

This is a story of 22 years of an individual's struggle for his constitutional rights with the authority of the democratic III Republic of Poland.

...the guardians of the State Treasury from the Agency of Agricultural Property [AWRSP] illegally took from me a property in 1995, which worth of millions and they have never issued any receipt for this or given me any payment. It happened without any enforcement title and without my presence. The State Treasury itself for **22 years has been evading any and all liability for the situation. And even now, recently, in case No. III C 956/13 before the Regional Court Warszawa-Praga, the Agency of Agricultural Property again has not fulfilled the order of the **Court (1)** which obliged the Agency to present concrete accountancy documents and the Court turned its back on me and adjudicated against me without documents.**

As it results from the protocol of the Court seating of [21.05.2015](#) (1), the Court rejected both its own order issued a year ago, namely on [18.06.2014](#) (2) and my own motion that the Agency of Agricultural Property should present any evidence for a mutual settlement with me for the property taken from me, and rested on a unilateral statement of a former employee of the Agency about an intended method of dividing a small part of my money for urgent needs of the Agency. It appeared that the Court had no need of any evidence for a completion of this intention.

In the meantime, based on a [sentence](#) [3] issued on 21.05.2015 by the Regional Court Warszawa-Praga it is straightforward that for the determination of the real situation and for issuing an adjudication the Court does not need evidence at all (of course it is about the Agency), but if it is about me, even the best evidence will not influence the final court decision and may only be an obstacle in making the correct judgment.

Actually the correct judgment - as I see it - is supposed to be the one, which satisfies the Agency.... and this is all about it.

After some consideration I myself came to a conclusion that the relevant evidence claimed by me and owned by the Agency (let me remind that its employees took from me in 1995, not only my property but all my accounting documentation) might in fact make it difficult to issue a judgment favorable for the Agency...

Taken out of nowhere so called "official documents" accepted by Court with no hesitation at all as good and genuine, attached to the Agency letter of [18.02.2014](#) (4), are in fact rapidly created internal documents of the Agency, made up with the purpose to patch clumsily the financial gap between the officially presented value of my property and the values evidenced in the table attached to that letter. Based on so called official minutes made several months after the Agency took my property, the price reduction of this property due to theft and other kinds of failures in the area of the Agency and under its supervision - is supposed to be an additional charge of myself now, after 22 years willingly approved by the Regional Court Warszawa - Praga, despite my written protest filed to the Court on [17.06.2014](#) (5).

It was ineffective either, then I protested against neglecting court orders by the Agency and its attorney in my letter of [11.01.2015](#) (6). My letters were with no effect and the Regional Court neglected their content and merits contained in them as a whole and did not even bother to comment on them or reject them with any grounding.

I filed an appeal on [17.07.2015](#) (7) and my main problem was to enter the name of my opponent in the heading. **The dilemma, if I am still fighting with the Agency** was pretty sure confirmed in the claimed sentence.

Let me introduce you in detail with the history of the events so hurtful for me, which happened in the year... when the minister for agriculture was Mr Jacek Janiszewski. The presented facts, which had a very negative influence on my whole life and on the worked out property, occurred without any legal basis and in a way, which needs a another, reliable settlement and compensation.

This is how it happened:

It started from the fact that having in mind a comprehensive and long-lasting conduction of agricultural activity I concluded 9 agreements with the Agency of Agricultural Property of the State Treasury in Warsaw, branch in Szczecin, for a lease of agricultural properties:

- 1/ dated 31.08.1993 SEA Agreement - 42423/472/93
- 2/ dated 10.09.1993 SEA Agreement - 42423/4465/93
- 3/ dated 31.08.1993 SEA Agreement - 42423/471/93
- 4/ dated 25.08.1993 SEA Agreement - 42423/466/93
- 5/ dated 19.11.1993 SEA Agreement - 42423/800/93
- 6/ dated 20.12.1993 SEA Agreement - 42423/801/93
- 7/ dated 03.11.1993 SEA Agreement - 42423/723/93
- 8/ dated 15.11.1993 SEA Agreement - 42423/772/93
- 9/ dated 31.12.1993 SEA Agreement - 42423/807/93 [8]

and a Commodate agreement to rent a Sulino Farm, entered into for specific time, namely till the end of harvest 1995 - all properties had jointly **over 6.000 hectares of meadows and arable land.**

What is more, installment sale agreements for movable property connected with the lease were concluded (**amounts before the PLN denominations**):

25.08.1993 - for the amount 5.899.712.100 PLN with the initial fee =30% and the payment of the next installments on 30.09.1994, 30.09.1995 and 30.09.1996.

