

AFFIDAVIT¹: PROOF OF CLAIM:

A.R.S. 11-480(D): Gila County Recorder – Doc.Num: 2017-002378

Darrell- James: House of Hill, aggrieved party
c/o 5124 East 18th Avenue
Apache Junction, Arizona
Zip Code Exempt, Non-Domestic

**Declaration² In Claim³ Against⁴ Criminal⁵ Wrong-Doings⁶
By State Party⁷ Agents⁸
Of The United States¹- Department Of Justice⁹, "DOJ", And
Of The 9th Circuit Court Administration¹⁰:**

**Of Deprivation¹¹ Of My Inalienable¹² Fundamental¹³ And Natural
Rights^{14 15} and Freedoms guaranteed¹⁶ Protected¹⁷: By (a) The Constitution¹⁸ For
The United States¹⁹ Of America²⁰ People²¹, 1787, "Const.-1787", (b) The Bill Of
Rights²², 1789- 1791, "BORights-1789-91", and (c) The "International Covenant²³
On Civil²⁴ And Political²⁵ Rights²⁶", "ICCPR", Treaty Ratified By The Senate In
1992²⁷, "ICCPR Treaty";**

**Of Deprivations imposed²⁸ Against Me By Men, United States
Government Agents, Wrong-Doers Against "Public Policy²⁹"**

**For The Exercise³⁰ Of My Rights To Secure "Property-Claimed"³¹ And To
A Common Law^{32 33} With Trial³⁴-By-Jury³⁵ At The United States District Court³⁶-,
"USDC", Arizona, Phoenix: To Wit: "In The *Hill Court*; A 'Federal Court' At
The USDC- Arizona, Phoenix : Claimant Case³⁷ No: CMN 7009 1410 0000
7868 5703³⁸"**

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AFFIDAVIT: PROOF OF CLAIM: May-July 2017

With the Copy-Claim:



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6 -----
7 Section 1 Foreword

- 8
- 9 1) i⁴¹, man⁴², Darrell- James: House Of Hill, "Darrell- James: Hill", under oath,
- 10 do affirm, claim and declare: that: all⁴³ the facts stated herein are to the best of my
- 11 ability true, correct, complete, not hearsay, not misleading; are admissible as
- 12 evidence, if not rebutted and proven inaccurate; and, i will verify same in open
- 13 court:
- 14 2) Use of any⁴⁴ statutes, codes, rules, regulations, or court citations, within any
- 15 document created by me, at any time, is only to notice that which is applicable to
- 16 government personnel, and is not intended, nor shall it be construed, to mean that i
- 17 have conferred, submitted to, or entered into any jurisdiction alluded to thereby.
- 18

19 Purpose:

- 20 3) i proclaim: my fundamental rights and freedoms have been deprived by
- 21 men acting as State Party Agents and domestic enemies; I believe this behavior
- 22 is for to prevent me from securing and receiving my property-claimed. My
- 23 property-claimed is Not State Party Government property⁴⁵. It is my wish this
- 24 system be stopped by the legitimate United States Government and that i be
- 25 made whole.
- 26

27 Section 2 i, man, am one of the people

- 28
- 29
- 30 4) "What is man, that thou art mindful of him? and the son of man, that thou
- 31 visitest him? For thou hast made him a little lower than the angels, and
- hast crowned him with glory and honour. Thou madest him to have
- dominion over the works of thy hands; thou hast put all *things* under his
- feet:...." KJV, Psalms 8:4- 6
- 5) "... Ye are gods; and all of you are children of the most High." KJV,
- Psalms 82:6. "Jesus answered them, Is it not written in your law, I said,
- Ye are gods?" KJV John 10:34
- 6) i, Darrell- James: Hill, am one of the natural non-political aggregate of
- sovereign people understanding Almighty God. Any presumption that i am the





1 Idem- Sonans⁴⁶ "DARRELL JAMES HILL", et seq⁴⁷.- statutory class of persons, a
2 product of the State Party Government, is false and has been denied⁴⁸.

3
4 7) i herein decree⁴⁹ that all statutory presumptions ever been made against
5 me under the presumption of the idem-sonans entity "DARRELL JAMES
6 HILL", et seq., to be void ab-initio^{50 51 52}.

7
8 "United States of America" means the people-sovereigns

- 9 8) I) The "United States of America"⁵³ means the people(s); it refers to an
10 unincorporated man-being, me.
11 9) II) There is no such thing as State Party sovereignty over the natural people-
12 sovereigns⁵⁴.
13 10) III) It is a fact that the State Party Government exists to protect and serve the
14 sovereign people; and,
15 11) IV) the people are commonly sovereign merely by their very existence⁵⁵.

16
17 i Am A Living Soul Unincorporated Inhabitant

18 12) It is an undisputed fact that a cestui-que-vie record of my birth^{56 57} onto the
19 earth was onto the territory of Ohio state in the year one thousand nine hundred and
20 fifty eight. There, i finished high school in the year one thousand nine hundred and
21 seventy six; therefore, i am well past the age of majority; and, further, that i am a
22 living soul sui juris⁵⁸, holder de jure⁵⁹ of the common office of one of the people of
23 the non-political aggregate, and, presently, an unincorporated inhabitant on the
24 Arizona state territory at the time of this signing.

25
26 **Section 3 Inalienable Supreme Law of The Land**

- 27
28 13) a. **The Const.-1787 and the BORights-1789-91 are the Supreme**
29 **inalienable Law of the Land**⁶⁰. The Const.-1787⁶¹, The BORights-1789-91, and
30 the statutory ICCPR Treaty⁶² are the Supreme Law of the Land. And,
31
32 14) The Supreme Court of the United States, "SCOTUS", is the final authority
33 for the interpretations of the Constitution- Supreme law of the Land⁶³.
34
35 15) b. **The ICCPR Treaty enactment was ratified by United States Senate**
36 **in 1992, 138 Cong. Rec. S4781-01 (1992). Section IV says: "The Senate's advice**
37 **and consent is subject to⁶⁴ the following proviso⁶⁵,... Nothing⁶⁶ in this Covenant**
38 **requires⁶⁷ or⁶⁸ authorizes⁶⁹ legislation⁷⁰, or other⁷¹ action⁷², by the United States of**
39 **America prohibited⁷³ by the Constitution of the United States⁷⁴ as interpreted⁷⁵ by**
40 **the United States⁷⁶." The prevailing § IV proviso supersedes §§ I, II and III, and**





1 establishes the ICCPR Treaty enforceable⁷⁷ as self-operating⁷⁸ and not self-
2 executing⁷⁹ ⁸⁰.

