Guyman M. Eid 1613 South Rock Creek Drive Apartment # 159 Sioux Falls, South Dakota 57103 Affiant, Complainant, vs. Joshua Bobzien South Dakota Division of Criminal Investigation Special Agent PO Box 312 Huron, South Dakota 57350 Defendant, Respondent,	**1.** Criminal Complaint against Defendant for **Misprision of Felony** (SDCL 22-11-12) and **Obstruction of Justice** regarding: Theft by Deception (SDCL 22-30A-3) Actual Fraud (SDCL 53-4-5) and Grand Theft (SDCL 22-30A-17) **2.** Criminal Complaint against Defendant for **Willful Failure to Perform Official Duty** (SDCL 3-16-1) regarding: (SDCL 23-3-19) (SDCL 23-3-16) (SDCL 23-3-14) (SDCL 23-3-15) (SDCL 23-3-12) (SDCL 23-3-13) (SDCL 7-16-7) (SDCL 23-3-27) (SDCL 1-12-1) and (SDCL 34-20B-63) **3.** Commencement of Proceedings for the **Removal of Law Enforcement Officer** upon written complaint of a citizen of the State on the grounds of misconduct, malfeasance, nonfeasance, crimes in office, and gross incompetency (SDCL 3-17-6 and other equivalent applicable Laws and codes) **4.** Service and Notice to SD Attorney General of the **Waiver of Sovereign Immunity** (SDCL 21-32-18) of the Defendant

Affidavit of Criminal Complaint and Summons

For and on the record: COMES NOW Guyman M. Eid who is over the age of twenty-one years and a citizen of the state of South Dakota shall hereby report these crimes to all Law Enforcement Officers, press for charges and file this affidavit and written Complaint with all Law Enforcement, the Beadle County Grand Jury, the South Dakota Attorney General, the Governor and with the Clerk of Courts in the proper County of Beadle in the State of South Dakota for the Commencement of the Proceedings for Removal of Law Enforcement Officer upon written complaint of a citizen of the State in accordance with SDCL 3-17-6 and equivalent applicable Laws. Guyman M. Eid declares the following facts constituting this cause of action and instant case: In the aggregate, the elderly 71 year old crime victim Margaret E. Eid has suffered over **$800,000.00** in fraud, theft, damages and debt which includes losing her entire life savings of $330,000, losing her $95,000 home for over 25

years, and losing all of her personal property save the paltry $6,000 in value that she is allowed to keep in the bankruptcy that she had to file for protection from over $350,000.00 in additional debt and damages that Larry D. Baker and his accomplices Angela L. Johnson, Debra S. Johnson and Jason R. Clark perpetrated against her. Margaret spent thousands of dollars of her own money to hire forensic accountants to sort through the hundreds of receipts and documents in order to create a concise crime report specifically for Law Enforcement Officers and Prosecutors to use for the investigation, apprehension and prosecution of Larry D. Baker and his accomplices. For all intents and purposes, all of the investigative and detective work has already been done for the first felony crimes totaling $126,384.49. The first 12 pages of the 110 page Forensic Exam are an executive summary of the crimes listed and the rest of the 110 page Forensic Exam contains the detailed documentation and evidence of each crime. The evidence of these crimes including the full 110 page Forensic Exam is available only to Law Enforcement, State's Attorneys or Prosecutors upon letter of written request using official letterhead with wet-ink signature accompanied by a letter of intent to immediately apprehend and prosecute the Defendant and/or Larry D. Baker and his accomplices. The crimes listed in this Forensic Exam and dozens more felony crimes have been reported to Law Enforcement Officers and State's Attorneys in South Dakota, Nebraska and Iowa since 2007; no single Law Enforcement Officer or Prosecutor have investigated any of these crimes, apprehended or prosecuted any of these criminals to this date.

