



## How Scammers Prey on the Elderly

### Description

*Alaskan Seniors Under Siege*

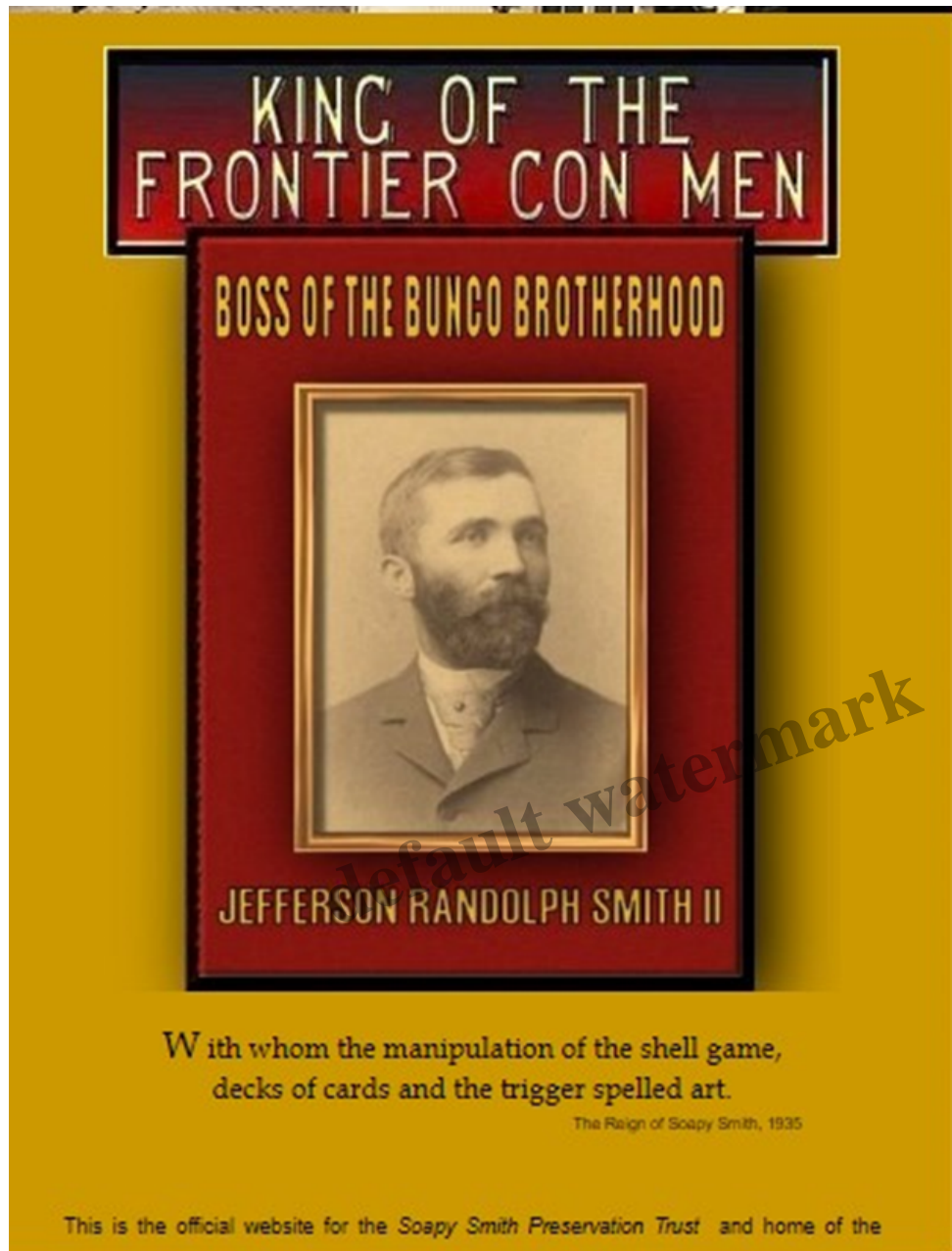
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*A confidence game, also known as a con, scam, grift, or flim-flam, is an attempt to win the trust and confidence of a victim, known as the “mark,” to defraud them. Although general expectation is that con artists are untrustworthy, their particular ability is to be able to gain the trust of their victims.*

[1] Confidence Game, New World Encyclopedia

As an Alaska I have seen con artists come and go over decades and *intellectually* understand their game. After all, **Jefferson Randolph “Soapy Smith”** was a world-renowned scam artist who plied his crimes against Goldrush Argonauts in Skagway, AK. But Soapy was small-time compared to the *Borden Plantation Scam* in 2018, orchestrated by **Bill, Brenda and Waneta Borden**, dba **High Caliber Realty, Inc.** (sic). Based in Atlanta, GA. Bordens entangled this long-time professional truth-teller in a complicated scheme with the goal of breaking me emotionally, financially and stealing my home.



Jefferson "Soapy" Smith got his nickname from his infamous soap swindle, where he would sell bars of soap from a suitcase on the sidewalk. He would make a show of wrapping an occasional bar of soap with a bill, ranging in size from \$1 to \$100. He would then mix the wrapped bars together, and sell them for between \$1 and \$5. Naturally, the "winners" of the currency-wrapped soap were always associates of Soapy. From 1887 to 1895, Soapy was king of Denver's underworld, making money through a variety of scams, and becoming more of a gangster than a confidence man. Despite his reputation as a bad man, Soapy was also generous to charitable causes, and was often sought out by men like Parson Uzzell of the People's church for assistance. Smith was killed in 1898, during a gunfight.

[2] Ibid, Famous Con Artists

## I'm not proud to say Bordens Succeeded

Waneta had been maintained in squalor by her son at Smiths Grove, KY and Willow, AK since 2006. Liston's home was the nicest place she has lived in 40 years. She was active in Valley politics and knew a variety of local elected officials including **Michael Dunleavy**.



This is a composite of photos of the Community eyesore on Willow First Avenue which Waneta owned outright. I joined her to pay taxes on this property at the **MatSu Borough** on several occasions. In court she and Bill testified through attorney **Jimmy White-Shark** that this property was foreclosed on for lack of payment on a mortgage and she no longer owned it.



Liston invested and made tremendous progress doing most of the skilled labor to improve this cabin over the time Bordens entangled him in their scam, including a porcelain tile floor over the entire original cabin. Bordens, through attorney White-Shark would argue that Waneta could not live here upon leaving residence in Liston's Eagle river home where he provided Elder Care some 30 months for 86-year old Waneta.