3
4 **Section 4 United States', "State Party"⁸¹, "Obligation to the Law of the Land**

5
6 16) The State Party is obligated to the ICCPR Treaty through the International
7 Covenant(s), and this comes out in the ICCPR Treaty Ratification reservations,
8 obligations, declarations and proviso the State Party made that it would respect
9 these rights;

10
11 17) **ICCPR Treaty Ratification: II(5)**. The Senate's advice and consent is
12 subject to the following understandings, which shall apply to the obligations of the
13 United States under this Covenant: ... (5). That the United States understands that
14 this (ICCPR) Covenant shall be implemented by the Federal Government to
15 the extent that it exercises legislative and judicial jurisdiction over the matters
16 covered therein, and otherwise by the state and local governments: to the extent
17 that state and local governments exercise jurisdiction over such matters, the Federal
18 Government shall take measures appropriate to the Federal system to the end that
19 the competent authorities of the state or local governments may take appropriate
20 measures **for the fulfillment of the Covenant.**

21
22 18) The State Party Government is obligated under the Supreme Law of The
23 Land in accordance with ICCPR Treaty Ratification: II(5) to persist unequivocally
24 against those State Party Agents who deprived me of my fundamental rights and
25 freedoms guaranteed protected "in accordance with its constitutional processes" –
26 See ICCPR Treaty Article 2(2)⁸². And, further;

27
28 **I Exercised My Rights**

29 19) i brought forward the constitutional documents aforementioned which bring-
30 forth the implementing Laws that recognize these rights: The Declaration of
31 Independence to the Supreme Law of the Land – the Const-1787 and the
32 BORights-1789-91, the Ohio and Arizona state constitutions; all say that all men
33 have these inalienable rights; further,

34
35 **i Stand As Man In My Full Legal Capacity Without legal abridgment⁸³ ⁸⁴**

36 20) i am standing as a natural man, one of the of the people of the non-political
37 aggregate, operating *in my full legal capacity*, exercising my Almighty God-given
38 fundamental rights and freedoms, without legal abridgment. Under the ICCPR
39 Treaty Article 1(1)⁸⁵ supported by the Supreme Law of the Land i claimed
40 fundamental law rights and freedoms to political self-determination to be a man,

With the Copy-Claim:





- 1 one of the of the people of the non-political aggregate, operating *in my full legal*
2 *capacity*;
- 3 21) Deprivation of my natural and fundamental law right to chose to **Not to be/**
4 engage in the political special statuses or sundry statutory personages, is a violation
5 of the ICCPR Treaty, Article 1(1). Furthermore;
6
- 7 22) Under the ICCPR Treaty Article 14(1)⁸⁶ supported by the Supreme Law of
8 the Land **i claimed fundamental law rights and freedoms to bring any common**
9 **law claim with trial by jury.**
- 10 23) Deprivation of my right to bring a common law claim with trial by jury is a
11 violation of my rights-exercised under ICCPR Treaty, Article 14(1); and, further,
12
- 13 24) Under the ICCPR Treaty Article 1(2)⁸⁷ supported by the Supreme Law of the
14 Land **i claimed fundamental law rights and freedoms to not be forced to make**
15 **a contribution of my property-claim to the State Party under the principle of**
16 **mutual benefit.**
- 17 25) Depriving me of my property-claimed, possessing, holding and refusing to
18 release my property to me is a violation of my rights-exercised under the ICCPR
19 Treaty, Article 1(2). Moreover,
20
- 21 26) Under the ICCPR Treaty Article 47⁸⁸ supported by the Supreme Law of the
22 Land **i claimed fundamental law rights and freedoms to 'utilize fully and freely**
23 **[my] natural wealth and resources.'**
24
- 25 27) Any inalienable rights or otherwise right guaranteed protected by the Const.-
26 1787 & BORights-1789-91 would be of little value if they could be indirectly
27 denied; in the nature of Gomillion v. Lightfoot, 364 U.S. 155.
28
- 29 28) One SCOTUS narrative likened this 'deprivation of rights under the color of
30 law' experience to slavery: [T]he fundamental right to life, liberty, and pursuit of
31 happiness, considered as **individual possessions**, are secured by those maxims of
32 constitutional law which are the monuments showing the victorious progress of the
33 race in securing to men the blessings of civilization under the reign of just and
34 equal laws, **"For the very idea that one man may be compelled to hold his**
35 **life, or the means of living, or any material right essential to the enjoyment of**
36 **life at the mere will of another seems to be intolerable in any country where**
37 **freedom prevails, as being the essence of slavery itself."** Yick Wo v. Hopkins,
38 118 U.S. 256.
39
- 40 29) No one shall be held in slavery;.... ICCPR Treaty, Article 8(1).

AFFIDAVIT: PROOF OF CLAIM; May-July 2017

With the Copy-Claim:





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No ICCPR provision for violation of the Supreme Law of the Land

30) “Nothing in the present Covenant may be interpreted as implying for any State, group or person any right to engage in any activity or perform any act aimed at the destruction of any of the rights and freedoms recognized herein or at their limitation to a greater extent than is provided for in the present Covenant.”
ICCPR Treaty Article 5(1).

31) Any State Party Agents of National DOJ or of the 9th Circuit Court Administration who under the color of law⁸⁹ violated these provisions of law – the Law of the Land and statutory laws thereupon, as determined by the SCOTUS, have violated my fundamental rights and freedoms by No provision of the ICCPR supported by the Supreme Law of the Land.

32) It may be that it is the obnoxious thing in its mildest and least repulsive form; but illegitimate and unconstitutional practices get their first footing in that way, namely, by silent approaches and slight deviations from legal modes of procedure. This can only be obviated by adhering to the rule that constitutional provisions for securing of person and property should be liberally construed. A close and literal construction deprives them of half their efficacy, and leads to gradual depreciation of the right, as if it consisted more in sound than in substance. It is the duty of courts to be watchful for the constitutional rights of the [man], and against any stealthy encroachments thereon. *Boyd v. United States*, 116 U.S. 616, 635.⁹⁰

Section 5 Enemies, foreign or domestic

33) **My fundamental-inalienable rights and freedoms are not subject to vote; they are forever.** And, these fundamental rights and freedoms embodied in the Supreme Law of the Land have been set to recognition internationally within the ICCPR Treaty. When the State Party Agencies or Agents violate the Constitution then they are creating felonies; and, based upon the foundation of our government those State Party Agents are domestic enemies.

34) The United States Government has an obligation⁹¹ to national and international covenants to protect my fundamental-law rights and freedoms. Once these obligations have been breached⁹² by State Party Agents within the National DOJ and the 9th Circuit Court Administration; these State Party Agents that commit felony Constitutional Law violations are criminals: wrong-doers and domestic

With the Copy-Claim:



1 **enemies, Not representatives of the legitimate Government.** The State Party
2 must expediently, assertively/aggressively and assuredly protect me from domestic
3 enemies, which is no more than their obligation.
4

5 **Section 6 Crimes Committed Against Me**

6 At the US DOJ

7 35) From October 2016, a man, a State Party Agent of the National DOJ of the
8 United States Government, et al., I) began criminally holding to possess my
9 property-claimed, II) did Not acknowledge and/or III) ignored my claim for the
10 property with return correspondence or release of property-claimed; and, IV)
11 subsequently, defaulted in Dishonor⁹³, estoppel⁹⁴ by silence⁹⁵. Therefore:
12

13 At the USDC- Arizona, Phoenix

14 36) In the month of January 2017, i ordered an/at common law⁹⁶ - trial by jury-
15 claim⁹² with the men, State Party Agents, at the USDC- Arizona, Phoenix; the claim
16 was for property-claimed in an amount in controversy of greater than one hundred
17 sixty-five thousand one ounce silver dollars; and, further,
18