1. South Dakota Division Of Criminal Investigation Special Agent Joshua Bobzien, herein referred to in this Complaint and Summons as "the Defendant", did receive and have in his physical possession, as a matter of course in the reporting of crimes to him, the Eide Bailly Report of Forensic Examination hereafter referred to in this Complaint and

Summons as the "Forensic Exam" prepared for Margaret E. Eid and/or Eid Construction Incorporated d/b/a "Bee Energy Efficient Windows and Siding" hereafter referred to in this Complaint and Summons as "Margaret". This Forensic Exam was created by forensic accountants on or around March 21st, 2007 and contains 110 pages of detailed criminal evidence including endorsed and cancelled checks proving the deliberate and methodical commission of multiple misdemeanor and felony crimes totaling $126,384.49 of the hundreds of thousands of dollars in crimes committed against Margaret and committed against the State of South Dakota that were perpetrated by Larry D. Baker and his accomplices which include but are not limited to:

1-1. The act of Undue Influence as defined under SDCL 53-4-7 as acts consisting of the following:

1-1-1. "In taking an unfair advantage of another's weakness of mind"; or

1-1-2. "In taking a grossly oppressive and unfair advantage of another's necessities or distress"

1-2. The crime of Theft by Deception as defined under SDCL 22-30A-3 "as any person who obtains property of another by deception is guilty of theft. A person deceives if, with intent to defraud, that person":

1-2-1. "Creates or reinforces a false impression, including false impressions as to law, value, intention, or other state of mind";or

1-2-2. "Prevents another from acquiring information which would affect the other person's judgment of a transaction";

1-3. The crime of Actual Fraud as defined under SDCL 53-4-5 as "any of the following acts committed by a party to the contract, or with his connivance, with intent to deceive another party thereto or to induce him to enter into the contract":

1-3-1. "The suggestion as a fact of that which is not true by one who does not believe it to be true"; or

1-3-2. "The suppression of that which is true by one having knowledge or belief of the fact"; or

1-3-3. "A promise made without any intention of performing it"; or

1-3-4. "Any other act fitted to deceive", and

1-4. The crime of Grand Theft as defined under SDCL 22-30A-17 as "the theft of money or property that exceeds one thousand dollars in value", and

2. The Defendant did commit Willful Failure to Perform Official Duty under SDCL 3-16-1 by willfully failing to investigate, make arrests for, or facilitate the apprehension and prosecution of any crimes reported to him by the crime victim. That being said, listing every single one of the dozens of crimes reported to the Defendant would be redundant; therefore, nine individual crimes totaling $88,650 that were documented in the Forensic Exam shall be selected to demonstrate that felony crimes were actually committed against the crime victim Margaret and committed against the State of South Dakota within the same venue and jurisdiction of the Defendant and that the Defendant willfully failed to perform his Official Duty regarding any of the crimes that were reported to him which include but are not limited to; that Larry D. Baker and his accomplices committed said criminal acts of Undue Influence and felony crimes of Theft by Deception, Actual Fraud and Grand Theft in order to commit the following specific crimes:

2-1. To receive, endorse and cash a check for the amount of $7,150.00 dollars identified by AG Edwards account check number 444 on or around the date of April 24th, 2006 under the fraudulent pretext of reimbursement for current business expenses; when the truth was that the alleged "expenses" were

actually incurred from contracts that had been completed and paid in full by a customer to Larry D. Baker's other personal business called "LB Construction" which occurred before Larry D. Baker and Margaret had even met, and

2-2. To receive, endorse and cash a check for the amount of $10,000.00 dollars identified by AG Edwards account check number 445 on or around the date of May 3rd 2006 under the fraudulent pretext of alleged "bonuses and commissions", and

2-3. To receive, endorse and cash a check for the amount of $20,000.00 dollars identified by AG Edwards account check number 447 on or around the date of May 10th 2006 under the fraudulent pretext of an alleged "personal loan" to Larry D. Baker that that he had no intention of repaying nor did Larry D. Baker offer anything for collateral security against said loan, and,

2-4. To receive, endorse and cash a check for the amount of $16,000.00 dollars identified by AG Edwards account check number 452 on or around the date of May 23rd 2006 under the fraudulent pretext of purchasing materials and/or paying labor for an alleged job and customer that Larry D. Baker knew did not exist, and

2-5. To receive, endorse and cash a check for the amount of $5,000.00 dollars identified by AG Edwards account check number 453 on or around the date of May 23rd 2006 under the fraudulent pretext of allegedly purchasing a vehicle trailer, however no actual vehicle trailer, title, record, bill of sale, certificate of title or registration indicating the ownership, sale or transfer of said vehicle trailer has ever been presented to Margaret, and

2-6. To receive, endorse and cash a check for the amount of $4,000.00 dollars identified by First National Bank check number 9649 on or around the date of

May 23rd 2006 under the fraudulent pretext of purchasing materials and/or paying labor for an alleged job and customer that Larry D. Baker knew did not exist, and