Waneta contacted Liston online first and he felt sorry for her. She arrived in Alaska from Kentucky the first week of November 2018 to "make me Thanksgiving Dinner."

# NOTICE TO WE the PEOPLE:



Thomas Garber

The stage is set. On **July 30 @ 2:15 pm** I will give an oral argument explaining why **Supreme Court Order 1993** is unconstitutional.

I will argue why the **Alaska Bar Association** and the **Alaska Court System** grievance process is ineffective, which allows corruption to flourish, unchecked.

The citizens' Grand Jury is a tool provided by the architects of **Alaska's Constitution**. The judiciary has admitted that no process exists—even after 50 plus years of statehood. The judiciary hasn't created a process for a citizen to petition the court to present information to an Investigative Grand Jury.

My goal, with any luck I will sacrifice my dignity to be the messenger, to bring to light the truth that the judiciary doesn't want to hear: **Safety is culture-driven. Upper level management of our state establishes any safety culture. If upper management doesn't establish and promote safety with an effective grievance process then corruption will flourish.**

## Pray for our State



Once Bill became involved the confidence scam would involve a number of AK Court Lawfare Judges. The goal of scammers is always to entangle and wear down a mark until they give up. Liston has fought this battle alone, with supportive friends who have observed his on-going struggles, and witnessed the truth.

## How Outside Scammers Violate Vulnerable Alaskans

Liston believes his public notoriety and some unfortunate life circumstances made him a target of professional scammers who have been rewarded for criminally violating him by **Alaska Court Lawfare**. In fact, what has happened to him is a perfect example of why Alaskans deserve an **Independent Grand Jury** to investigate and report likely wrongdoing by judges to the **People of Alaska** when the system itself is the problem, in the absence of an independent elected Attorney General.

[3] The Naked Truth About Alaska Courts, Jessica Pleasant, May 12, 2024



On 07/23/21 WB fainted in the bathroom and fell face-first into the porcelain tile floor. Defendant heard the noise from the other side of the upstairs floor of the home and upon entering the bathroom found WB unresponsive in a pool of blood. She had defecated on the floor. Defendant called 911, cleaned WB up and had her sitting on the toilet declaring she didn't want to leave when four required-reporter EMTs from the Anchorage Fire Department took her to Regional Hospital for three days observation and treatment. At no time has anyone suggested this incident might have been the result of Domestic Violence yet this was one of three photos from that event proffered as evidence of Domestic Violence in case 3AN-22-00586

This photo was False and Misleading Evidence distributed by Scammer Borden to multiple parties and multiple courts to defame LISTON for Domestic Violence he would NEVER commit. The court of Judge **Josie Garton** awarded this duplicity \$66,000 to Borden from sale of Liston's Eagle River home.

## Revenge for Catching a Real Estate Fraud

Liston sought justice in AK Small Claims Court against **Bill Borden** for documented damage to his business, DONN LISTON COMPANY and HIS home. **Bill's response was incredible—he sent to the court Revenge Porn he had stolen upon breaking into Liston's home, stealing multiple items outright, and hacking his computer. These stolen photos of naked consenting adults**

**including Liston were prima facia evidence Bill had committed this crime!** There is no other way Bordens could have gotten these private photos except by breaking, unlawfully entering, and theft.

[4] Alaska Statutes RE Criminal Use of a Computer

**Shouldn't ANY JUDGE be able to see this?**

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# Superior Court Judge

## Third Judicial District - Anchorage

*David A. Nesbett*



**ALASKA RESIDENT SINCE:** 1972

**ALASKA COMMUNITIES LIVED IN:**  
Anchorage

**EDUCATION:**

Wesleyan University, College of Letters, B.A.  
University of the Pacific, McGeorge School of Law, J.D.

**PROFESSIONAL EXPERIENCE:**

Superior Court Judge 2023 to present  
District Court Judge, 2019 to 2023  
Shareholder, Nesbett & Nesbett, PC, 2011-2019  
Associate, Dorsey & Whitney and Jermain Dunnagan & Owens,  
2007-2010  
Special Assistant U.S. Attorney, Assistant District Attorney,  
2004-2007  
Assistant Municipal Prosecutor, 2001-2004  
Judicial Law Clerk for U.S. District Judge H. Russel Holland,  
1998-2000

**OTHER SERVICE:**

USAF, Civilian Advisory Board, JBER  
USAF, Chief of Staff Civic Leader Program, Washington, DC

**SPECIAL INTERESTS:**

Alyeska Ski Club Coach  
General Aviation Pilot  
NAUI and PADI Certified Diver

Judge Nesbett destroyed evidence when he returned revenge porn to Bill Borden—evidence proving Defendant had maliciously hacked Liston’s computer, stole photos of naked consenting adults, and with Waneta published them to multiple public officials including Sen. **Shelley Hughes**, in a violation of Liston’s Constitutional right to privacy. They did this to damaged Liston’s business and good name.

Further, at trial Plaintiff Liston gave Judge Washington the unopened packet of revenge porn that Borden had sent to him—as required in court distribution—and told Her Honor she could review it for herself to prove the crime Borden committed. The packet had been opened before it was mailed back to Liston.

An Anchorage courthouse is named after Buell Nesbett, David's father and first **AK Supreme Court Chief Justice**.

[\[5\] Notice to the parties](#) from Judge Nesbett



## “Questioning the Honesty of the Alaska Judiciary”

[Read About the Judge Murphy scam here!](#)

Bordens set Liston up to fraudulently steal his house by breaking him emotionally and financially for leaving their real estate scammer plantation. Borden hired an attorney **Neal Ainsworth** (Ainsworth.law) to represent him, but this court official didn't inform of this known violation of state and federal law.

[\[6\] AK Revenge Porn Laws](#)

## AK Courts don't Care About Obvious elder abuse

[\[7\] Complaint with detailed overview of exactly how Borden scammers had violated Liston.](#)

Submission of stolen photographs TO THE COURT in response to a charge of breaking and entering and hacking Liston's computer system was a prima facie declaration of guilt. How could this be beyond the common sense and legal acumen of 2019 Gov. Dunleavy appointee, Judge **David Nesbett**?