31.08.1993 - for the amount 12.354.569.900 PLN with the initial fee =30% and the payment of the next installments on 30.09.1994, 30.09.1995 and 30.09.1996.

19.11.1993 – for the amount 19.057.087.900 PLN with the initial fee =30% and the payment of the next installments on 30.09.1994, 30.09.1995 and 30.09.1996.

31.12.1993 – for the amount 11.717.044.500 PLN with the initial fee =30% and the payment of the next installments on 31.10.1994, 31.10.1995 and 31.10.1996 (9).

On 13.03.1995 (10) with a letter signed by vice director of the Regional Branch of the Agency (AWRSP) in Szczecin, Leszek Szydłowski (deputy of Jacek Janiszewski) – the Lessor terminated with me **without the notice period all the lease agreements in bulk** and the commodate agreement of the Sulino farm with an immediate effect.

AWRSP gave the reason the the termination as a delay in the payment of the lease rent of all concluded agreements, at least for two round payment periods.

Whereas it should be marked that AWRSP did not show at that time **any** accounting documents indicating the genuineness of the accusations, which are reasons of such a sudden and total termination of all lease agreements and the commodate agreement.

As it appeared later (at least after two years, namely in December 1997), the only basis, on which the Agency based when terminating all agreements with me was a private, four-lateral list of all my payments and receivables made by Ms. Joanna Chylińska, who worked in the accountancy of the Szczecin Branch of the Agency WRSP, with a date 01.12.1997 (11).

It should be emphasized that no **accountancy documents** were shown or a way of calculating interest rates, which might make the numbers given in the list reliable or accountable in any way.

It is important, that for 19 years of various processes not even one court in Szczecin or in Warsaw (along with court experts) ever asked a question whether the data given by the Agency were genuine and reliable and whether they are based on any accounting documents. Generally, no court was interested in the fact whether such accountancy documents exist and if the so called **lessee's accountancy account** was established – which the Agency representing the interests of the State Treasury was and is obliged.

A similar story refers to so called **settlement of agreements of purchase** of property connected with the lease, with the difference that in this case the list of my payments and receivables - made in a similar, private and mysterious manner - was signed on 15.03.1995 (12) by the Chief Accountant of the Agency Branch – Krzysztof Dzięcielski.

In the period from August until December 1993 I filed several motions to AWRSP for a consent to carry out an overall renovation of the vintage administrative and social building and a barn for 300 places located in the Krąpiel fattening farm, as well as cots and accompanying facilities in the building of piglets in the livestock breeding in the Krąpiel farm and modernization of butcher's store and slaughterhouse in the fattening farm (based on a design provided by a representatives of an American company from Detroit, which visited the rented farm in November 1994).

AWRSP gave its consent for the applied renovations and accounted the costs of these renovations as advancements for the next lease rents (13).

However - despite I did most of the planned renovated works until 13.03.1995 (the palace building in Krąpiel, the documentation of the water treatment plant, the piglets breeding house) and despite I settled the renovation of the piglets "delivery house" at the amount of 1.692.083,20 PLN in a letter renouncing all lease agreements dated 13.03.1995 none of the agreed amounts was accounted for.

What is more, on 13.03.1995, when the Agency entered the area of my farms, I did not know about the termination of all lease agreements, because the letter solving all agreements without the notice period, was sent by post to the address in Blizne Łaszczyńskie near Warsaw, where I was not staying at that time, additionally, the employees of the Agency took over (and have never given back) my full accountancy documentation, which I started to run as the first of the lessees in the computer system, as well as maps, evaluations, opinions and other documents, which were in the office.

This is how millions of zlotys for the conducted renovation works were gone, unsettled, because of no access to the documents, which was to the benefit of the Agency of Agricultural Property of the State Treasury, the Branch in Szczecin.