2-7. To receive, endorse and cash a check for the amount of $6,500.00 dollars identified by AG Edwards account check number 462 on or around the date of June 13th 2006 which was allegedly divided by Larry D. Baker into an amount of $1,500.00 given to Larry Baker's personal friend and accomplice Richard Gaudio under the guise of an alleged salesman's salary "draw" and the remaining amount of $5,000.00 was given under the guise of an alleged "sign-on bonus" to Larry D. Baker's criminal accomplices Angela Lori Johnson and Debra S. Johnson who not only continued to aid and abet Larry D. Baker in fraud and theft, but colluded with a convicted felon and parolee named Jason R. Clark who had a long history of criminal convictions for fraud and theft. These 4 criminals ran an illegal fraud enterprise racket inside Eid Construction that embezzled hundreds of thousands of dollars for themselves in order to fund several lavish vacations to Hawaii and Mexico and financing the incorporation of their own company called "A & D Energy Efficient Windows and Siding", leaving the crime victim Margaret liable for another $350,000+ of debt to many creditors and building supply companies who are the other victims of these crimes, and

2-8. To receive, endorse and cash a check for the amount of $8,000.00 dollars identified by AG Edwards account check number 463 on or around the date of June 13th 2006 under the fraudulent pretext of allegedly purchasing materials and/or paying labor for a fictitious customer named "Don and Bernice Mellette" that Larry D. Baker knew did not exist, and

2-9. To receive, endorse and cash a check for the amount of $12,000.00 dollars identified by AG Edwards account check number 464 on or around the date of

June 13th 2006 under the fraudulent pretext of allegedly purchasing materials and/or paying labor for a fictitious customer named "Steve Buss" that Larry D. Baker knew did not exist, and

3. Margaret kept records, a diary and a journal which included the phone calls and conversations during the alleged DCI investigation conducted by the Defendant which occurred as follows:

3-1. The Defendant, who was accompanied by detective Bill Ehlers of the Huron Police Department, demonstrated unprofessional acts of misconduct and the lack of intent to investigate the crimes reported during the initial meeting with Margaret on or around 2:00 PM on the date of Friday, January 8th, 2010 at the location of 548 13th Street SE in Huron, South Dakota by committing the following:

3-1-1. Despite the fact that Bill Ehlers was informed previously by e-mail from Guyman M. Eid that he intended to set a date and time in order to be present at the meeting, the Defendant appeared the very next day unannounced and unscheduled at the home of Margaret which prevented her from preparing herself or her home for hosting company, preparing evidence or legal documents, having the support of family members in attendance or having the proper legal representation in attendance, and

3-1-2. The Defendant failed to show any official identification as a Law Enforcement Officer or as a South Dakota Division Of Criminal Investigation Special Agent, and

3-1-3. The Defendant failed to methodically investigate each crime listed in the Forensic Exam, the Defendant only browsed the Forensic Exam, asked random questions and did not allow Margaret to answer completely nor allow Margaret to provide the physical evidence or to provide the documentation to support her answers, and

3-1-4. When Margaret told the Defendant and detective Bill Ehlers that she had an entire file cabinet several feet away of meticulously organized file folders that contained material evidence, spreadsheets and charts to substantiate her answers; both the Defendant and detective Bill Ehlers refused to even look at the additional evidence files and told Margaret to just "send them to the State's Attorney", and

3-1-5. Margaret was further traumatized and saddened from the way that she was mistreated with disparagement, disrespect and deliberate indifference by both the Defendant and detective Bill Ehlers who were not taking Margaret seriously or taking this criminal investigation seriously, and

3-1-6. The Defendant received the telephone number of Larry D. Baker during this initial meeting on the date of Friday, January 8th, 2010, and

3-1-7. Despite the fact that the Defendant and detective Bill Ehlers entered the home while in the possession of the forensic exam and had been given further access to a file cabinet with meticulously organized file folders that contained material evidence, spreadsheets and charts; they were literally and figuratively clueless following the alleged investigation conducted at the home of the crime victim,. The Defendant and Ehlers clearly had no intention of investigating any crimes, and

3-2. After several weeks without any word from Law Enforcement regarding her criminal complaint, Margaret called detective Ehlers on or around February 2nd, 2010 to check the status of her criminal complaint. Detective Ehlers informed Margaret that he handed over this case (Huron Police Department case # 2006-2837) to the Defendant, and

3-3. After another week without any word regarding her criminal complaint, Margaret called the Defendant on or around February 10nd, 2010 at 10:15AM to check the status of her criminal complaint. The following conversation took place:

3-3-1. Margaret asked the Defendant for the DCI case number.