College professor wins \$30 million in New York's first revenge porn lawsuit | Morning in America

[8] Appeal to recognize seriousness of Revenge Porn Offense, March 5, 2024.

## Nesbett Didn't Hear the Case

After a 2-1/2 hour hearing July 28, 2022 Alaska 3<sup>rd</sup> District *Diversity-Equity-Inclusion* Judge **Pamela Washington** in her finding February 13, 2023 didn't require Borden to pay damages for proven violations of Liston, but she did order that Bordens had 10 days to return some \$15,000-\$20,000 of cash, valuables and specific items stolen in an admitted burglary of his home (including RING Security System.). This Order was a joke—never enforced in a court system that rewards Outside parasites who use lawfare to scam vulnerable Alaskans. [3AN-22-00086].

**Alaskans need to know more about the judges they re-elect every five years.**

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# District Court Judge

## Third Judicial District - Anchorage

*Pamela S. Washington*



### SERVICE ORGANIZATION(S) MEMBERSHIP:

National Association of Women Judges  
American Judges Association  
Alaska Bar Association

### SPECIAL INTERESTS:

Last Wives' Club, Christian Support Group for Wives  
Clark Middle School, Academic Support and Community Outreach  
BRCK Foundation, Mentorship Program for Young Women  
Age 18 to 28

### ALASKA RESIDENT SINCE: 1975

### ALASKA COMMUNITIES LIVED IN:

Anchorage 1992 to present, 1975-1976  
Chugiak 1976-1978  
Eagle River 1978-1980  
Wasilla 1984-1985

### EDUCATION:

Chugiak High School, Chugiak, AK 1976-1980  
Northern Arizona University, Flagstaff, AZ 1980-1984,  
B.A. Telecommunications  
Arizona State University, Tempe, 1988-1991, J.D.

### GOVERNMENT POSITIONS:

Judge, Anchorage District Court, 2010 to present  
Assistant Municipal Prosecutor, 2006-2010  
Law Clerk, Anchorage Superior Court,  
Judge John Reese (Ret.), 1992-1993  
Law Clerk, Alaska Public Defender Agency, 1991-1992

### BUSINESS AND PROFESSIONAL POSITIONS:

Thursday Mental Health Court (Coordinated Resource Project)  
Minor Consuming Alcohol Court  
Member, Alaska Supreme Court Fairness, Diversity & Equality  
Committee  
Member, Alaska Committee to Prevent Underage Drinking  
(ACPUD)  
Member, Anchorage Color of Justice  
Instructor, Anchorage Youth Court  
Criminal Defense, Gorton & Logue, 2004-2006  
Private Practice Attorney,  
Law Office of Pamela D. Scott, 1994-2004

(05/2024) Alaska Court System

[9] Alaska District Judge Washington, appointed in 2020 by Gov. **Sean Parnell**.

## The Hearing was Enlightening

*Selections from Court transcripts of Hearing [3AC-22-00086SC] held July 28, 2022.*

**Judge Washington:** Introduction—I flipped through (the file) and there are just all these different issues that were raised. I don't know, when I look just at the complaint, it seems to me that the issue is that the plaintiff is suing for damages resulting from defendants maybe interference with his business ventures, you know, disabling email accounts, disabling different social media accounts? And then there was this motion about return of stolen property, it looks like judge Nesbitt denied it indicating it would be resolved in this matter. So, is there an issue about stolen property still remaining between the parties? Because it wasn't initially part of the complaint. It just was a motion, the court just denied it. And he says he's denied it based on the opposition. The only thing the opposition said was, "Hey, we're fighting about that in the trial." So what's the status of stolen property? I'll ask you first, Mr. Liston.

02:10

**Liston:** This stolen property was in retribution for me filing this claim. So, then Mr. Borden, went and broke into my home and stole between \$15,000 and \$20,000...

02:22

**Washington:** Did you make a police report? **Liston:** Yes, ma'am. **Washington:** Okay, so do I need to resolve that issue? This looks like a criminal matter.

02:31

**Liston:** It hasn't been taken to criminal court because the (Anchorage) police do what the police often do. And they took a record of it, but they haven't pursued it.

NOTE: This court appears to deny jurisdiction on criminal matters in response to filing a legal action against somebody. It was clear in this hearing Bordens had broken into my home and stolen a number of items including my **RING Security System**. The message to Plaintiff was: *Criminal trespass is allowed by AK Courts, and without RING security record murder would likely resolve all further responsibility for Defendant.*

11:13

**Liston Opening Statement:** Your honor, we're all familiar with the fact that in this country, we fought a civil war, in order for people to be free. And many people were not free because we had a tradition of slavery. The tradition of slavery ended with the Emancipation Proclamation by Abraham Lincoln. And instead of enslaving people in the Deep South, they went to a thing called indenture. And indenture meant that they owned you but they didn't get to beat you up and rape your wife and kids. Instead, you had to do whatever they said or they could destroy you. They could crush you. Well, Mr. Borden is from that tradition. And Mr. Borden has a number of other real estate enterprises where he has his agents who are all independently contracting, who do what he wants. And if they don't do what he wants, he crushes them. So I had the unfortunate situation of my wife died in 2019. I'm a retired teacher and I was awarded the BP Teacher of Excellence in 2013. I've been writing for a long time; I was a reporter

*for The Daily News during construction of the pipeline. And I aspire to tell the story of Alaska—what's happened since statehood—it's been an amazing run. And I came up here at 11 years old and I've been writing these stories. I was writing those stories for the Echo Magazine in Eagle River. And I approached Mr. Borden about the idea of setting me up with a blog so that I could publish my writing beyond just a newspaper. And besides, they went broke. So he set me up, he did everything, he put it all together, and I wasn't paying attention. I didn't care how the technical part went; I just saw that my stories were getting published. Well, today, I have 120 stories, every one of them 1500 to 2000 words and referenced. And never have I had any challenges on any of my work. I've written even about the Alaska court system. One of my advertisers says he considers me the Wall Street Journal of Alaskan bidders. So, I'm very proud of that. But in the first part of this year, Mr. Borden and I had a difference over some things had to do with his unethical actions in a real estate transaction in the valley. And things fell apart really fast. And he then went to work and all the things that he had indentured me with—my blog, my intellectual property. I had advertisers I had at that time, I think six or eight advertisers. And he basically just went in and set it up so that I couldn't have any control. He just trashed the whole thing. And he went to the state Department of Commerce and stole my company of my name (and took it to Georgia).*

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Copy of online notice to Facebook published by hacker Borden from Liston's computer.