The post-executive cost estimates [15] presented in the court trial I C 48/06 and testimony of witnesses confirming the performed works in the vintage palace building for administrative and technical purposes, were not accounted for by the Agency of the Szczecin courts of both instances.

In connection with an illegal taking of my worked out property in 1995 I applied with a suit against the Agency of Agricultural Property of the State Treasury to a Regional Court in Szczecin for establishing the ineffectiveness of the termination of all the lease agreements with the letter of 13.03.1995, which was ended by a Court of Appeal in Poznań, after seven years of total proceedings, in a sentence of 14.08.2002 in which it stated that ... by filing a suit he had no proved legal interest (art. 189 Kpc) in initiating this kind of action (16).

It should be noticed that for the content of the issued sentence it was not important, that the summoned expert at the Regional Court in Szczecin, in the proceeding I C 633/95, Stefan Koronczewski, in his accounting opinion of 28.05.1999 (17) showed beyond any doubt that **there was no delay in the payment of the lease rent for two round periods** of payment for any of the lease agreements.

Apart from other failures of the opinion, for example inaccurate calculation of the lease fee for the year 1995 or assuming, as the basis of further calculations, the above described "Jolanta Chylińska's list" - the opinion has become a milestone in further processes between me and the Agency to the extent that never later, for the next 14 years, not even one of the courts (including the Supreme Court) used the expression "for the delay in the payment by Michał Turzyński of **two round payment periods**" (18, 18.1).

The proceedings had its continuation in the form of my just claim for a compensation, which ended in **adjudication of such a compensation in the 1st instance before the Regional Court in Warsaw** and a dismissal of the suit by the Court of Appeal in Warsaw, sustained by the Supreme Court also in Warsaw.

Since the adjudicating courts seriously infringed the law in this case, by omitting in the adjudicating the word "round" from the content of art. 703 Civil Code, which let them interpret differently than intended by the legislator of this article in the Civil Code, at present there is a compensation process against the Minister of Justice.

The next court proceedings undertaken by me was to file a suit on 18.07.1995 to the District Court in Szczecin for **to revert the infringed ownership (19)**.

Already after two years the District Court stated that it was not competent to solve this case and moved it to the District Court in Stargard Szczeciński, where it "moved" forward on the verge of 2001 and 2002 after my nine complaints and motions to the Court, Court President and the President of the Regional Court. The President of the Regional Court in Szczecin supervised the case and recognized the reasons of my complaints about the slowness of the District Court in Stargard Szczeciński.

The suit was dismissed by the District Court in Stargard Szczeciński with a sentence of 14.03.2002 [20] and next the Regional Court dismissed my appeal with a sentence of 20.09.2002 (21). It is interesting that the Regional Court recognized that the claimed Agency infringed the ownership, but for 7,5 years of the process there have been changes in the real, subject and legal status and a reversion of ownership could not be agreed with the principles of social interactions. The protection of this ownership would infringe seriously the proprietary rights and the wellbeing of a number of third parties.

But what about my wellbeing in this case?

The compensation process initiated in a suit of 05.02.2004 for a payment of the amount of 5.112.589 PLN for the movable property connected with the lease, taken from me, was before the Regional Court in Warsaw, initially with a file No. I C 413/04, and later II C 1136/06 and it was finished with a dismissal sentence of 13.09.2007, which dismissed the suit due to a time-bar for actions (22, 22.1).

The Court unwillingness to review this case brought serious effect in the form of a lack of unambiguous evaluation of the completely illegally taken property. No court considered:

1/ the unilateral nature of the procedure of taking over my property (**bought and paid with no delay**) – it should be reminded that no one of my employees or any of my attorneys, or obviously myself, were not admitted by the Agency of Agricultural Property of the State Treasury, the Local Branch in Szczecin, to participate in several stocktaking commissions taking over my property without my knowledge, consent or even presence. **I emphasize that the takeover itself occurred without any court decisions, enforcement titles, participations or a court bailiff or any other employee of the court of any instance.**

The prepared opinions of so called experts contain **rewritten values of the components of taken over property from tables of 1993** prepared during its purchase by me and signatures only from employees of the Agencies mobilized at that time under the threat of losing their jobs.