3-3-2. The Defendant replied that he never assigned a case number because he didn't think that there was "enough there for a case"

3-3-3. Margaret disagreed with that statement

3-3-4. The Defendant replied that "there were no crimes committed in South Dakota"

3-3-5. Margaret told the Defendant that there were crimes committed in South Dakota.

3-3-6. Margaret asked the Defendant if he contacted Larry D. Baker.

3-3-7. The Defendant indicated that he did contact Larry D. Baker and had a conversation with Larry D. Baker regarding the crimes reported.

3-3-8. Margaret asked the Defendant what Larry D. Baker said to the Defendant.

3-3-9. The Defendant replied that Larry D. Baker "had a completely different story" implying that Larry D. Baker provided all of the

exculpatory evidence and information required to merit the cessation of any further criminal investigation, and

3-4. The next day, Margaret called the Defendant on or around February 11nd, 2010 at 09:28AM to follow up on the previous conversation. The following conversation took place:

3-4-1. Margaret asked the Defendant if he had taped (recorded) his conversation with Baker.

3-4-2. The Defendant replied yes.

3-4-3. Margaret told the Defendant to return her hardcopy evidence

3-4-4. The defendant replied that he would drop it off at the Beadle County State's Attorney's office and the crime victim could get it from there, and

4. The Defendant did commit malfeasance and Obstruction of Justice by lying to the crime victim Margaret as the Defendant uttered the statements that there was "not enough there for a case" and that Larry D. Baker "had a completely different story" implying that either the Defendant had discovered enough exculpatory evidence during his investigation, or that Larry D. Baker had provided enough exculpatory evidence required to merit the cessation of any further criminal investigation. However, the Defendant has not provided any exculpatory evidence regarding any of the crimes listed in the Forensic Exam or the crimes listed point 1 including sub points 1-1 through 1-4 and point 2 including sub points 2-1 through 2-9 in this Complaint and Summons which include but are not limited to:

4-1. Business receipts, bill of materials for the job, bill of goods sold to the customer, signed and completed contracts between the customer, contractors, laborers, Larry D. Baker and/or Margaret dated after the incorporation of Eid

Construction, affidavits from customers, material suppliers and/or laborers, W2 or W4 forms or invoices for parts and labor to legitimize the payment of $7,150.00 dollars from Margaret to Larry D. Baker on or around the date of April 24th, 2006 which was made under the pretext of reimbursement for current Eid Construction business expenses, and

4-2. Legitimate reports generated from accounting software programs and/or written bookkeeping entries from well-maintained bookkeeping ledgers showing enough financial profit from the successful business transaction to warrant the payment of $10,000.00 dollars under the pretext of "bonuses and commissions" from Margaret to Larry D. Baker on or around the date of May 3rd 2006 despite the fact that the guidelines of generally accepted accounting practices dictate that bonuses and commissions are deducted directly from the profit margins of successful business transactions and not taken directly out of the pocket of the business owner, and

4-3. Evidence of any collateral put up as security against the "loan" or regularly dated payment receipts totaling $20,000.00 plus interest proving that Larry D. Baker intended to make good on his promise to pay regarding the payment of $20,000.00 dollars from Margaret to Larry D. Baker on or around the date of May 10th 2006 under the fraudulent pretext of a personal loan to Larry D. Baker that he had no intention of repaying, and

4-4. Business receipts, bill of materials for the job, bill of goods sold to the customer, signed and completed contracts between the customer, contractors, laborers, Larry D. Baker and/or Margaret, affidavits from customers, material suppliers and/or laborers, W2 or W4 forms or invoices for parts and labor to legitimize the payment of $16,000.00 dollars from Margaret to Larry D. Baker on

or around the date of May 23rd 2006 under the fraudulent pretext of purchasing materials and/or paying labor for a customer that did not exist, and

4-5. Vehicle title, record, bill of sale, certificate of title or registration indicating the ownership, sale or transfer of a vehicle trailer in the name of Margaret to legitimize the payment of $5,000.00 dollars from Margaret to Larry D. Baker on or around the date of May 23rd 2006 under the fraudulent pretext of purchasing a vehicle trailer, and