14:43

**Judge Washington:** *What is it? What did you say? What prompted that? What prompted him you said there was a bad real estate deal?*

14:49

**Liston:** Okay. Mr. Borden does real estate in six states including Alaska, little bit in Alaska. He's got kind of a shadow box in Alaska. He does real estate and he did a sale of an elk farm out in Palmer. One of the themes of my blog is Alaska Food Security. It's one of the biggest issues I think our state

faces and the person who's the most significant person producing for Alaska food security, is **Greg Giannulis**. He owns **Mt McKinley, Meats and Sausages**. And, he'd reached a place where he couldn't make any money with it because of the fact that he can't get enough animals in Alaska to be able to slaughter for food security for Alaska. So as this has been a theme, I've written several stories on this. Mr. Giannulis told me: "Look, man, I'm really concerned."

16:03

**Washington:** I didn't mean to get you off your opening statement. I just missed why.

16:10

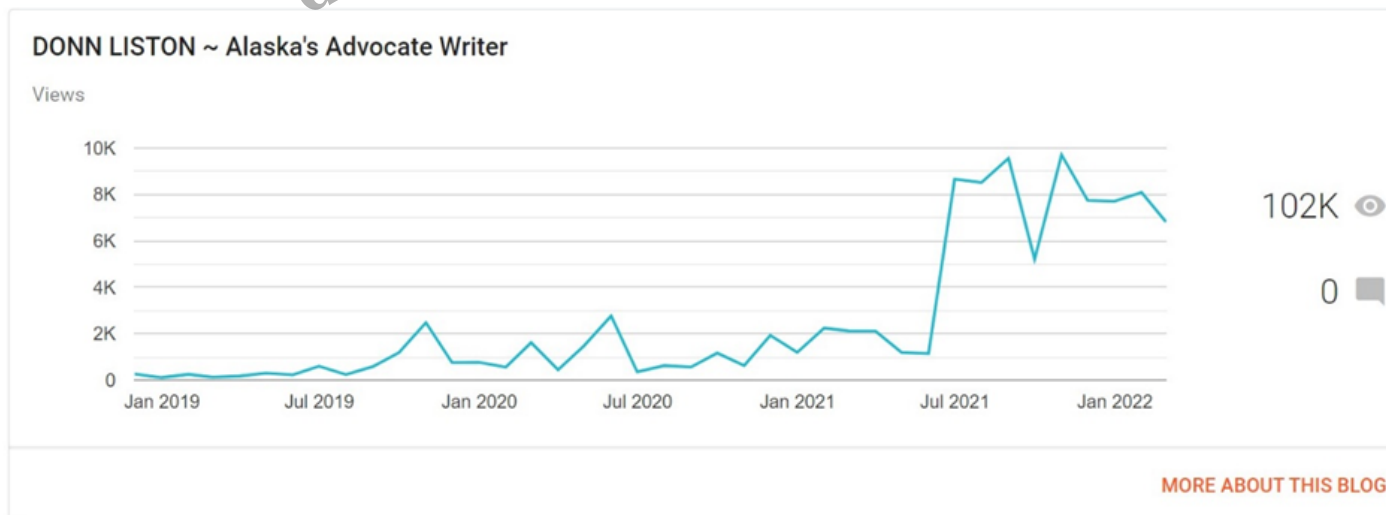
Liston: Okay, let me cut to the chase.



Although he declared Mt. McKinley Meats & Sausage sold for publicity purposes, Bill Borden actually arranged a lease with a newly-formed company in which he had an ownership. Giannulis still owns this plant outright.

16:12 16:13 16:14 16:15 16:16 16:17 16:18 16:19 16:20 16:21 16:22 16:23 16:24 16:25 16:26 16:27 16:28 16:29 16:30 16:31 16:32 16:33 16:34 16:35 16:36 16:37 16:38 16:39 16:40 16:41 16:42 16:43 16:44 16:45 16:46 16:47 16:48 16:49 16:50 16:51 16:52 16:53 16:54 16:55 16:56 16:57 16:58 16:59 17:00 17:01 17:02 17:03 17:04 17:05 17:06 17:07 17:08 17:09 17:10 17:11 17:12 17:13 17:14 17:15 17:16 17:17 17:18 17:19 17:20 17:21 17:22 17:23 17:24 17:25 17:26 17:27 17:28 17:29 17:30 17:31 17:32 17:33 17:34 17:35 17:36 17:37 17:38 17:39 17:40 17:41 17:42 17:43 17:44 17:45 17:46 17:47 17:48 17:49 17:50 17:51 17:52 17:53 17:54 17:55 17:56 17:57 17:58 17:59 18:00 18:01 18:02 18:03 18:04 18:05 18:06 18:07 18:08 18:09 18:10 18:11 18:12 18:13 18:14 18:15 18:16 18:17 18:18 18:19 18:20 18:21 18:22 18:23 18:24 18:25 18:26 18:27 18:28 18:29 18:30 18:31 18:32 18:33 18:34 18:35 18:36 18:37 18:38 18:39 18:40 18:41 18:42 18:43 18:44 18:45 18:46 18:47 18:48 18:49 18:50 18:51 18:52 18:53 18:54 18:55 18:56 18:57 18:58 18:59 19:00 19:01 19:02 19:03 19:04 19:05 19:06 19:07 19:08 19:09 19:10 19:11 19:12 19:13 19:14 19:15 19:16 19:17 19:18 19:19 19:20 19:21 19:22 19:23 19:24 19:25 19:26 19:27 19:28 19:29 19:30 19:31 19:32 19:33 19:34 19:35 19:36 19:37 19:38 19:39 19:40 19:41 19:42 19:43 19:44 19:45 19:46 19:47 19:48 19:49 19:50 19:51 19:52 19:53 19:54 19:55 19:56 19:57 19:58 19:59 20:00 20:01 20:02 20:03 20:04 20:05 20:06 20:07 20:08 20:09 20:10 20:11 20:12 20:13 20:14 20:15 20:16 20:17 20:18 20:19 20:20 20:21 20:22 20:23 20:24 20:25 20:26 20:27 20:28 20:29 20:30 20:31 20:32 20:33 20:34 20:35 20:36 20:37 20:38 20:39 20:40 20:41 20:42 20:43 20:44 20:45 20:46 20:47 20:48 20:49 20:50 20:51 20:52 20:53 20:54 20:55 20:56 20:57 20:58 20:59 21:00 21:01 21:02 21:03 21:04 21:05 21:06 21:07 21:08 21:09 21:10 21:11 21:12 21:13 21:14 21:15 21:16 21:17 21:18 21:19 21:20 21:21 21:22 21:23 21:24 21:25 21:26 21:27 21:28 21:29 21:30 21:31 21:32 21:33 21:34 21:35 21:36 21:37 21:38 21:39 21:40 21:41 21:42 21:43 21:44 21:45 21:46 21:47 21:48 21:49 21:50 21:51 21:52 21:53 21:54 21:55 21:56 21:57 21:58 21:59 22:00 22:01 22:02 22:03 22:04 22:05 22:06 22:07 22:08 22:09 22:10 22:11 22:12 22:13 22:14 22:15 22:16 22:17 22:18 22:19 22:20 22:21 22:22 22:23 22:24 22:25 22:26 22:27 22:28 22:29 22:30 22:31 22:32 22:33 22:34 22:35 22:36 22:37 22:38 22:39 22:40 22:41 22:42 22:43 22:44 22:45 22:46 22:47 22:48 22:49 22:50 22:51 22:52 22:53 22:54 22:55 22:56 22:57 22:58 22:59 23:00 23:01 23:02 23:03 23:04 23:05 23:06 23:07 23:08 23:09 23:10 23:11 23:12 23:13 23:14 23:15 23:16 23:17 23:18 23:19 23:20 23:21 23:22 23:23 23:24 23:25 23:26 23:27 23:28 23:29 23:30 23:31 23:32 23:33 23:34 23:35 23:36 23:37 23:38 23:39 23:40 23:41 23:42 23:43 23:44 23:45 23:46 23:47 23:48 23:49 23:50 23:51 23:52 23:53 23:54 23:55 23:56 23:57 23:58 23:59 24:00