In this case the proceedings were carried out in the District Prosecution in Stargard Szczeciński and the Regional Prosecution in Szczecin - but of course to no effect (23).

Not even one of the authorities has ever undertaken an evaluation of arguments connected with economic transformations in Poland of that period, namely:

- high inflation rate,
- set supply prices of machines and facilities,
- set prices of purchase of agricultural crops quarterly or semi-annually,
- other indicators influencing the value of machines and materials.

They have never accounted for the lack of skills of persons employed at that time in the scope of accountancy, economic regulations, statistics or even operating money in big economic turnover.

After my movable property connected with the lease was taken from me the Agency evaluated the property unilaterally and did not admit me to participate in the evaluation - therefore I could not control the process of taking my private property from me or estimate it in terms of quality or quantity assumed by the Agency, moreover I did not participate in various efforts of the Agency, **the purpose of which was to reduce the initially set value to generate non-existing debt** to reach also for what was still left for me - which, anyway, is happening effectively until now.

The initial evaluation of property was set at the amount 2.932.012,18 PLN (after denomination). Next, in an unknown way, it was reduced by the amount of 86.941, 80 PLN and that discount was informed as a compensation for the costs of the property evaluation born by the Agency - however no accountancy documents have been presented for this (as usually, by the way) (24).

In the meantime, after years the Agency on 18.02.2014 addressed a letter to the Regional Court of Warszawa - Praga, file No.: III C 956/13, in which the deduction of the same amount justifies... with its own adjustment of the value of property taken from me, contained in an accounting note of (!) 27.10.1997 (so the claim was evidently time-barred based on art. 554 CC) (25).

It should be emphasized the the note increases the anyway artificial and incorrect debt resulting allegedly from the sales agreement of 31.12.1993 No. 173/93, as for which later on there was a court process before the Regional Court in Szczecin I C 296/03.

Therefore the Agency claims that the value of taken property is 2.845.070, 38 PLN.

But it appeared to be too high anyway, so there was another adjustment by the amount of 255.456, 75 PLN on account of my alleged employment liabilities, which the Agency allegedly was supposed to pay to my former employees.

And here, as usually in the Agency, acting of course for the benefit of the State Treasury, there was a **problem with accounting documents**. The fact of no documents at all did

not allow the testifying Main Accountant, Krzysztof Dzięcielski, to defend the Agency against a dismissal of this deduction by courts of both instances in Szczecin.

Therefore, instead of the amount of 2.676.555, 43 PLN, which the Agency officially gave for settlements with me (26), should make a settlement with the amount = 2.932.012,18 PLN namely by 255.456, 75 PLN.

There is still a question remaining:

Is the amount 86.941, 80 PLN contained in the amount 255.456,75 PLN:

-unpaid consideration for employees,

cost of evaluation of the taken property, born by the Agency,

- adjustment of the value of the taken property,

- or maybe the value of my property was even higher?

May the Agency of Agricultural Property of the State Treasury (Agricultural Property Agency), for various court proceedings, address various documents charging me artificially and by the same decreasing the value (reduced considerably anyway) of the property taken from me - just to reason subsequent processes and claims about the amounts already paid by me (case in the Regional Court SO Szczecin I C 48/06, I C 296/03)?

Then, what is the evidence value of the Agency documents presented in the process, if the Agency hesitates before sending to the court the documents, allegedly justifying the next, non-existent claims against me?

But this is not the end yet.

In the proceedings before the Regional Court in Szczecin I C 48/06, when it was already clear that the made claim as for the amount of 255.456,75 PLN appeared to be groundless, I reported this case to deduct with the main claim of the Agency reported in this procedure.

The District Court in Szczecin actually recognized the amount of 255.456, 75 PLN (as well as the amount of 778.930,28 PLN - see the final enclosures to the letter MT [26.06.2014](#)) as my receivables, but it did not admit their deduction. Why? It is simple: it would have to dismiss the Agency suit completely, because **the amounts satisfied the claims with a surplus, both in the main amount as well as in all interest rates**, but consequently, they did not evoke, after deduction, the several thousand alleged interest rates, the adjudication of which the Agency claimed (27) against the document dated 15.03.1995 (12).