4-6. Business receipts, bill of materials for the job, bill of goods sold to the customer, signed and completed contracts between the customer, contractors, laborers, Larry D. Baker and/or Margaret, affidavits from customers, material suppliers and/or laborers, W2 or W4 forms or invoices for parts and labor to legitimize the payment of $4,000.00 dollars from Margaret to Larry D. Baker on or around the date of May 23rd 2006 under the fraudulent pretext of purchasing materials and/or paying labor for a customer that did not exist, and

4-7. Legitimate reports generated from accounting software programs and/or written bookkeeping entries from well-maintained bookkeeping ledgers showing enough financial profit from the successful business transaction to warrant the payment of $6,500.00 given to Larry Baker's and his criminal accomplices Richard Gaudio, Debra S. Johnson and Angela Lori Johnson under the guise of a salesman's salary, and bonuses despite the fact that the guidelines of generally accepted accounting practices dictate that bonuses and commissions are deducted directly from the profit margins of successful business transactions and not taken directly out of the pocket of the business owner, and

4-8. Business receipts, bill of materials for the job, bill of goods sold to the customer, signed and completed contracts between the customer, contractors,

laborers, Larry D. Baker and/or Margaret, affidavits from customers, material suppliers and/or laborers, W2 or W4 forms or invoices for parts and labor to legitimize the payment of $8,000.00 dollars from Margaret to Larry D. Baker on or around the date of June 13th 2006 under the fraudulent pretext of purchasing materials and/or paying labor for a fictitious customer named "Don and Bernice Mellette", and

4-9. Business receipts, bill of materials for the job, bill of goods sold to the customer, signed and completed contracts between the customer, contractors, laborers, Larry D. Baker and/or Margaret, affidavits from customers, material suppliers and/or laborers, W2 or W4 forms or invoices for parts and labor to legitimize the payment of$12,000.00 dollars from Margaret to Larry D. Baker on or around the date of June 13th 2006 under the fraudulent pretext of purchasing materials and/or paying labor for a fictitious customer named "Steve Buss", and

5. The Defendant demonstrated malicious intent and a complete lack of empathy, sympathy or basic human compassion for the elderly crime victim who has lost everything. The Defendant demonstrated the psychopathic nature and capacity of the Defendant to actually lie to an elderly crime victim for his own convenience. The Defendant did commit malfeasance and Obstruction of Justice by lying to the crime victim Margaret as the Defendant uttered contradictory excuses to Margaret regarding his alleged investigation of the crimes committed by Larry D. Baker during the two phone conversations on or around February 10nd, 2010 and February 11th, 2010 by:

5-1. The Defendant stated that there was not "enough there for a case" implying that there was not enough evidence of criminal activity in the Forensic Exam to create a criminal case, and

5-2. The Defendant stated that "there were no crimes committed in South Dakota" which contradicts the first statement (that there was not "enough there for a case") in that he acknowledges that there was enough evidence in the Forensic Exam to prove that Larry D. Baker had indeed committed crimes, and the contradiction of implying that the Defendant could not perform his job duties because he no longer had venue or jurisdiction, yet the Defendant:

5-2-1. Has not provided any evidence that the crimes listed in the Forensic Exam occurred, commenced or were consummated outside of the State South Dakota in accordance with SDCL 23A-16-2. Which states; "State jurisdiction of offense commenced outside state and consummated within state. When the commission of a public offense commenced outside this state is consummated within this state, the defendant may be punished in this state, even if he were out of the state at the time of the commission of the offense charged, if he consummated it in this state through the intervention of an innocent or guilty agent or by any other means proceeding directly from himself.", and

5-2-2. Has not provided information as to the specific location outside of the State of South Dakota including the names of the County, State, city venue or jurisdiction that the crimes did occur in,

5-2-3. Has not provided any evidence that the Defendant made any effort to contact or "to cooperate with similar divisions, bureaus, or departments of other States or of the Bureau of Investigation of the Department of Justice in Washington, D.C.", per the Defendants mandated job duty under SDCL 23-3-15, and

5-3. The Defendant stated that Larry D. Baker "had a completely different story" implying that Larry D. Baker provided all of the exculpatory evidence required to vindicate Larry D. Baker of any crimes committed in any venue or jurisdiction and in addition, merit the cessation of any further criminal investigation which;