Mr. Giannulis wanted to sell his slaughterhouse. I introduced him to **Bill Borden**—one of the greatest mistakes I've ever made in my life. Bill then created a problem for Greg that was pretty unbelievable dealing with his staff and everything else. Greg said to me, "Don, he says, I trusted Bill because I trusted you, but he's turned out to be a snake." And he took back his other listings. And when Borden sold the property, he didn't sell it. He cut a deal with a guy who had been wanting to buy the thing but couldn't afford it. Why is this relevant? Well, because it proves that Mr. Borden had broken the law and fraudulently said that he sold it in public, even to the governor. That impacted me because Borden was upset now because I obviously had called his cover. So his goal was to shut me up. Okay, I'm an independent journalist. I've been an independent journalist, off and on since 1972. Mr. Borden needed to shut me up. And the way he was going to do that was shut down my business. And he had all the key words, he even controlled the security for my home. So, then he started responding to my pleadings here. And the court admonished him that I shouldn't have to have an attorney here in small claims court. And so HE got an attorney. The fact of the matter is, he screwed me over every way he can, and he's costing me well over \$20,000. And when I filed it originally, it was said that the most I could expect was \$10,000. So I'm here in good faith, I need to get that money back. I'd like to get the things he broke into our house and stole also. And he's going to come up with a bunch of other stuff. He's got a whole soap opera he's going to bring forward, but the fact of the matter is, this is a basic character matter. Mr. Giannulis doesn't want anything to do with him...we've got an outsider who likes to get people involved in things. I want \$10,000. I want my company name back if I can get that back. And I would also appreciate it, but this is up to the court, if you would refer his illegal action against me with his first filing, he filed revenge porn to the court. This was incredible. He filed photographs of me and other consenting adults that he had stolen...in his first filing, Your Honor.



*This was the trajectory of my original Blogspot until January, 2022 when Bill Borden crashed my business.*

Judge Washington was ultimately overturned in this decision by Superior Court Judge **Josie Garton** in another contortion of justice. This writer produced multiple pleadings to the court representing himself against the variety of Borden scams against him and intends to further document this injustice with additional stories and a book. Liston will reveal what any Alaskan can expect from our compromised justice system at this time in history. For only one example of what this flawed ruling means:

***Now anyone whose computer is hacked, and personal Facebook page maliciously accessed—with information changed to say the exact opposite of what was originally said online—can expect to lose that case in an AK Court based on this ruling by DEI Judge Washington!***

And don't expect Gov. Dunleavy's appointed henchman Attorney General **Treg Taylor** to protect Alaskans from Outside scammers either! Had one of the governor's daughters been in those stolen photos you better believe the AG would have stepped in! Since it was only photos of unknown women and an old Alaskan on fixed income this is now an Alaska spectacle for amazement of the civilized world.

*The **AK Court System** has always portrayed itself as sacrosanct, but as we witness the national politicization and weaponization of courts all the way to Atlanta and New York City, Americans recognize a new reality. Alaska History will show Gov. **Mike Dunleavy** was the latest of many to prove why the AG should no longer serve as **henchman for the governor**. All who care about the future of this state must unite to change that paradigm. A Facebook Group has started to inform and organize for change. Legislation was proposed in 2020 for a referendum. It was assigned to three committees and died.*

***Alaskans cannot expect elected officials to go against the status quo state government based and controlled in the Seattle suburb of Backwater Juneau.***

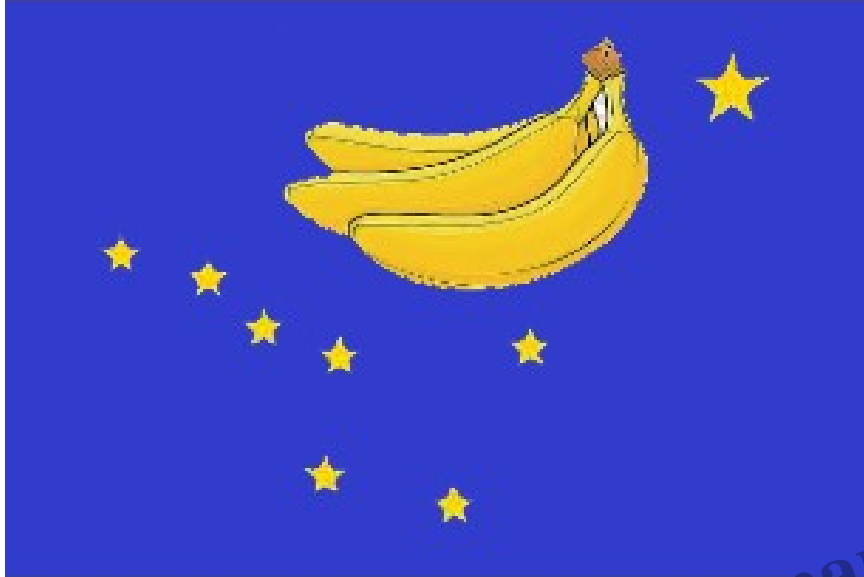
[10] Alaskans Deserve to Elect Our State AG, DONN LISTON, June 2, 2024