19 37) The State Party Agents did I) not file^{98 99} my common law claim at the USDC
20 as i ordered for to get my property-claimed secured and returned to me; they
21 instead II) filed a commercial¹⁰⁰ complaint^{101 102} in the USDC, III) without
22 authority¹⁰³; and that, IV) WITHOUT REGARD TO: 1) the express written pre-
23 notifications to the men of my common law-trial by jury intent¹⁰⁴, 2) a rightful¹⁰⁵
24 'Compensation Due agreement¹⁰⁶, activated¹⁰⁷ if the State Party Agents trespassed¹⁰⁸
25 on the case¹⁰⁹, and 3) subsequent demands. - Gross trespass on the case¹¹⁰, and
26 felony¹¹¹ Constitutional and statutory violations¹¹²; and, further,
27

28 38) A month later, the group indicated in writing that my claim, meaning their
29 commercial complaint, would not be heard unless i gave assent¹¹³ legitimizing their
30 jurisdiction¹¹⁴ over their commercial complaint filing of my common law claim
31 documents. - extortion, violation of 28 U.S.C. §§ 2071, 2072.¹¹⁵ Their lawful duty
32 was to record all proceedings faithfully and impartially¹¹⁶
33

34 At the USDC- Magistrate was Involved

35 39) The magistrate involved was a man who, having not received jurisdiction
36 from me, self-imposed jurisdiction over their commercial complaint. All of my
37 demands made for to proceed upon my common law claim as ordered for suit were
38 ignored¹¹⁷. - Trespass on the case, misprision of felony¹¹⁸, 18 U.S.C. § 241,
39 conspiracy against my fundamental rights and freedoms, and fraud¹¹⁹.
40

41 The Loss¹²⁰, The Damage¹²¹ And The Grief¹²²

42 40) The State Party Agents actions have caused me significant loss, damage and grief:



1 I) deprivation of my inalienable fundamental law rights and freedoms; II) loss and harm
2 by non-possession of my property-claimed; III) loss and harm by non-use benefit of my
3 property-claimed: IV) grief of the after nearly seven months of the extraordinary difficulty
4 of obtaining simple justice from corrupt State Party Agency Administrations of/under ex-
5 President Obama Administration.

6
7 41) i am testifying and declaring the true seeking justice: my rights, my property,
8 my resources, and for the criminals to answer for their crimes and judicial
9 tyranny¹²³.

10
11 **Section 7 Enforce My Exercise Of My Inalienable Rights**
12 Oath Of Office, Duty And Obligation
13

14
15 42) The heart is deceitful above all things, and desperately wicked; who can
16 know it? I the LORD search the heart; I try the reins, even to give every
17 man according to his ways, and according to the fruit of his doings. KJV,
18 Jeremiah 17: 9-10

19
20 43) It is a snare to the man who devoureth *that which* is holy, and after vows
21 to make enquiry. KJV: proverbs 20:25

22
23 44) State Party Agents under oath of office to the Constitution, and duty and
24 obligation must ensure, promote, respect, protect and enforce my exercise of my
25 inalienable rights. However, i above testify true and declare a history in fact of
26 record detailing criminal actions against me imposed by State Party Agents:
27 criminal actions, not mere error, systemic, systematic practices to defraud me of
28 and to undermine my exercise of inalienable fundamental rights and freedoms.

29
30 45) [When a State Party Agent] acts in excess of his statutory authority or in
31 violation of the Constitution... he ceases to represent the Government. United
32 States v. Stewart, 234 F. Supp. 94.

33
When State Party Agents Are Criminals

34
35 46) When the State Party Agents' acts are criminal wrongdoings then the
36 likelihood of any effective administrative remedy in redress of that criminal
37 behavior is perceptively very low to absent: at best a Kangaroo Court¹²⁴. No one is
38 required to pursue an administrative remedy in this situation. **But, because;**

39
40 47) "... [T]he [Main] United States understands that this (ICCPR) Covenant shall
41 be implemented by the Federal Government to the extent that it exercises
42 legislative and judicial jurisdiction over the matters covered therein, ... for the

With the Copy-Claim:





1 fulfillment of the Covenant.” – ICCPR Treaty Ratification, II(5) – then, to lay to
2 rest speculation,
3

4 48) i reported¹²⁵ my rights deprivation(s) and situation to the 9th Circuit
5 Executive Committee of three¹²⁶ by USPS Registered Mail delivery¹²⁷. After two
6 months, i yet want for a timely Const.-1787 - BORights-1789-91 - ICCPR Treaty
7 compliant response from them; there is No answer regarding their implementation
8 of restraint, control over, correction and/or elimination of their criminal
9 subordinates. –

10
11 The Result: Probable: The Scheme-Scam Is Condoned

12 49) *Essentially, working together governmental agencies can steal from*
13 *anyone, and deny your access to court except under their special Kangaroo Court*
14 *jurisdiction, and all under their watchful eyes of misprision of felonies; to wit: The*
15 *initial and continued possession of my property-claimed by the State Party Agents*
16 *of the National DOJ is in direct violation of ICCPR Treaty Articles 1(1) and 47,*
17 *Const.-1787, Article 1(8), and Bill of Right-1789-91, Amendment V. And, the*
18 *State Party Agents of the 9th Circuit Court Administration deprived my right to a*
19 *common law trial by jury by fraud tantamount to theft¹²⁸ and judicial tyranny in*
20 *dereliction of duty, obligation and oath to the Supreme Law of The Land. – a*
21 *Coordinated organization.*

22
23 Remedy And Recourse

24 50) The United States Constitution – the Const.-1787, BORights-1789-91 –,
25 the Supreme-inalienable Law of The Land, supersedes every other law in the
26 United States' Executive, Legislative or Judicial branches of Government. And, all
27 State Party Agents are sworn under oath to the Constitution to defend the people-
28 sovereigns from all enemies, both foreign and domestic. This legally binding duty
29 and obligation under oath of office is to protect me and my exercise of my
30 fundamental rights and freedoms. And, this is what I require:

31
32 51) I) With regard to my inalienable fundamental rights and freedoms secured
33 by the Constitution for the United States of America; I wish my fundamental
34 rights and freedoms ensured, promoted, respected, protected and enforced in
35 my exercise of my rights, here now and to forever; the State Party must
36 aggressively and assuredly protect my rights-exercised by every related access.
37

38 52) II) With regard to that No filing fee is/was required for my common law
39 claim; i wish the filing fee reimbursed immediately to the address above.