The Court ordered that the amounts should be deducted in the proceeding before the Warszawa - Praga Court, File No. [III C 736/09](#).

However the Agency does not want to recognize the deduction in this matter either and the Warsaw Court promptly issued an adjudication dismissing my suit. At the moment there are actions pending, aiming at another opening of the proceedings before the Court of the 1st instance.

To my letter of [26.04.2012](#), addressed to the Local Branch of the Agency and the Agency President with a question "in which procedure the Agency recognizes the completed deduction" – **there has been no response until today (28)**.

Whereas during the trial on 14.06.2012 before the Regional Court in Warsaw IV C 957/10 „the attorney-in-fact of the defendant (Agency) declared that it **does not accept from me any deducted receivables**” – and that's it (29).

At present there are enforcement proceedings pending on the motion of the Agency of Agricultural Property in Warsaw, Local Branch in Szczecin covering the of course paid liability in the amount of **6.811.000,00 PLN** to my whole property including his pension allowance, from which he receives 620 PLN.

In the situation presented by me it is not difficult for the Agency to fall into actions completely against the law, the description of which is presented below, and about which I advised the Regional Prosecution in Warsaw naively believing that the Warsaw prosecutors would help me claim my rights and even justice.

This is how it all happened...

The left hand doesn't know what the right hand is doing, so how two legal advisors of the governmental Agency, pretending they didn't know about their actions, try to extort millions. The Regional Prosecutor's Office in Warsaw directed the case to the Regional Prosecutor's Office in Szczecin with a letter of [15.10.2012](#) and this one, later on, to [District Prosecutor's Office](#) with a letter of [23.10.2012](#).

On [23.01.2013](#) (40) I was glad to receive a notification about initiating an investigation for a felony, based on art. 231 par.1 Criminal Code in relation with art. 12 Criminal Code. But I was worried about a limitation of the investigation signaled in this notification. I never suspected, even in the darkest scenarios, that it would end in this way. In accordance with my suspicions, the case was postponed and postponed to finally close the thing down.

The content of the decision of [25.03.2013](#) (30) is attached.

Even if my complaint was read by anyone in the Regional Prosecution in Szczecin, I will certainly not receive its position towards accusations contained in this complaint or a notification on doing any preparatory actions claimed by me in the complaint. It is sure that my complaint will be recognized by the District Court in Szczecin, not the Regional Prosecution and if it maintains the decision of the District Prosecution in force, the General Prosecutor will not help. Since I will not be able to go to Szczecin and present my stand, due to my health condition - I can say that this case is over.

The enforcement is still pending ([17.06.2013](#)) (31), the bailiff smiles because of almost 100 000 PLN costs of the enforcement, which will be due to him, and I, with my payment

receipts probably should wait for the Last Judgment - because the European Court of Human Rights

Report

Michał Turzyński

Blizne Łaszczyńskiego, 04.10.2012

ul. Przejazd 53 A

05-082 Blizne Łaszczyńskiego

Regional Prosecution in Warsaw

ul. Chocimska 28

00-791 Warszawa

I hereby make a report on a suspicion of a felony, to my damage, consisting in a still active attempt of extortion from me the amount exceeding one million PLN by the legal advisor of the Agency of Agricultural Property in Warsaw, Local Branch in Szczecin and co-working (probably) judges from the Regional Court and Court of Appeal in Szczecin, named in the sentences issued by themselves.

I address this motion of report to the Regional Court in Warsaw, because it regards a property of a considerable value and what is more the persons indicated by me and participating in the procedure detrimental to me, are persons, who belong to a circle of power in the area of Szczecin and running the case by the prosecutors in Szczecin might not be quite independent and the very attempt of extortion of my property is going on in the area of the Czosnów commune, powiat Nowy Dwór Mazowiecki.

I also apply that the Regional Prosecution in Warsaw applies to quash the judicial immunities of persons, who issue sentences, which are the basis of an enforcement of my property from once paid liabilities.

Justification

In the years 1993 – 1995 I leased from the Agency of Agricultural Property of the State Treasury the lands in the area of Stargard Szczeciński after the former Complex of State Agricultural Farms Pęczyno based on lease agreements, an example of which may be the one of [31.12.1993 \(8\)](#).