On the occasion of **World Elder Abuse Awareness Day** Liston seeks justice—an Independent Grand Jury Investigation—not one approved by Gov. Dunleavy's appointed henchman AG but directly of **The People**. The **AK Court System** and the **AK Department of Law** and the **AK Legislature** all know

why Gov. Dunleavy and the courts don't want Alaskans to appeal directly to the Grand Jury as provided for in the **AK Constitution**.

## 2023 View of Alaska



## From Philippines

### Our State is Now a Banana Republic

The bureaucrats don't trust Alaskans to take an oath and arrive at an honest report of what they have discovered in thoughtful consideration of the evidence provided by other Alaskans.

(e) **Swearing and Instructing Jurors.**

(1) The following oath shall be administered by the clerk of the superior court to the persons selected for grand jury duty: "*You and each of you as members of this grand jury for the State of Alaska, do solemnly swear or affirm that you will diligently inquire and true presentment make of all such matters as shall be given to you for consideration, or shall otherwise come to your knowledge in connection with your present service; that you will preserve the secrecy required by law as to all proceedings had before you; that you will present no one through envy, hatred or malice, or leave any one unpresented through fear, affection, gain, reward, or hope thereof; but that you will present all things truly and impartially as they shall come to your knowledge according to the best of your understanding.*"



Grand Jury pledge.

Liston has all the transcripts from all the hearings detailing this ordeal. He expects to document for readers the many risks faced by anyone living in Alaska today from policies and practices of Gov. Dunleavy and his captured court system. Perhaps November Election will result in elected officials who represent **The People** in district who elect them instead of the special interests in Juneau who have bought and paid for Alaska privilege.

Alaskans Deserve Better.

References:

[1] Confidence Game, New World Encyclopedia  
[https://www.newworldencyclopedia.org/entry/Confidence\\_game](https://www.newworldencyclopedia.org/entry/Confidence_game)

[2] Ibid, Famous Con Artists

[3] The Naked Truth About Alaska Courts, Jessica Pleasant, May 12, 2024  
<https://donnliston.net/2024/05/the-naked-truth-about-alaska-courts/>

[4] AK Statutes RE criminal Use of a Computer

11.46.740. Criminal use of computer.

(a) A person commits the offense of criminal use of a computer if, having no right to do so or any reasonable ground to believe the person has such a right, the person knowingly

(1) accesses, causes to be accessed, or exceeds the person's authorized access to a computer, computer system, computer program, computer network, or any part of a computer system or network, and, as a result of or in the course of that access,

(A) obtains information concerning a person;

(B) introduces false information into a computer, computer system, computer program, or computer network with the intent to damage or enhance the data record or the financial reputation of a person;

(C) introduces false information into a computer, computer system, computer program, or computer network and, with criminal negligence, damages or enhances the data record or the financial reputation of a person;

(D) obtains proprietary information of another person;

(E) obtains information that is only available to the public for a fee;

(F) introduces instructions, a computer program, or other information that tampers with, disrupts, disables, or destroys a

computer, computer system, computer program, computer network, or any part of a computer system or network; or

(G) encrypts or decrypts data;

(2) installs, enables, or uses a keystroke logger or other device or program that has the ability to record another person's keystrokes or entries on a computer; or

(3) uses a keystroke logger or other device or program to intercept or record another person's keystrokes or entries on a computer when those entries are transmitted wirelessly or by other non-wired means.

(b) In this section, "proprietary information" means scientific, technical, or commercial information, including a design, process, procedure, customer list, supplier list, or customer records that the holder of the information has not made available to the public.

(c) Criminal use of a computer is a class C felony.

[5] Notice to the parties from Judge Nesbett.

IN THE DISTRICT COURT FOR THE STATE OF ALASKA  
THIRD JUDICIAL DISTRICT AT ANCHORAGE

DONALD LISTON DBA )  
DONALD LISTON COMPANY, )

Plaintiff, )

vs. )

BILL BORDAN DBA )  
HIGH CALIBER REALTY, )

Defendants. )

Case No. 3AN-22-00086SC

**NOTICE TO PARTIES**

On February 8, 2022, Plaintiff, Donald Liston dba Donald Liston Company, filed a small claims civil action against Defendant, Bill Borden dba High Caliber Realty.<sup>1</sup> Defendant has not yet filed an answer to Plaintiff's Complaint.

Defendant instead filed a motion to dismiss on February 28, 2022, arguing: (1) Plaintiff has failed to state a claim upon which relief can be granted; (2) Plaintiff, who is representing himself and his company, cannot proceed without hiring an attorney to represent at least the corporation; (3) Plaintiff lacks standing to bring this cause of action; and (4) Plaintiff has failed to provide Defendant, High Caliber Realty, adequate due process.<sup>2</sup> Attached to his motion, Defendant

<sup>1</sup> Plaintiff's Complaint, Clerk's Docket No. 1.

<sup>2</sup> Defendant's Motion to Dismiss, Clerk's Docket No. 5.

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submitted photographs to the Court of a very graphic nature. It appears that neither Defendant nor his company is represented by legal counsel as well. Plaintiff filed a response to Defendant's motion on March 8, 2022.

The Court provides the parties the following notice. First, under the court rules concerning civil actions filed in small claims, Plaintiff is allowed to proceed pro se and represent himself and the corporation without the aid of a licensed attorney. *See* District Court Rules of Civil Procedure 15(a), *Small Claims Rules – Attorneys*.<sup>3</sup> Second, the Court will not consider Defendant's motion to dismiss before Defendant first submits an answer to Plaintiff's complaint. Third, the photographs attached to Defendant's motion appear irrelevant and unnecessary at this time. They will be returned to Defendant and not left to linger in the public court file.