40 53) “A state may not impose a charge for the enjoyment of a right granted by the



1 Federal Constitution.” Davis v. Wechsler, 263 U.S. 22, 24[;]

2
3 54) **III) With regard to that the State Party Agents of the 9th Circuit Court**
4 **Administration did systematically trespass on the case; i wish to receive the**
5 **compensation due for same as agreed: the deprivation by the men began at 10:30**
6 **am, January 04, 2017, and has not been resolved at the time of this signing;**

7
8 55) **IV) With regard to that the State Party Agents of the National DOJ have held**
9 **and continue to hold my property-claimed; 1) i wish to receive the compensation**
10 **due as agreed: the deprivation began at 04:35 am, October 31, 2016, and has not**
11 **been resolved at the time of this signing; and, 2) i wish all of my property-**
12 **claimed released to me post haste to the address above.**

13
14 56) **“No person shall ... be deprived of life, liberty, or property, without due**
15 **process of law; nor shall private property be taken for public use, without just**
16 **compensation.” Const.-1787 & BORights-1789-91: Article the seventh**
17 **[Amendment V]; and,**

18
19 57) **V) With Regard to the The State Party Criminals who performed in dishonor**
20 **and dereliction¹²⁹ of duty; i wish them be identified, prosecuted and terminated;**
21 **never again to hold public office.**

22
23 **Section 8: Conclusion**

24
25 58) **i am a common man of the non-political aggregate of people-sovereigns**
26 **standing upon the principles of justice to exercise my Almighty God- given**
27 **inalienable fundamental law rights and freedoms.**

28
29 59) **This Affidavit: Proof Of Claim is prima facie sufficient to establish that i**
30 **indeed have these fundamental rights-inalienable and freedoms.**

31
32 60) **i claimed and exercised my fundamental rights and freedoms to secure and**
33 **take receipt of my property-claimed.**

34 61) **Any federal, state or local State Party Agent who answered my exercise of**
35 **my rights and freedoms with the violation of my fundamental rights and freedoms**
36 **is a criminal: enemies domestic; the men State Party Agents of the National DOJ**
37 **who under the color of law deprived me of my right to receive my property-**
38 **claimed; and, the men State Party Agents of the 9th Circuit Court Administration**
39 **who did under the color of law deprived me of my right to a common law trial by**
40 **jury for to secure and receive my property-claimed.**

AFFIDAVIT: PROOF OF CLAIM: May-July 2017

With the Copy-Claim:



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62) The entire Const.-1787 and BORights-1789-91 Covenant is in place for the State Party to protect to my fundamental rights and freedoms.

63) I, Darrell- James: Hill, require and demand the men of the legitimate State Party Government, under the ICCPR Treaty supported by the Supreme Law of the Land, to aggressively ensure, promote, respect, protect and enforce my fundamental rights and freedoms against all enemies, to meet the remedies specified above – Section 6 – , to resolve the deprivation of rights/ losses sustained from State Party Agents indicated, and to provide report(s) of same subscribed under penalty of perjury.

This affidavit is affirmed under penalties of perjury under the common law within the united States of America and without the United States.

Without Prejudice, All Rights Reserved.
Notice For The Principal Is Notice For the Agent;
Notice For The Agent Is Notice For The Principal

Darrell James: Hill

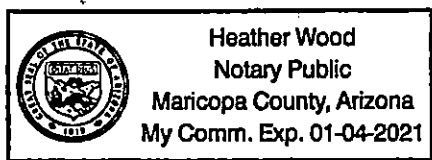
Darrell- James: Hill,
Living Soul, one of the
common people of the
United States of America L.S.

Jurat

Arizona state
Pinal county

Sworn and signed before me this 06th day, July 2017.

Heather Wood
Notary





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Unofficial Copy

EXHIBIT ONE:
ICCPR Treaty Resolution of Ratification,
4 pages

AFFIDAVIT: PROOF OF CLAIM; May-July 2017

With the Copy-Claim:





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U. S. reservations, declarations, and understandings,
International Covenant on Civil and Political Rights
138 Cong. Rec. S4781-01 (daily ed., April 2, 1992)

<https://www.state.gov/documents/organization/235639.pdf> - 1/4

IX. TEXT OF RESOLUTION OF RATIFICATION

Resolved, (two-thirds of the Senators present concurring therein),
That the Senate advise and consent to the ratification of the Inter-national Covenant
on Civil and Political Rights, adopted by the United Nations General Assembly on
December 16, 1966, and signed on behalf of the United States on October 5, 1977,
(Executive E, 95-2), subject to the following reservations, understandings,
declarations and proviso:

I. The Senate's advice and consent is subject to the following reservations:

- (1) That Article 20 does not authorize or require legislation or other action by the United States that would restrict the right of free speech and association protected by the Constitution and laws of the United States.
- (2) That the United States reserves the right, subject to its Constitutional constraints, to impose capital punishment on any person (other than a pregnant woman) duly convicted under existing or future laws permitting the imposition of capital punishment, including such punishment for crimes committed by persons below eighteen years of age.
- (3) That the United States considers itself bound by Article 7 to the extent that "cruel, inhuman or degrading treatment or punishment" means the cruel and unusual treatment or punishment prohibited by the Fifth, Eighth and/or Fourteenth Amendments to the Constitution of the United States.
- (4) That because U. S. law generally applies to an offender the penalty in

With the Copy-Claim:



1 force at the time the offense was committed, the United States does not
2 adhere to the third clause of paragraph 1 of Article 15.

3
4 (5) That the policy and practice of the United States are generally in
5 compliance with and supportive of the Covenant's provisions regarding
6 treatment of juveniles in the criminal justice system. Nevertheless, the
7 United States reserves the right, in exceptional circumstances, to treat
8 juveniles as adults, notwithstanding paragraphs 2(b) and 3 of Article 10
9 and paragraph 4 of Article 14. The United States further reserves to
10 these provisions with respect to individuals who volunteer for military
11 service prior to age 18.

12 II. The Senate's advice and consent is subject to the following
13 understandings, which shall apply to the obligations of the United States
14 under this Covenant:

15 (1) That the Constitution and laws of the United States guarantee all
16 persons equal protection of the law and provide extensive protections
17 against discrimination. The United States understands distinctions based
18 upon race, color, sex, language, religion, political or other opinion,
19 national or social origin, property, birth or any other status - as those
20 terms are used in Article 2, paragraph 1 and Article 26 - to be permitted
21 when such distinctions are, at minimum, rationally related to a
22 legitimate governmental objective. The United States further
23 understands the prohibition in paragraph 1 of Article 4 upon
24 discrimination, in time of public emergency, based "solely" on the status
25 of race, color, sex, language, religion or social origin not to bar
26 distinctions that may have a disproportionate effect upon persons of a
27 particular status.

28
29 (2) That the United States understands the right to compensation referred
30 to in Articles 9(5) and 14(6) to require the provision of effective and
31 enforceable mechanisms by which a victim of an unlawful arrest or
32 detention or a miscarriage of justice may seek and, where justified,
33 obtain compensation from either the responsible individual or the
34 appropriate governmental entity. Entitlement to compensation may be
35 subject of the reasonable requirements of domestic law.

36
37 (3) That the United States understands the reference to "exceptional
38 circumstance" in paragraph 2(a) of Article 10 to permit the





1 imprisonment of an accused person with convicted persons where
2 appropriate in light of an individual's overall dangerousness, and to
3 permit accused persons to waive their right to segregation from
4 convicted persons. The United States further understands that paragraph
5 3 of Article 10 does not diminish the goals of punishment, deterrence,
6 and incapacitation as additional legitimate purposes for a penitentiary
7 system.

8
9 (4) That the United States understands that subparagraphs 3(b) and (d)
10 of Article 14 do not require the provision of a criminal defendant's
11 counsel of choice when the defendant is provided with court-appointed
12 counsel on grounds of indigence, when the defendant is financially able
13 to retain alternative counsel, or when imprisonment is not imposed. The
14 United States further understands that paragraph 3(e) does not prohibit a
15 requirement that the defendant make a showing that any witness whose
16 attendance he seeks to compel is necessary for his defense. The United
17 States understands the prohibition upon double jeopardy in paragraph 7
18 to apply only when the judgment of acquittal has been rendered by a
19 court of the same governmental unit, whether the Federal Government
20 or a constituent unit, as is seeking a new trial for the same cause.