On [13.03.1995](#) (10) the Director of the AWRSP, Local Branch in Szczecin, prepared a letter delivered to me on 21.03.1995, which was a termination of all lease agreements - without a notice period - **with only one accusation** of an alleged failure to settle the rent for two round payment periods.

The letter did not account for the provision of art. 703 Civil Code and terminated the agreements without granting an additional three months period to settle the required liabilities (art. 703 Civil Code).

What is interesting both in this letter and in the list of property taken from me, of 15.03.1995 (14) is the fact that both of them contain **accounting data**, which never, **for 18 years were enforced in Poland** from the Agency of Agricultural Property of the State Treasury (now the Agency of Agricultural Property).

Only on 01.12.1997 (11) the employee of the Agency, Joanna Chylińska prepared a document, which looked quite private, because it was not approved by any person authorized to represent the Agency outside, which, hard to say why, became for courts (in this case the Regional Court and the Court of Appeal in Szczecin) a basis to adjudicate everything, which the Agency wants against me.

The settlement became a basis for next sentences issued also by Warsaw courts - including the Supreme Court.

Another oddity is the fact that in the document dated as of 15.03.1995 (14) there are **data** signed by Krzysztof Dzięcielski, the Main Accountant of the Local Branch of AWRSP in Szczecin and Arkadiusz Brygman (close cousin of the Vice Prime Minister at those days and the Minister of Agriculture, Jacek Janiszewski), Manager of the GRSP in Małkocin, whose acquaintance was possible to occur only after the end of the whole process of taking over my farms and my own property by so called "stock-taking commissions" of the Agencies.

Since I do not have any receipts for the property taken from me and I was not admitted to participate in its looting, I do not know when these activities ended and with what effect.

I find out about it from the left over documents, sometimes completely accidentally getting to court files by the occasion of court proceedings not connected with them.

And this is what happened with this document, but also with the next one containing a list of my property, which was hidden from me, until 2007, when it appeared on the reverse of a letter addressed to the Regional Court in Warsaw on 16.05.2007.

For the needs of the proceedings for a recognition of a termination of lease agreements as ineffective an accountancy expert's opinion was made as of 28.05.1999 (17) concerning establishing the status of my rent liabilities towards the Agency.

However I did not agree with its content completely, which I expressed in next procedural writs in that court proceeding, what is important in it, is the fact that it accounted for, beyond all doubts, my settlement of the payment for particular rents by deduction of my receivables for the completed renovations of buildings in the pigs Fattening Farm and showed the settlements in particular tables.

The settlement of my payment was also confirmed by a legal advisor Elżbieta Dąbrowska in her letter to court of 15.11.2000 (32).

The error of the accountant's opinion was the fact that as the basis of consideration he used the above described the above described private letter of Joanna Chylińska of 01.12.1997, and not the data coming from accountancy **(probably the Agency never had the data and did not run my booking account, because it never gave its name and number of the account in the accounts plan).**

It was a major mistake of the courts adjudicating adversely for me not to **notice permanently** the lack of any documents and evidence indicating at all the existence of my obligations towards the Agency and authorizing the Agency not as much to terminating the lease agreements with me, as to any enforcement.

It should be emphasized that the Agency never issued lease invoices for 1994 or payment receipts and nobody, including the expert, has every seen such documents.

It issued them for 1993 on 14.02.1994 (33), delivered it to me, and I paid all of them - which the Agency, willingly or not, had to recognize later.

Since it was clear and open, it was a big surprise that the Agency filed suit against me in the enforcement proceedings on [03.12.1997 \(34\)](#) based of course only on a letter by Joanna Chylińska dated 01.12.1997 (11) - looking even at the above dates - prepared for the needs of the suit, which could be at the most the position of the Agency, not evidence in the case.

It should be noticed that neither the suit (which contained only one amount without indicating its components) nor the so called "evidence" indicated in it, to the least extent fulfilled the prerequisites and conditions to issue a payment order based on them.

But not in Szczecin and not based on the Agency suit and not against me.