5-3-1. Contradicts the Defendant's first statement of not "enough there for a case" because if there was not enough evidence in the Forensic Exam for a criminal case in the first place, then Larry D. Baker would not need to have an exculpatory "completely different story" in order to vindicate himself, and

5-3-2. Contradicts the defendants statement "there were no crimes committed in South Dakota" because it admits that crimes were committed by Larry D. Baker, albeit allegedly in venues and jurisdictions foreign to South Dakota; yet no exculpatory evidence was produced nor were these crimes were never reported by the Defendant during any cooperation with any of the proper Law Enforcement agencies of any other foreign venue or jurisdiction as indicated in point 5-2 of this document, and

6. The Defendant demonstrated gross incompetence regarding the investigation of Actual Fraud, Theft by Deception, Grand Theft, and "White Collar Crime" despite the fact that these crimes are clearly defined in South Dakota State Codified Law and the fact that the official website for the South Dakota Division Of Criminal Investigation subtitled "Division Of Criminal Investigation Special Agents" lists "White Collar Crime", as an area of expertise of South Dakota D.C.I. Special Agents. The Defendant demonstrated gross incompetence as the Defendant completely lacked the ability to read the forensic exam

and understand the concept that forensic accountants use forensic accounting terminology, nomenclature and phrases and that forensic accountants do not use criminal law terminology, nomenclature and phrases. The Defendant failed to comprehend that the forensic accounting terminology, nomenclature and phrases used in the Forensic Exam such as "misrepresentation of business expenses", "diverted customer payments", "misused funds", "side jobs" and "withdrawal of funds" are the same thing as "Actual Fraud", "Theft by Deception" and "Grand Theft". The Defendant made no attempt to seek the counsel of someone competent in "White Collar Crime" who would have aided in the investigation, apprehension or prosecution of Larry D. Baker, and

7. The Defendant did have knowledge of the commission of the felony crimes committed by Larry D. Baker against the crime victim Margaret and against the State of South Dakota which were documented in the Forensic Exam and reported to the Defendant by the crime victim Margaret. The Defendant did willfully commit Misprision of Felony under SDCL 22-11-12 and Obstruction of Justice as the Defendant did conceal the nature and commission of the felony crimes, did conceal the names of the perpetrators and accomplices of the felony crimes and did conceal other pertinent information regarding the felony crimes from, but not limited to, the following Law Enforcement authorities:

7-1. Huron Police Department, and/or

7-2. Huron Police Department detective Bill Ehlers, and/or

7-3. Beadle County State's Attorneys' Office, and/or

7-4. Beadle County Deputy State's Attorney Jeff Banks, and/or

7-5. Grand Jury

7-6. South Dakota Attorney General, and/or

7-7. United States Attorney, and/or

7-8. Director of the South Dakota Division of Criminal Investigation Bryan Gortmaker, and/or

7-9. Staff member(s) of [former] Governor M. Michael Rounds who were asked to look into this felony criminal complaint, and/or

7-10. Any other applicable Law Enforcement Officers in any other applicable venue or jurisdiction, and

8. The Defendant did commit Failure To Perform Official Duty under SDCL 3-16-1 by the Defendant's willful failure to investigate any of the felony crimes reported by Margaret, or apprehend Larry D. Baker or facilitate the arrest, apprehension or prosecution of Larry D. Baker by other Law Enforcement Officers and failed to perform other specific Law Enforcement duties as clearly defined by South Dakota State Codified Law which include but are not limited to:

8-1. Failure "to perform … duties as may be prescribed by law … in carrying out an effective plan for the investigation, detection, prevention of crime, and apprehension of criminals, fugitives, or persons charged with violation of law" under SDCL 23-3-19, and

8-2. Failure "to establish, develop, and carry on a system of criminal identification and investigation" under SDCL 23-3-16, and

8-3. Failure "to cooperate with the various sheriffs, constables, policemen, and other peace officers of this State in performance of their duties relating to crime and criminal proceedings" under SDCL 23-3-14, and

8-4. Failure "to cooperate with similar divisions, bureaus, or Divisions of other States or of the Bureau of Investigation of the Department of Justice in Washington, D.C.", under SDCL 23-3-15, and

8-5. Failure "to prevent and detect violations of the Laws of the State" under SDCL 23-3-12, and

8-6. Failure "to apprehend criminals and fugitives" under SDCL 23-3-13, and

8-7. Failure "to assist the state's attorney in the investigation of crimes" under SDCL 7-16-7, and