21
22 (5) That the United States understands that this Covenant shall be
23 implemented by the Federal Government to the extent that it exercises
24 legislative and judicial jurisdiction over the matters covered therein, and
25 otherwise by the state and local governments; to the extent that state and
26 local governments exercise jurisdiction over such matters, the Federal
27 Government shall take measures appropriate to the Federal system to the
28 end that the competent authorities of the state or local governments may
29 take appropriate measures for the fulfillment of the Covenant.

30 III. The Senate's advice and consent is subject to the following declarations:

31 (1) That the United States declares that the provisions of Articles 1
32 through 27 of the Covenant are not self-executing.

33
34 (2) That it is the view of the United States that States Party to the
35 Covenant should wherever possible refrain from imposing any
36 restrictions or limitations on the exercise of the rights recognized and
37 protected by the Covenant, even when such restrictions and limitations
38 are permissible under the terms of the Covenant. For the United States,
39 Article 5, paragraph 2, which provides that fundamental human rights

With the Copy-Claim:



1 existing in any State Party may not be diminished on the pretext that the
2 Covenant recognizes them to a lesser extent, has particular relevance to
3 Article 19, paragraph 3, which would permit certain restrictions on the
4 freedom of expression. The United States declares that it will continue to
5 adhere to the requirements and constraints of its Constitution in respect
6 to all such restrictions and limitations.

7
8 (3) That the United States declares that it accepts the competence of the
9 Human Rights Committee to receive and consider communications
10 under Article 41 in which a State Party claims that another State Party is
11 not fulfilling its obligations under the Covenant.

12
13 (4) That the United States declares that the right referred to in Article 47
14 may be exercised only in accordance with international law.

15 IV. The Senate's advice and consent is subject to the following proviso, which
16 shall not be included in the instrument of ratification to be deposited by the
17 President:

18
19 Nothing in this Covenant requires or authorizes legislation, or other
20 action, by the United States of America prohibited by the Constitution of
21 the United States as interpreted by the United States.

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24
25 <https://www.state.gov/documents/organization/235639.pdf> – 4/4

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AFFIDAVIT: PROOF OF CLAIM: May-July 2017

With the Copy-Claim:





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Unofficial Copy

EXHIBIT TWO
Birth Certificate,
1 page

AFFIDAVIT: PROOF OF CLAIM; May-July 2017

With the Copy-Claim:



I HEREBY CERTIFY THIS DOCUMENT IS AN EXACT COPY OF THE RECORD ON FILE WITH THE OHIO DEPARTMENT OF HEALTH.

DE 24 08 01 7341

Judith B. Hagy

JUDITH B. HAGY, STATE REGISTRAR
 OFFICE OF VITAL STATISTICS
 WITH MY SIGNATURE & SEAL

OHIO DEPARTMENT OF HEALTH
 DIVISION OF VITAL STATISTICS
 CERTIFICATE OF LIVE BIRTH

Reg. Dist. No. 7701

Primary Reg. Dist. No. 7701

Registrar's No. 9370

Birth No. 134-58-208851

1. PLACE OF BIRTH a. COUNTY <u>Summit</u>		2. USUAL RESIDENCE OF MOTHER (Where does mother live?) a. STATE <u>Ohio</u> b. COUNTY <u>Summit</u>	
b. CITY, VILLAGE, OR LOCATION <u>Akron</u>		c. CITY, VILLAGE, OR LOCATION <u>Akron</u>	
c. NAME OF HOSPITAL OR INSTITUTION <u>Akron City Hospital</u>		d. STREET ADDRESS <u>219 King Ct.</u>	
d. IS PLACE OF BIRTH INSIDE CITY LIMITS? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		e. IS RESIDENCE INSIDE CITY LIMITS? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	
f. IS RESIDENCE ON A FARM? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>			
3. NAME (TYPE OR PRINT) First Middle Last <u>Darrell James Hill</u>			
4. SEX <u>M</u>		5. THIS BIRTH SINGLE <input checked="" type="checkbox"/> TWIN <input type="checkbox"/> TRIPLET <input type="checkbox"/>	
6. DATE OF BIRTH MONTH DAY YEAR <u>Nov 20 58</u>		7. IF TWIN OR TRIPLET, WAS CHILD BORN 1ST <input type="checkbox"/> 2D <input type="checkbox"/> 3D <input type="checkbox"/>	
7. NAME First Middle Last <u>Clarence Hill</u>		8. COLOR OR RACE <u>Negro</u>	
9. AGE (At time of this birth) <u>35</u> YEARS		10. BIRTHPLACE (State or foreign country) <u>Ala.</u>	
11. USUAL OCCUPATION <u>Carpenter</u>		11b. KIND OF BUSINESS OR INDUSTRY <u>Contractor</u>	
12. MAIDEN NAME First Middle Last <u>Ora Lee Archer</u>		13. COLOR OR RACE <u>Negro</u>	
14. AGE (At time of this birth) <u>30</u> YEARS		15. BIRTHPLACE (State or foreign country) <u>Arka.</u>	
16. PREVIOUS DELIVERIES TO MOTHER (Do NOT include this birth) a. How many OTHER children are now living? <u>3</u> b. How many OTHER children were born alive but are now dead? <u>none</u> c. How many fetal deaths (fetuses born dead at ANY time after conception?) <u>none</u>			
17. INFORMANT'S NAME OR SIGNATURE <u>Ora Hill</u>		18. DATE SEROLOGIC TEST FOR SYPHILIS <u>Mar 58</u>	
19a. SIGNATURE <i>Ora Hill</i>		19b. ATTENDANT AT BIRTH M. D. <input checked="" type="checkbox"/> D. O. <input type="checkbox"/> MIDWIFE <input type="checkbox"/> OTHER (Specify)	
19c. ADDRESS <u>Akron, Ohio</u>		19d. DATE SIGNED <u>11-28-58</u>	
20. DATE RECD. BY LOCAL REG. <u>10-28-58</u>		21. REGISTRAR'S SIGNATURE <i>Judith B. Hagy</i>	
		22. DATE ON WHICH GIVEN NAME ADDED BY (Registrar)	

AFFIDAVIT: PROOF OF CLAIM: May-July 2017

With the Copy-Claim:



- 1 **Affidavit** means: "No more than [affidavits are] necessary to make the Prima facie case." U.S. v. Kis, 658 F. 2nd 526
- 2 **declaration** means: The first of the pleadings on the part of the plaintiff in an action at law, being a formal and methodical specification of the facts and circumstances constituting his cause of action.
- 3 **claim** means: a challenge of property or ownership of a thing which is wrongfully withheld from the possession of the claimant. Plowd. 359. A claim is a right or title, actual or supposed, to a debt privilege or other thing in the possession of another;... 2 N. Y. 245, 254[;] Bouvier's Law Dictionary, 1st Ed, p. 209.
- 4 **Against** means: in opposition to, adverse, hostile; in an opposite direction or position
- 5 **criminal** means: pertaining to crime: an act committed in violation of a law prohibiting it, or [an omission] in violation of a law ordering it... 2. extreme violation of the law; wrongdoing of a criminal nature, as felony or treason, which affects the whole public and not just the rights of an individual: distinguished from misdemeanor. Webster's New 20th Century Unabridged, 2nd Ed., p. 431.
- 6 **wrong-doing**: that which is improper or unjust actions
- 7 **State Party** means: all The Federal, State And Local Government Entities
- 8 **State Party Agents** means: all The Federal, State And Local Government's agents or doers otherwise who perform for the State Party directly, or through proxy
- 9 **National Executive Branch- Department Of Justice, "DOJ"** means: Loretta Lynch, et al., et seq. Jeffrey S.; All State Party Agents of the DOJ System having knowledge and/or participation, aiding or abetting
- 10 **9th Circuit Court Administration** means: All State Party Agents of the 9th Circuit Court System having knowledge and/or participation, aiding or abetting
- 11 **deprivation** means: to entirely take away
- 12 **inalienable** means: that which cannot be transferred or surrendered, such as an **inalienable right**: means: A right that cannot be transferred or surrendered, a natural right such as the right to own property. Not subject to statutory manipulation.
- 13 **fundamental** means: "One's right to life, liberty, and property, to free speech, a free press, freedom of worship and assembly, and other fundamental rights may not be submitted to vote; they depend on the outcome of no elections[;]" West Virginia Bd. of Ed. v. Barnette, 319 U.S. 624, 638, 63 S.Ct. 1178, 87 L.Ed. 1628 (1943).

fundamental law means: The law which determines the constitution of government in a state, and prescribes and regulates the manner of its exercise; the organic law of a state; the constitution.

- 14 **natural rights** means: those rights that is conceived as part of **natural law** and that is therefore thought to exist independently of rights created by government or society, such as the right to life, liberty, and property, which grow out of the nature of man and depend upon personality, as distinguished from such as are created by law and depend upon civilized society; or they are those which are plainly assured by natural law (Borden v. State, 11 Ark. 519, 44 Am.Dec. 217); ...[;] Black's Law Dictionary, 4th Ed., p1487. **natural law** means: A physical law of nature, ie.gravity, property.
- 15 **rights** means: what someone deserves; a just claim, what is morally due; the property of life, liberty and property sacred to one and wholly set aside for private use.
- 16 **guaranteed** means: held in surety for that the obligation due under covenant must be performed
- 17 **protect** means: to, in advance to defend and guard
- 18 **Constitution** means: the Constitution for the United States of America, 1787, "Const.-1787", generally also making inclusive reference to the BORights-1789-91.
- 19 **United States** means; one must be cognizant and clear about the usage of the term which means: [1] It may be merely the name of a sovereign occupying the position analogous to that of other sovereigns in the family of nations. [2] It may designate the territory over which the sovereignty of the United States extends, or [3] it may be the collective name of the states which are united by and under the constitution.[;] in the nature of Hooven & Allison Co. vs. Evatt, 324 U.S. 652
- 20 **United States of America** means: the people of the united States of America
- 21 **people** means: the word "people" may have various significations according to the connection in which it is used. When we speak of the rights of the people, or of the government of the people by law, or of the people as a non-political aggregate, we mean all the inhabitants of the state or nation, without distinction as to sex, age, or otherwise. But when reference is made to the people as the **repository** of sovereignty, or as the source of governmental power, or to popular government, we are in fact speaking of that selected and limited class of citizens to whom the constitution accords the elective franchise and the rights of participation in the offices of government. Black. Const. Law 3d Ed., p. 30[;] Black's Law Dictionary, 4th Ed., p1292. **repository** means: a person to whom something is entrusted or confided; ...[;] Webster's New 20th Century Unabridged, 2nd Ed., p. 1535.
- 22 **BORights** means: "... THE Conventions of a number of the States, having at the time of their adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added; And as extending the ground of public confidence in the Government, will best ensure the beneficent ends of its institution; RESOLVED by the Senate and House or Representatives of the United States of



America, in congress assembled,... Articles, which when ratified*..., to be valid to all intents and purposes, as part of the said Constitution; *The first ten Amendments (BORights) were ratified effective December 15, 1791.

[The] Framers intended for the first ten amendments to act as restraints only upon the exercise of power by the new, national government.... Alabama Educ. Assn v. Bentley, 788 F.Supp.2d 1283.

As Justice Robert H. Jackson once wrote, [t]he very purpose of a Bill of Rights was to withdraw certain subjects from the vicissitude* of political controversy, to place them beyond the reach of majorities 775 and officials and to establish them as legal principles to be applied by the courts. One's right to life, liberty, and property, to free speech, a free press, freedom of worship and assembly, and other fundamental rights may not be submitted to vote; they depend on the outcome of no elections[;] West Virginia Bd. of Ed. v. Barnette, 319 U.S. 624, 638, 63 S.Ct. 1178, 87 L.Ed. 1628 (1943); see e.g. Weinberger v. Wiesenfeld, 420 U.S. 636, 638 n. 2, 95 S.Ct. 1225, 43 L.Ed.2d 514 (1975) (stating that the right to equal protection is incorporated within the Fifth Amendment's Due Process Clause).

vicissitude* means: change or variation occurring irregularly in the course of something; especially, change of circumstances in life; ups and downs of fortune. Webster's New 20th Century Unabridged, 2nd (1983), p. 2036.