As results from the Regional Court in Szczecin, issued many years later, namely on 28.02.2011 (27) in case I C 48/06 - the Court partially rejected the Agency claim, but anyway recognized that my complete failure to settle the liability was **one period** of the lease rent. Since I had no accountancy evidence (the Agency took all my documents with my property probably on [13.03.1995](#) - 27.03.1995) and since **the Regional Court** does not account settlement tables prepared by another attorney of the Agency, Elżbieta Dąbrowska (32) and due to me and recognized by the same court, the receivables equal to a round period of the lease rent, a sentence was made, which adjudicated a huge amount from me.

What is important for this report:

1/ the filed suit was not good at all for a review in the enforcement procedure

2/ the legal advisor representing the Agency at that time, in his letter of 25.11.2010 (35) showed calculations to court **based on a forgery** assuming a lack of my payment for rents in 1993 and 1994, as if the Agency itself did not recognize my payments, although in a letter by a legal advisor, Elżbieta Dąbrowska of 15.11.2000 (32)

3/ the documents testifying about my payment, namely about the accountant's opinion and i a letter of another legal advisor of the Agency, I wrote to a Regional Court in my letter of 18.01.2011 (36) (over a month before issuing the judgment)

4/ despite this the Regional Court, in a justification of his sentence of 28.02.2011 rewrote straightforward the mathematical part of a letter of a legal advisor Jacek Radocha of 25.11.2010 and even though **the Court recognized my receivables** as of [15.03.1995](#), which was due to me from the Agency in the amount 255.456,75 PLN, namely the size equal almost to the amount of the adjudicated, allegedly overdue rent, and **which I reported to be deducted with a claim of a suit in this scope**, that amount was adjudicated from me as well as carefully calculated **interest rates from amounts, which it recognized as time-barred, but not paid!**

What also matters is the fact that establishment put by the Regional Court in Szczecin in its judgment of 28.02.2011 on page 23 (27), indicates straightforward that there is a considerable receivable of several hundred thousand on may part resulting from the content of art. 585 Civil Code. Even this fact did not cause at least initiating of evidence proceedings by the Court of Appeal, which "nodded" at the measurable material profits resulting from this - in my opinion - court scandal.

5/ **the legal advisor Jacek Radoch did not recognize the receivable reported by me to be deducted and confirmed by the Regional Court, or during the last trial in Szczecin or even during a trial of IV C 957/10 in Warsaw before the Regional Court pending based on my suit against the enforcement proceedings - the court protocol of [14.06.2012 \(29\)](#).**

It also confirmed that the **Agency does not recognize any of my receivables** (in response to my letter of [26.04.2012](#)).

6/ my accusations described in the appeal filed on [26.03.2011](#) appeared not to be interesting to the Court of Appeal in Szczecin, even in such an obvious issue as the Agency's recognition of the payment of rents and unjustly calculated interest rates in this case from **amounts paid on time and recognized by** the legal advisor Jacek Radocha, and next by the Regional Court and the Court of Appeal in Szczecin as **time-barred and not paid.**

Similarly, the legal advisor Jacek Radoch and both court instances did not want to recognize my receivable properly reported, and recognized by the Regional Court to be deducted with a claim of the Agency.

In this situation, despite a full knowledge of the above (see page 23 of the court justification of [10.05.2012](#)), the sentence issued by the Court of Appeal in Szczecin, I perceive as having the features of at least attestation of an untruth and in connection with enforcement titles for the needs of enforcement proceedings carried out by the Agency legal advisor, it also has the features of granting direct help to Jacek Radocha, in an active attempt of extortion from me of over one million amount.

7/ **on the motion of the attorney of the Agency of Agricultural Property in Warsaw, Local Branch in Szczecin, the legal advisor Jacek Radocha, court enforcement was**

initiated based on a payment order of 16.09.2011 and [25.05.2012](#) up to the amount of 1.122.390,50 PLN (38, 38.1) from my personal property - after 18 years and with the complete awareness of non existence of the adjudicated amounts, and even if adjudicated, then effectively deducted by me with my receivables held in relation to the Agency, but not recognized by her - even despite the disposal of the order of the Regional Court in Szczecin.

What is more the Land Register book of my property was on [25.06.2012](#) charged with a compulsory mortgage for the amount of 1.034.254,05 PLN .