Therefore, the parties are allowed to proceed pro se, should they wish. Defendant shall have 20 days from the date of this Notice to file his answer. Defendant's motion to dismiss shall be held in abeyance until such time as his answer is filed. Defendant shall also have 20 days from the date of this notice to file any reply to Plaintiff's response to his motion. Defendant's attached

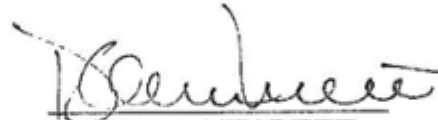
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<sup>3</sup> Plaintiff's Complaint seeks damages in excess of the procedural limits of small claims. By requesting small claims procedure, Plaintiff waives any right to collect money damages greater than \$10,000.

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photographs shall be returned to Defendant subject to future application to the court for their submission as exhibits.

DATED this 14th day of March, 2022, at Anchorage, Alaska.

  
DAVID A. NESBETT  
District Court Judge

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I certify that on 3/14/2022 a copy was mailed  
to each of the following at their address of record:  
AP Liston-Erm  
Deputy Clerk/Administrative Assistant  
Borden-Erm  
Returning Pictures by mail  
Notice to Parties  
Liston vs. Borden, Case No. 3AN-22-00086 SC

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[6] AK Revenge Porn Laws

### **AS 11.41.460. Indecent Exposure in the Second Degree.**

- (a) An offender commits the crime of indecent exposure in the second degree if the offender knowingly exposes the offender's genitals in the presence of another person with the intent to cause the person to be offended or alarmed by the act or with disregard for the offensive, insulting, or frightening effect the act may have.

Borden has done these acts on social media and to individuals known to Liston and I.  
11.41.470. Definitions

- (8) "without consent"

Specifically, upon being charged in Small Claims court February 8, 2022 Bill Borden was charged with coercion in violation of updated law by HB 325 am S(efd add S) which was passed by the Alaska Legislature and awaits signature of Gov. Michael Dunleavy. [2]

### **AS11.61.120 Harassment in the second degree**

- (a) A person commits the crime of harassment in the second degree if, with intent to harass or annoy another person, that person
  - (6) except as provided in AS 11.61.116, publishes or distributes electronic or printed photographs, pictures, or films that show the genitals, anus, or breast of the other person or show that person engaged in a sexual act;
  - (8) under circumstances not proscribed under AS 11.41.455, AS 11.41.460, AS 11.61.128, repeatedly sends to another person, publishes, or distributes electronic or printed photographs, pictures, or films that show the genitals, anus, or breast of any person.

- (b) Harassment in the second degree is a class B misdemeanor.

I submit these laws have been explicitly violated as may others that apply.

[7] Complaint with detailed overview of exactly how Borden scammers had violated me.

Small Claims \$2500 or Less | SCL  
Small Claims More than \$2500 | SCG

IN THE DISTRICT COURT FOR THE STATE OF ALASKA AT Anchorage

Donald Liston, dba DONN LISTON CO.

, Plaintiff(s)

William Borden, dba High Caliber Reality

, Defendant(s) Case No: 3AN-22-086 SC

### COMPLAINT

Plaintiff ☒ is a corporation that has paid its taxes due the state and filed its required reports.  
☐ is not a corporation.

Defendant owes Plaintiff \$ 10,000 <sup>1</sup> plus interest and court costs because:

#### CASE OVERVIEW FOR THE COURT

which occurred at or near EAGLE RIVER, Alaska, on or about 5/19 TO PRESENT.

Plaintiff ☐ has ☒ has not asked Defendant in writing to pay what Defendant owes.

Plaintiff requests small claims procedure and gives up the right to a jury trial, formal procedure, and to collect more than \$10,000 in principal amount (unless the court decides to apply the formal Rules of Civil Procedure). This action is filed at a court that will not cause unnecessary expense or inconvenience to Defendant and is the court nearest to:

[Check all boxes that apply.]

- ☐ the residence or place of employment of Defendant.  
☒ where Defendant caused personal injury to Plaintiff or damage to Plaintiff's property.  
☒ where Defendant does or solicits business.

DONALD LISTON

Print Name (and Title, if applicable)

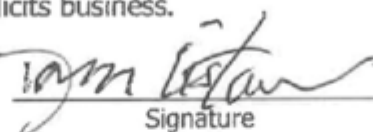
22051 UPPER CANYON DR.,

Mailing Address

907-854-5190

Phone

\*☒ I agree to receive court case documents at the email address above instead of by regular U.S. mail.



Signature

EAGLE RIVER,

City

AKDONN@YAHOO.COM

Email\*

04/11/2022

Date

AK

State

99577

ZIP

**NOTE:** If you have documents that support your claim (for example: promissory notes, checks, receipts, bills, credit card agreement), attach them to this Complaint.

Read the *Small Claims Handbook* (form [SC-100](#)) for instructions on filling out, filing, and serving this document. You can get a copy of the handbook online or from your local court clerk. All small claims court forms are available at <http://courts.alaska.gov/shc/sc/index.htm>.

<sup>1</sup> If you want Defendant to return a specific piece of property to you, write the estimated value of the property here.

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Case Overview for the Court [3AN-22-086]:

- 02/08/22-Initial filing by Donn Liston, dba DONN LISTON COMPANY, for malicious act, theft and damages of Bill Borden, dba High Caliber Reality (Hereafter "Borden") including cybercrimes and stolen intellectual property, with documented economic loss and asking for the maximum award allowed by this court.
- 02/22/22-Clarification to the court of claims against Borden, detailing explicit services which he had performed to establish my Alaska Corporation in 2019. These included but were not limited to: Filling out and filing application for company name, setting up of my digital platform including personal computer, digital domain (donnliston.com), blogspot, email accounts, Facebook Company Page, my new laptop computer itself, and even the security system at the home which is exclusively in the name of myself and my late wife Cathy Liston. This was all apparently done to indenture Liston to Borden's business, High Caliber Realty during one of the darkest times of my life; Cathy passed from lung/brain cancer at her sister's home in Oregon on February 24, 2019. As a long-time Alaska Independent Journalist and retired teacher, my interest in this engagement with Borden was simply to expand the potential audience for stories about what I have witnessed since statehood onto a digital platform, and hopefully develop a revenue stream to supplement my fixed income. Now, after some three years of watching my success without his further involvement, Borden has taken extreme measures to sabotage my business. Over this time, I have written over 120 stories, including stories favorable to Borden and his company, and received in excess of 100,000 "clicks" from persons interested in Alaska history and current events. [1]
- 02/25/22-In his capacity as a board member and agent for DONN LISTON COMPANY, Borden conspired to steal the company of my name through a fraudulent Notice of Change of Officials with the Alaska Department of Commerce, Corporations Division. That division is simply ministerial and therefore has no fraud enforcement capacity. The State of Alaska form executed by Borden explicitly states it "is for Domestic Business Corporations," yet in the change of corporate name to "DON N LISTON, INC (a Georgia Corporation)", the stock is listed as 100% owned by the business at 1050 Shiloh Rd. NW Kennesaw, GA 30144 (High Caliber Realty). *I will appreciate a finding by this court to return this stolen corporation of my own name to DONN LISTON, dba DONN LISTON COMPANY, which I have been informed by the State of Alaska will be necessary.* The fact Borden also put the domain of my name, (donnliston.com) up for sale on the internet may also qualify as criminal Identity Theft with the Federal Trade Commission, but that will be a different story for my newly established Wordpress webpage, (donnliston.co).[2]
- 02/28/22 In his response to charges for what Borden owes me for damages he caused me individually and to my business, DONN LISTON COMPANY, defendant first filed a spurious Motion to Dismiss with unrelated attachments meant to excite the court as well as lurid photos between consenting adults he had stolen. Appropriately this court dismissed every count of the flawed Motion to Dismiss and returned the irrelevant photographs so "not (to) linger in the public court file." Defendant was given 20 days to "reply to Plaintiff's motion."

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- 03/09/22 Cybersecurity expert Pete Peterson has evaluated the newest damage committed by Borden, as revealed in computer logs with Facebook, proving Borden accessed Facebook in my name when he knew I was not home, took over the account and deleted posts I had made as a member of the press. He changed the email for my account to [billborden@rocketmail.com](mailto:billborden@rocketmail.com), removed my phone and email recovery options and changed the password.
- 03/10/22--Having already violated my Facebook security using my own computer during an unauthorized access to my home--a different browser now accessed my Facebook account. In an apparent attempt to conceal previous unauthorized access, a new email address, [donnliston@yahoo.com](mailto:donnliston@yahoo.com) was used. My only yahoo address is: [akdonn@yahoo.com](mailto:akdonn@yahoo.com). The report by Peterson is attached and he will be available at trial if necessary.[3]
- 03/31/22-Borden issues an Answer and Counterclaim denial in this case, again entering irrelevant exhibitions, and hearsay evidence without answering the original charges. Borden would like to excite the court with scurrilous charges to keep from being accountable for damages he committed against me and my business, even after I begged him "to stop what he has been doing now three weeks" in my 02/22/22, Clarification filing. Borden's own unscrupulous actions are likely the reason why his company may have lost business. I introduced Borden to a commercial property owner who gave his company listings for several properties, including a \$2.5 Million listing for the Mt McKinley Meats & Sausages slaughterhouse in Palmer. Borden later presented lease-purchase offer for that slaughterhouse to the owner of that property without revealing he had a 14% interest in the company making the offer. The owner was angry when he discovered this double-deal after the ink dried and took back the other listings. As someone who has written extensively on Alaska Food Security, I was privy to this story and its implications for the effort to gain Food Security for Alaska.

#### Questions at Court:

1. Did Bill Borden set up the digital platform of Donn Liston, dba DONN LISTON COMPANY, previously DONN LISTON ENTERPRISES, and Liston's revitalized online business presence beginning in 2019?  
*Borden admits he did.*
2. Did Bill Borden beginning in early February 2022 actively use his privileged position as consultant and business agent to sabotage and attempt to destroy the now growing and profitable business and web presence of Donn Liston, dba DONN LISTON COMPANY?  
*The evidence is clear that he did.*

If the answer to these two questions is **yes**, then the court must award full damages to plaintiff.

[8] Appeal to recognize seriousness of Revenge Porn Offense, March 5, 2024.

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DONN LISTON  
Alaska Independent Journalist  
22051 Upper Canyon Dr.  
Eagle River, AK 99577  
<http://DonnListon.co>

IN THE DISTRICT COURT FOR THE STATE OF ALASKA  
THIRD JUDICIAL DISTRICT AT ANCHORAGE

DONALD LISTON,  
dba DONN LISTON COMPANY  
Plaintiff,

vs.

3AN-22-00086scg

Bill Borden  
dba High Caliber Realty  
Defendant.

Revenge Porn is a Serious Criminal Offense



College professor wins \$30 million in New York's first  
revenge porn lawsuit | Morning in America

[https://youtu.be/wEyaSFE6vY8?si=I3\\_XCcNMepXbkZAZ](https://youtu.be/wEyaSFE6vY8?si=I3_XCcNMepXbkZAZ)

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The character of Bill Borden, dba High Caliber Realty, Inc. (sic) is no higher than the man who assaulted this NY Professor with Revenge Porn. Borden does not deny he broke into Plaintiff's exclusively-owned home, criminally accessed his website and changed statements made on Facebook by Liston as a member of Press, and stole the photographs protected by Liston's Constitutional Right to Privacy.

The clever malevolent Borden thinks this court doesn't care about his blatant violation of Alaska Law and common decency.

These are felony offenses. Borden is a sexual predator.

Alaskans deserve to know Revenge Porn will not be tolerated in Alaska.

Alaskans deserve to know Outside criminals will be prosecuted by this court.

Suggested Order has been previously filed. I certify that the above information is public knowledge.

Donald R. Liston

A handwritten signature in black ink, appearing to read 'Don Liston', is positioned above the 'default watermark' text.

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Served on Defendant attorney B. Neil Ainsworth by email on March 5, 2024.

[9] Alaska District Judge Pamela Washington, appointed in 2020 by Gov. Sean Parnell.  
<https://courts.alaska.gov/judges/docs/psw.pdf>

[10] Alaskans Deserve to Elect Our State AG, DONN LISTON, June 2, 2024  
<https://donnliston.net/2024/06/why-alaskans-deserve-to-elect-our-state-ag/>



### Category

1. Uncategorized

### Date Created

June 26, 2024

### Author

donn