- 23 **covenant** means: [A contractual] agreement, convention, or promise of two or more parties, by deed in writing, signed, sealed, and delivered, by which either of the parties pledges himself to the other that something is either done or shall be done or stipulates for the truth of certain facts[;] in the nature of Commonwealth v. Robinson, 1 Watts, Pa. 160; et seq; Black's Law Dictionary, 4th Ed., p. 436.
- 24 **civil** means: **Originally**, pertaining or appropriate to a member of a civitas or free political community; natural or proper to a citizen. Also, relating to the community, or to the policy and government of the citizens and subjects of a state. Black's Law Dictionary, 4th Ed., p. 311.
- 25 **political** means: **polity**: The form of government; civil constitution.
- 26 **International Covenant on Civil and Political Rights** means: the covenant adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966 entry into force 23 March 1976, in accordance with Article 49, "ICCPR".
- 27 **ICCPR Treaty ratification 1992** means: "U. S. reservations, declarations, and understandings, International Covenant on Civil and Political Rights, 138 Cong. Rec. S4781-01 (daily ed, April 2, 1992) – IX. TEXT OF RESOLUTION OF RATIFICATION . See Exhibit One.
- 28 **impose** means: inflict by force or authority
- 29 **Public Policy** means: the community common sense and common conscience extended and applied throughout the state to matter of public morals, public health, public safety, public welfare, and the like; it is the general and well-settled public opinion relating to man's plain, palpable duty to his fellow men having due regard to all the circumstances of each particular relation and situation[;] in the nature of Pittsburgh, e., c. & St. L. Ry. Co. v. Kinney, 95 Ohio St. 64, et seq. Public policy properly cognizable by courts is that derived or derivable by clear implication from its Constitution, statutes, and judicial decisions[;] in the nature of Brown v. American Ry. Express Co., 128 S.C. 428, et seq.; Black's Law Dictionary, 4th Ed, p. 1318.
- 30 **exercise** means: to make use of. Thus, to exercise a right or power is to do something which it enables the holder to do[;] in the nature of U.S. v. Souders, 27 Fed. Cas. 1267, et seq.; Black's Law Dictionary, 4th Ed, p. 682.
- 31 **Initial Claim** means: filing for court of record common law claim with trial by jury to decide matters of both fact and law: **NOTICE: CLAIM RE: Property disposed....** See at Gila County Recorder – site: <http://recorder.gilacountyaz.gov/recorder/web/> Document Number: 2017-002378, pp. 241-549 .
- 32 **common law** means: 1. As distinguished from the Roman law, the modern civil law, the canon law and other systems, the common law is that body of law and juristic theory which was originated, developed and formulated ...[;] in the nature of Lux v. Haggin, 69 Cal. 255, et seq. As distinguished from law created by enactment of legislatures, the common law comprises the body of those principles and rules of action, relating to the government and security of persons and property, which derive their authority solely form usages and customs of immemorial antiquity, or from the judgments and decrees of the courts recognizing, affirming, and enforcing such usages and customs; and, in this sense particularly the ancient unwritten law of England[;] in the nature of 1 Kent, Comm. 492. Western Union Tel. Co. v. Call Pub. Co., 21 S. Ct. 561, et seq.; Black's Law Dictionary, 4th Ed., pp. 345-346.
- 33 **law** means: all the rules of conduct established and enforced by the authority, legislation, or custom of a given community or other group.... *Law* implies a penalty or inconvenience for disobedience, and also generality of application as distinguished from a special command.... Webster's 20th Century Unabridged, 2nd Ed., p. 1028.
- 34 **trial** means: a judicial examination, in accordance with law of the land, of a cause, either civil or criminal, of the issues between the parties, whether of law or fact, before a court that has jurisdiction over it[;] in the nature of People v. Vitale, 364 Ill. 589, et seq.; Black's Law Dictionary, 4th Ed., p. 1675.
- 35 **trial-by-jury** means: the terms "jury" and "trial by jury" as used in the constitution, means twelve competent men, disinterested and impartial, not of kin, nor personal dependents of either or the parties, having their homes within the



jurisdictional limits of the court, drawn and selected ..., duly impaneled and sworn [to determine the matters of fact and law] to render a true verdict according to the law [and] evidence[;] in the nature of: Black's Law Dictionary, 4th Ed., p. 993.

- 36 **court** means: *International Law*: The person and suite of the sovereign; the place where the sovereign sojourns with his regal retinue, wherever that may be. *retinue* means: group of followers, state of service; literally, that which is retained.
- 37 **case** means: "trespass on the case". *trespass on the case* means: At common law, an action to recover damages that are not the immediate result of a wrongful act but rather a later consequence; Black's Law 7th Ed, p. 1508-9.
- 38 **Claimant Case No: CMN 7009 1410 0000 7868 5703** means: In the *Hill Court*; a 'Federal Court' at the USDC-Arizona, Phoenix: January 04, 2017 – USPS RMN RE 322 399 336 US; rec'd 01/04/2017. See Notice: PROOF OF CLAIM' at Gila County Recorder – site: <http://recorder.gilacountyaz.gov/recorder/web/> Document Number: 2017-002378, pp. 182-693 .
- 39 **State Party** means: the United States Government for the United States of America
- 40 **enforce** means: to make or gain by force or violence, compel
- 41 **i:** means: re: capitus dominus. Chief lord. Son understanding the the Most High God of Abraham, Isaac and Jacob of the Holy Bible, and a sovereign over-standing the creation and subsequent creations
- 42 **man** means: a) a flesh and blood Adam, species of man-kind, understanding Almighty God of Abraham, Isaac and Jacob of the Holy Bible, and a sovereign one who in a collective capacity with others common sovereigns are the **people** of the United States of America over-standing the government for the people of the United States of America; b) NOT a cestui que trust, corporation, or other classes of persons or fictitious entities; c) NOT a US citizen; d) NOT an inhabitant in a federal area See at Gila County Recorder – site: <http://recorder.gilacountyaz.gov/recorder/web/> Document Number: 2017-002378, pg 199-217.

"... God created man in his *own* image, in the image of God created he him; male and female created he them." KJV, Genesis 1:27

- 43 **all** means: 100%
- 44 **any** means: Some; one out of many; an indefinite number[;] in the nature of *State v. Pierson*, 204 Iowa 837, et seq. One indiscriminately of whatever kind or quantity[;] in the nature of *Federal Deposit Ins. Corporation v. Winton*, C.C.A.Tenn. , 131 F.2d 780, 782[;] Black's Law Dictionary, 4th Ed., p. 120.
- 45 **not State Party property** means: Government may seize evidence simply for purpose of proving crime... Introduction of "mere evidence" does not in itself entitle state to its retention. *Warden, Md. Penitentiary v. Hayden*, SCOTUS May 29, 1967 387 U.S. 294 87 S.Ct. 1642 18 L.Ed.2d 782
- 46 **Idem-Sonans** means: Sounding the same or alike; having the same sound. A term applied to names which are substantially the same, though slightly varied in the spelling...[;] in the nature of 1 Comp & M. 806; et seq....; Black's Law Dict.. 4th Ed. , p 880.
- 47 **DARRELL JAMES HILL** means: an Idem-Sonans commercial entity ascribed artificial being or person; "et seq.," having many related forms; in contradistinction to the man "Darrell- James: house of Hill"
- 48 **presumptions of Idem Sonans are voided** means: Affidavit: Superior Constructive Notice and Demand.... See at Gila County Recorder – site: <http://recorder.gilacountyaz.gov/recorder/web/> Document Number: 2017-002378, pp. 109-127 .
- 49 **decree** means: declare officially, a decision
- 50 **ab initio** means: L.; from the first act; entirely; as to all the acts done; in the inception...[;] in the nature of *Plow. 6a*, 16a; ...[;] Black Law Dict.. 4th Ed. , p 289,
- 51 **i, Darrell- James: Hill, the living soul, have never, with full knowledge and awareness, knowingly and voluntarily and intentionally, agreed with or established understanding, acceptance, or agreeing with any sort of being identified as a corporation, constructive trust, or any other artificial variety entity via any state party governmental actor, against the idem- sonans "DARRELL JAMES HILL", et seq.- name variations.**
- 52 "The failure of an adverse party to deny under oath the allegation that he is incorporated with the necessity of proof of the fact [it becomes part of the official record;]" in the nature of *Galleria Bank v. Southwest properties*, 498 SW 2nd
- 53 The "United States Of America" defined within the originating documents means the people. "(I) The Stile of the Confederacy shall be The United States of America." Articles of Confederation, November 1777 – 1781.

We the People of the United States in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America." Const.-1787: Preamble.

"All debts contracted and Engagements entered into, before the Adoption of this Constitution [for the United States of America], shall be as valid against the United States [the State Party] under this Constitution, as under the [Articles of Confederation]." Const.-1787, Article VI, Cl. 1.



All political power is inherent in the people, and governments derive their just powers from the consent of the governed, and are established to protect and maintain individual rights and freedoms. Arizona State Constitution, Article 2 § 2.