8/ The Court of Appeal in Szczecin (in a different composition, than adjudicated) suspended by its decision of [28.08.2012](#) the execution of its own sentence, but the greedy Agency, by its proxy, filed a motion for a change of this decision and continuing the enforcement on [12.09.2012](#).

The enforcement is pending, and I can hang my valid and real receivables from the Agency on the wall and wait till the end. **The Agency reduced even my pension allowance, from which I receive only 620 PLN.**

I ask the Regional Prosecution in Warsaw for a legal support in the above written situation.

I attach as copies all dated documents and named in the content of the report.

Current information

1/ The Court of Appeal in Szczecin immediately, without giving me even a chance to take a stand in the case of the motion of the Agency of [12.09.2012](#), changed its own decision of [28.08.2012](#) and based on a new decision of [01.10.2012](#) it limited the suspension of the enforcement only to a part concerning statutory interest rates as of the adjudicated rent amount for one settlement period, that as for the rent amount I presented for deduction, the receivables equal to this amount with the deduction date as 15.03.1995 (therefore no interest rates occur - at the most for a period of 1 month), whereas as for the remaining amount of adjudicated capitalized interest rates, the current content of this notification, because they **were settled without any verification or criticism as of amounts specified as time-barred - when the amounts were paid on time and not time-barred and therefore no interest rates should ever be calculated.** The payment issue is confirmed by the Agency itself for example based on a document of 15.11.2000 (32) - despite this two court instances adjudicate from me this amount of several hundred thousand and a legal advisor of the Agency, Jacek Radoch, enforces them without any respect.

2/ Based on a letter dated [15.10.2012 \(39\)](#) the Regional Prosecution in Warsaw passed the case reported by me to the Regional Prosecution in Szczecin, despite all reservation, which I raised in my notification, but also against the fact that the **Agency of Agricultural Property has a seat in Warsaw** and its local branch in Szczecin is not a statutory separate organizational unit with a separate legal personality. What is more, the **very procedure of the undue amounts is carried out in the poviát of Nowy Dwór Mazowiecki**, therefore in the region of operation of the Regional Prosecution in Warsaw.

Unfortunately passing this case is not carried out by a decision, but by a notification and I do not have a possibility of stating my separate opinion about the competence of the Prosecution.

3/ Now the case went to the [District Prosecution](#) in the district of Szczecin - Niebuszewo. It is hard for me to foresee how young prosecutors will deal with this tough case, but I suspect that I will have to face a refusal of initiation of the proceedings. This is the reason why such cases as mine, with the participation of powerful people, are descended to district areas.

Here in Warsaw accidentally the case might become loud, whereas Niebuszewo is such a quiet district...

4/ It was a big surprise for me and a positive astonishment to read a notification, which I received on [23.01.2013](#) from the District Prosecution of Szczecin - Niebuszewo. In fact the Prosecution notifies me that based on a decision of 07.01.2013 issued in a case File No.2 Ds 368/12/Sp(c), an investigation was initiated in a case for "**excess in the period from [03.12.1997](#) until [12.09.2012](#) of official obligations by public officials of the Agency of Agricultural Property in Warsaw Local Branch in Szczecin... to the damage of Michał Turzyński**, namely for a deed based on **art. 231 par. 1 Criminal Code in relation with art. 12 Criminal Code**". And even though it was soon redeemed, I believe that the decision of 07.01.2013 was a big success of the District Prosecution and an act of civil bravery of the Prosecutors (40).

Epilogue

On 22.07.2013 the District Court in Szczecin recognized my complaint for the redemption of the proceedings of [11.04.2013](#) and at 11.30 a.m. it dismissed it with its absolute decision.

- the Agency runs the enforcement from my remaining property to pay itself again for once already paid receivables,
- the pension allowance that I receive is with deductions in the amount of 620 PLN and
- before the Court of Appeal in Warsaw there is a suit filed by the Agency against my neighbor, in which the Agency wants to take her whole property in reaction to support, which she gave me years ago,
- in the office of the Agency in Szczecin there are bills of exchange in blanco kept "just in case" for 1,5 million PLN issued in 1993 and
- the receivables, which I indisputably have from the Agency since 15.03.1995 may be somewhere else....