8-8. Failure "as an employee or officer of the State or any political subdivision thereof and who is responsible for the prevention and detection of crime and the enforcement of the criminal or highway traffic laws of this State" under SDCL 23-3-27, and

8-9. Failure "to preserve and protect the peace, security, safety, and welfare of the State and the people thereof" under SDCL 1-12-1, and

8-10. Failure to "Make arrests without warrant for any offense … committed in his presence, or if he has probable cause to believe that the person to be arrested has committed or is committing a felony" under SDCL 34-20B-63, and

9. As it was obvious to any reasonable person that the Defendant had no intention of performing his official duties as a Law Enforcement Officer or performing his official duties as a SD DCI Agent; Margaret and her family have attempted to exhaust the administrative remedies that were available by reporting the failure of the Defendant to perform his official duties regarding the crimes committed by Larry D. Baker to the following "officials" who demonstrated deliberate indifference and willingness to cover up the felony crimes rather than pursue a course toward justice:

9-1. Beadle County Deputy State's Attorney Jeff Banks who has the legal "control and direction" of the Defendant under SDCL 7-16-7. Bank's reply was that his office does not have investigators on staff, and all criminal complaints must originate from the Huron Police Department, consequently, he would not accept any Forensic Exam, report of crimes, criminal complaint or criminal evidence from anyone other than a Huron Police detective or a South Dakota DCI agent. Banks made no attempt to remedy the situation with the Defendant, reassign the investigation to a competent Law Enforcement Officer, contact the Attorney General who has control of the Division of Criminal Investigation under SDCL 23-3-6 or take any other appropriate actions to report, investigate, prosecute or to prevent the obstruction of Justice regarding these crimes, and

9-2. South Dakota Division of Criminal Investigation Director Bryan Gortmaker who is the immediate supervisor of the Defendant. Gortmaker's reply was nothing more than that the case had been turned over to the Beadle County State's Attorneys' Office. Gortmaker made no attempt to remedy the situation with the Defendant, reassign the investigation to a competent Law Enforcement Officer, contact the Attorney General who has control of the Division of Criminal Investigation under SDCL 23-3-6, take any other appropriate actions to report, investigate, prosecute or to prevent the obstruction of Justice regarding these crimes, and

9-3. Governor M. Michael Rounds who was acting Governor at the time. Rounds' reply was that Staff members of [former] Governor M. Michael Rounds were asked to look into this matter and staff members were told that local Law Enforcement and the DCI conducted an investigation of the transactions between Larry D. Baker and Guyman M. Eid (who has never even met Larry D.

Baker) and that the conclusion was that "the facts would not support any criminal charge". Rounds made no attempt to remedy the situation with the Defendant, reassign the investigation to a competent Law Enforcement Officer, contact the Attorney General who has control of the Division of Criminal Investigation under SDCL 23-3-6 or take any other appropriate actions to report, investigate, prosecute or to prevent the obstruction of Justice regarding these crimes, and

10. Concise statement of facts in compliance with SDCL 3-17-7: Despite the fact that South Dakota Division of Criminal Investigation Special Agent Joshua Bobzien had the Legal duty and authority to investigate crimes, apprehend criminals, coordinate with other Law Enforcement entities, had direct access to witnesses, crime victims and copious amounts of physical evidence including the fact that Joshua Bobzien did receive and have in his physical possession, as a matter of course in the reporting of crimes to him, the Eide Bailly Report of Forensic Examination which contained evidence of the felony crimes of Theft by Deception as defined by SDCL 22-30A-3, Actual Fraud as defined by SDCL 53-4-5 and Grand Theft as defined by SDCL 22-30A-17 totaling $126,384.49 that were committed by Larry D. Baker and other accomplices against the elderly crime victim Margaret E. Eid; Joshua Bobzien willfully failed to investigate any of the crimes reported to him or facilitate the apprehension, arrest or prosecution of any criminals and prevented any other Law Enforcement entities from doing the same and did commit the crimes of Misprision of Felony as defined by SDCL 22-11-12, Obstruction of Justice and Willful Failure to Perform Official Duty as defined by SDCL 3-16-1 regarding his Law Enforcement duties as defined by SDCL 23-3-19, SDCL 23-3-16, SDCL 23-3-14, SDCL 23-3-15, SDCL 23-3-12, SDCL 23-3-13, SDCL 7-16-7, SDCL 23-3-27, SDCL 1-12-1 and SDCL 34-20B-63 which constitutes the necessary grounds of misconduct, malfeasance,

nonfeasance, crimes in office, and gross incompetency for the Commencement of Proceedings for the Removal of Joshua Bobzien from his position and office as a Law Enforcement Officer. End of concise statement.

