hell!

Shame on me! I knew the Cult would disapprove the

simulators but my children didn't have the capacity to reason that a simulator is a combination of a movie screen and a carnival "carn-evil" ride. So I stretched their imagination with two "rides."

The children enjoyed going inside this capsule. The door shut and we were off flying a military jet bucking and tilting in our seats to do those acrobatic maneuvers. There was a lot of laughter behind those closed doors. I paid for a second ride with them not knowing what I got. This time they "kind of" experienced what a roller coaster is like for the very first time ever, except for Stevie who had at Camp Snoopy experienced a real one. It was sure a delight to experience the laughter and screaming inside that capsule. It was hard to believe that we stayed in that spot the entire time.

Randy & David (my two oldest) and I have spent a day alone in Wisconsin Dells when I received two free tickets once for one of those parks. They enjoyed roller coasters and slides.

The next time we went to the museum, the five children all refused to partake of the simulator. The Cult must have had educated them about the wickedness and destination of hell if they participate in watching a "Devil Vision" (Television) while their seat is being tipped every which way. It is nothing else!

11.) Chicago Museum of Science and Industry - Why those wicked screens?

I thought it very impressive! However I could not experience everything about it and how the submarine was captured. That is because a lot of the information was revealed on movie screen. We as a family leave one room and go into the next. It appears that you are standing on the deck of a ship with water all around. The real wall is actually a movie screen from floor to ceiling. On the screen you see a ship or the submarine out in the ocean. There is ocean all around you. There is a captivating voice recorded that has a play by play scenario of what is taking place.



I wish I could have stayed there and witnessed the "capture" of whatever it was. However, my children saw that it was a movie screen and quickly moved on to the next room. It was busy that day with a lot of people, so for the safety of my children, I had to move on.

As a person leaves from one of the rooms, you enter a large area that has the submarine on display. You enter the room higher up and walk down a long ramp parallel with the sub. Near the bottom is a photographer that stops each person, couple, or group and take a picture. The person gets a code number and later gets the opportunity to buy the picture. I am glad that I bought ours.

12.) Control by FEAR - Why would my children want to live with such fanatical rules? Is it not true that my children upon questioning them, would respond that they don't like movie screens, rides, or the rest that I mentioned here? That is true, but WHY? Until a person experiences what I have experienced, they will not comprehend what fear there is by the members of this group. By that **FEAR** they have control.

I wish everyone could go to my website, www.ScrewedKenoshaStyle.com, click on the "church that took my family," find the audio section, and then listen to the five minute portion of the Susan Mutch Sermon. That screaming is common to that church for their style of preaching. Screaming, "Hell, Torment, gnashing of teeth, lost, fire, Doomed for Eternity!" for two hours to a young

child creates fear. However, that is still only in generality, because it is screamed out at the entire group. What if however, it was only yelled at you, the only one in the room besides one or more Pastors doing the yelling in your face? Now it becomes personal and internally tormentive. That is when your FEAR becomes gruesomely haunting inside of you.

I have witnessed numerous people get that treatment before it was my turn. I saw the victims come out of that "room" terrified, in many parts of this Country and Canada while at camp meetings. Each time though, they were (all victims) obviously shook up and crying or with blood shot eyes from crying. I have witnessed the harsh treatment of excommunication and shunning that this group does. I felt sorry for the children that still live within the Cult family like my children are. They are too young to escape. The shunning torment is go great and overpowering that almost all a child can do is run to the alter, crying and begging for forgiveness. The conditions for forgiveness is to submit to this torment of fear by following the rules and teachings of the Ministry. That is considered righteous Godly fear.

I knew what that torment of fear is all about, I experienced it. The Pastor ordered my family to not leave Kenosha to visit my Dad and siblings in Minnesota. I violated his orders in 2002. That is the reason why I am in court and experienced jail. The Pastor told my wife to

leave me and she did.

Before that happened though, upon my return from Minnesota, he gave me the "room" treatment. For at least half hour he stood in front of me screaming. His finger was a foot from my face, his face was red with fury. "You think you will get the children? You will not get the children. You know it is a Woman's State, You will lose you wife. It is over. You will lose your children. You are lost and not a Brother anymore. You are heading for hell. You will be destroyed. I will fight against you until the finish. You will lose everything. You will be all alone. You will die a miserable death. And at last you will go down to a Devil's Hell!"

This is only part of what he screamed at me that day. I leaned back against the wall and took his fury. I remember seeing his spit landing on my shirt. FEAR, I can't describe it but it is a painful torment/torture.

I was scared in not knowing how much of it was true. Now six years later, I have been financially destroyed. I did lose my wife and children. I have gone to jail. Life hasn't been all that fair and at times pretty miserable. Now why do I keep fighting and appealing?

Because my children are captives and victims still in that Cult. They have Fear of violating the "church" as they know it. Programming them their entire life, that they will go to Hell if they put on a short sleeved shirt, or ride a bike that has an orange stipe on it, they have

learned to believe it. This unexplainable fear is far worse than the barbaric black and blue beatings that they have received. The beatings heal within days. However, the psychological damage I experienced six years ago and prior, are still tormenting my mind today.

CONCLUSION - I hope these 12 points give an explanation of the root problem of why I will keep fighting for justice. I will continue by writing books, make videos and pray that the Court of Appeals can resolve this. I pray that God will give Grace and Wisdom to the three Court of Appeal Judges to know what is the "Best Interest Of The Child."

In the Kenosha Circuit Court, the Guardian Ad Litum, Nicole Beddigs, ignored this information. Even though she knew this information I just shared, she stated her opinion that my children should remain with their mother in this Cult. Judge Mary K. Wagner forcefully stated several times in the transcripts that she believes in the ultimate freedom of religion and won't get into it. She several times even threatened to remove my boys safety by placing them back into their mothers and Cults control. Transcript 1-5-2004, pages 10, 15, 29, 30, 32, 37, 41-45, 51-53, 55.

And then Judge Bruce E. Schroeder elaborated much more on his opinion of Child Abuse. He told a story, (off record July 2007) of his childhood. He was not beat with a paddle but with a sawed-off golf club. None of the students that received that kind of beating from that

principal ever had a permanent lasting effect on them. Therefore, he stated, that he has no problem with the issues that I am trying to create. I have cried for justice in the Circuit Court and failed. I now appeal these issues before the Judges of the Court of Appeals.

I declare that all of this information I wrote about is true and accurate. If need be, I could prove all of this with help of subpoenas. Again I certify that all of this is the truth.

Signed this 10th day of February, 2008

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Is it in the "Best Interest Of The Child" to stifle, their education through video, or their physical athletic ability in sports or Olympics, or intellectually from becoming a doctor, scientist, or judge? That is what is at stake when deciding here, if my children must stay in this Cult that condemns almost everything.