11. Notice of Action is hereby served upon the Attorney General of the State of South Dakota under SDCL 21-32-18 for the Waiver of Sovereign Immunity of South Dakota Division of Criminal Investigation Special Agent Joshua Bobzien. Joshua Bobzien committed crimes in office and willfully failed to perform his duty as a Law Enforcement Officer and therefore cannot be held immune from any of the crimes listed in this Complaint and Summons as these Laws apply directly to Law Enforcement Officers and DCI Agents. Unless the Attorney General of the State of South Dakota actually prosecutes anyone for the crimes listed in this Complaint and Summons: any other statement, opine, or legal determination is irrelevant as it is not requested nor required for this notice and service. The Attorney General of the State of South Dakota shall sign and date the admission of service and mail it to the sender, and

The misconduct, malfeasance, nonfeasance, crimes committed in office, and gross incompetency of the Defendant has tainted the original criminal case, obstructed Justice and has made it even more difficult, if not impossible for the crime victim Margaret to attain Justice. The crime victim Margaret, her family members and Law Enforcement Officers now have to waste valuable time dealing with the crimes and associated trouble caused by the Defendant rather than investigating, apprehending and prosecuting Larry D. Baker and his accomplices for the crimes reported by Margaret in the first place. The crime victim Margaret now has to start the entire legal process of reporting these crimes to Law Enforcement again from the beginning.

Any punitive administrative actions taken by the Governor, D.C.I. Director, State's Attorney or Attorney General less than the full criminal prosecution of the Defendant is impotent, insulting and inadequate to address the severity of the crimes committed by the Defendant and the amount of inconvenience, trouble and suffering that he has caused to the crime victim and it is insufficient to address the violation of trust regarding the Defendant's responsibility to preserve and protect the peace, security, safety, and welfare of the State of South Dakota and the people thereof.

The Defendant shall respond in writing to this Complaint and Summons. Any valid exculpatory answer to any one of these individual points of fact shall not negate the veracity or validity of any other factual individual point of fact in this Complaint and Summons nor shall it negate the veracity or validity of this Complaint and Summons as a whole. All Court Officers, Law Enforcement Officers and States Attorney's shall take the appropriate legal and procedural actions as required by Law regarding the crimes listed in this Complaint and Summons within 10 days of receipt. Any communications with Guyman M. Eid regarding this complaint shall be written on official letterhead with wet-ink signature. This Complaint and Summons shall be read in its entirety into the record of any legal or procedural hearing, proceeding or Court event.

This Complaint and Summons was solely created by Guyman M. Eid who is unschooled at Law; any typographical or procedural mistakes are unintentional. Guyman M. Eid asks that one recognizes and understands the substance of this complaint and disregards any mistakes in procedure or protocol. Guyman M. Eid affirms that all information in this document is accurate and true to the best of his knowledge and ability. Notice to principal is

notice to agents and notice to agents is notice to principal. All Rights, legal procedures and remedies are reserved without prejudice.

Signature: Guyman M Eid Date: 6-19-2012

Guyman M. Eid

Be it remembered that on this 19th day of June, in the year of 2012 that Guyman M. Eid did personally appear before me and positively identified himself as the man described in this Complaint and Summons and that he has autographed and/or signed this Complaint and Summons freely and voluntarily before me, the undersigned Notary Public in and for the State of South Dakota. This Notary Public does not represent Guyman M. Eid in any legal capacity nor endorse the veracity of any legal claims made in this Complaint and Summons. In testimony and witness to the act of autograph and/or signature of Guyman M. Eid upon this Complaint and Summons, I have set my signature and affixed my official seal on the day and year last above written.

(Notary Public Signature) Lacey Burton

(Notary Public Printed Name) Lacey Burton

Notary Commission expires: 7-13-2017

Notary Address 38527 191st St.

Notary City Hitchcock

Notary County Beadle

Notary State SD Notary ZIP Code 57348

LACEY BURTON NOTARY [Notary seal] Seal PUBLIC SOUTH DAKOTA