JUSTICE MATTHEWS. in the opinion of the court[:] re: Yick Wo v. Hopkins, wrote: "When we consider the nature and the theory of our institutions of government, the principles upon which they are supposed [370] to rest, and review the history of their development, we are constrained to conclude that they do not mean to leave room for the play and action of purely personal and arbitrary power. Sovereignty itself is, of course, not subject to law, for it is the author and source of law; but, in our system, while sovereign powers are delegated to the agencies of government, sovereignty itself remains with the people, by whom and for whom all government exists and acts. ... Yick Wo v. Hopkins, 118 U.S. 256.

- 54 See: Commonwealth Of Puerto Rico v. Valle : SCOTUS; No. 15-108 (08/15/2015): Puerto Rico Is Not "Sovereign" Because There Is No Such Thing As A Sovereign Territory, pp. 25-28. The people of the United States of America in creation of the Government under the Constitution for the United States of America did Not create a sovereign government over but clearly under, and in service to, the people.
- 55 "The rule in America is that the American people are the sovereigns, and in them is lodged all power, and the agencies of government possess no authority save that which is delegated to them by the people in the written compact entered into between the people, which is styled in the Constitution...." Kemper v. State, 138 S.W. 1025, 1043

The sovereignty of the United States [government] resides in the people, and Congress cannot invoke the sovereignty of the people to override their will as declared in the Constitution. Perry v. U.S. 294 U.S. 330, 353

- 56 birth means: the act of being born* or wholly brought into separate existence. Wallace v. State, 10 Tex. App. 270[:] Black Law Dict.. 4th Ed. , p 213. born* brought into life or existence[:] Webster's New 20th Century Unabridged, 2nd Ed., p. 211.
- 57 certificate means: I) a written or printed statement testifying to a fact, qualification, or promise[:] Webster's New 20th Century Unabridged, 2nd Ed., p. 297. II) A written assurance made or issuing from some court, and designed as a notice of things done therein ...[:] in the nature of people v. Foster, 27 Misc. Rep. 576, et seq. III) a "certificate" by a public officer is a statement written and signed, but not necessarily or customarily sworn to, which is by law made evidence of the truth of the facts stated for all or for certain purposes[:] in the nature of State v. Abernethy, 190 N.C. 768, et seq.; Black Law Dict.. 4th Ed. , p 285. See Exhibit Two
- 58 sui juris means: of full legal age and capacity
- 59 de jure means: of or from right of law: legitimate
- 60 The Ohio Constitution, Preamble. We, the people of the State of Ohio, grateful to Almighty God for our freedom, to secure its blessings and promote our common welfare, do establish this Constitution. **Article I: Bill of Rights, Inalienable Rights. §1 of 21. All men are, by nature, free and independent, and have certain inalienable rights, among which are those of enjoying and defending life and liberty, acquiring, possessing, and protecting property, and seeking and obtaining happiness and safety.**

Arizona State Constitution, Preamble. We the people of the State of Arizona, grateful to Almighty God for our liberties, do ordain this Constitution. **Article II. Declaration of Rights: 1. Fundamental principles; recurrence to, Section 1. A frequent recurrence to fundamental principles is essential to the security of individual rights and the perpetuity of free government. 2. Political power; purpose of government, Section 2. All political power is inherent in the people, and governments derive their just power from the consent of the governed, and are established to protect and maintain individual rights.**

The Declaration of Independence, 1776, para 2. line. We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.

—That to secure these rights Governments are instituted among Men, deriving their just powers from the consent of the governed.

- 61 The Supremacy Clause On The Const.-1787, Article 6, Clause 2
"This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of The Land, and the Judges in every State shall be bound thereby, any Thing in the Constitution of Laws of any State to the Contrary notwithstanding."

Const.-1787 Article IV, Section. 4. The United States shall guarantee to every State in this Union a Republican Form of Government,



The United States Constitution and the laws passed pursuant to it are the supreme laws of the land, binding alike upon states, courts, and the people, anything in the Constitution or laws of any state to the contrary notwithstanding. *Testa v. Katt*, U.S.R.I.1947, 67 S.Ct. 810, 330 U.S. 386, 91 L.Ed. 967 .

The Constitution of the United States is the supreme law of the land to which all government, state and federal is subject." Constitution for the State of Arizona, 1912: Section 3. A.

The provisions of the [Arizona state] Constitution are mandatory unless by express words they are declared to be otherwise. Article2. §32

- 62 A treaty lawfully entered into stands on the same footing of supremacy as do the Constitution and laws of the United States. *Amaya v. Stanolind Oil & Gas Co.*, C.C.A.5 (Tex.) 1946, 158 F.2d 554 , certiorari denied 67 S.Ct. 1191, 331 U.S. 808, 91 L.Ed. 1828, rehearing denied 67 S.Ct. 1530, 331 U.S. 867, 91 L.Ed. 1871.
- 63 While Supreme Court may view conformity with its previous decisions as matter of *stare decisis*, federal district court must adhere to constitutional interpretations by Supreme Court as matter of law by virtue of this clause. *Joiner v. City of Dallas*, N.D.Tex.1974, 380 F.Supp. 754, affirmed 95 S.Ct. 614, 419 U.S. 1042, 42 L.Ed.2d 637, rehearing denied 95 S.Ct. 818, 419 U.S. 1132, 42 L.Ed.2d 831.

State governments are bound to comply with the Supreme Court of the United States' rulings and court orders based upon the Supreme Court's interpretation of the Constitution. *Cooper v Aaron*, 358 U.S. 1

- 64 **subject to means:** Liable, subordinate, subservient, inferior, obedient to; ... [;] in the nature of *American Mfg. co. v. Commonwealth*, 251 Mass. 329, et seq.[;] *Black's Law Dictionary*, 4th Ed., p.1594.
- 65 **proviso means:** A condition or provision which is inserted in a ... contract, and on the performance or nonperformance of which the validity of the instrument frequently depends; A clause or part of a clause in a statute, the office of which is either to except something from the enacting clause, or to qualify or restrain its generality, or to exclude some possible ground of misinterpretation of its extent[;] in the nature of *Cox v. Hart*, 260 U.S. 427, et seq.; *Black's Law Dictionary*, 4th Ed., p.1390.
- 66 **nothing means:** not anything; no thing; not any being or existence; the opposite of *anything, something...*[;] a thing does not exist.
- 67 **require means:** To direct, order, demand, instruct, command, claim, compel, request, need, exact[;] in the nature of *Beakey v. Knutson*, 90 Or. 574, et seq.[;] *Black's Law Dictionary*, 4th Ed., p.1468.
- 68 **or means:** A disjunctive particle used to express an alternative or to give a choice of one among two or more things... to clarify what has already been said[;] in the nature of *Peck v. Board of Directs...*, 137 La. 334, [et seq.]. Or is frequently misused; and courts will construe it to mean "and" where it was so used[;] in the nature of *State v. Circuit Court of dodge County*, 176 Wis. 198, [et seq.]; *Black's Law Dictionary*, 4th Ed., p.1246.
- 69 **authorize means:** to empower; to give a right or authority to act[;] in the nature of *Board of Com'rs of Sedgwick County v. Toland*, 121 Kan. 109, et seq. It has mandatory effect of meaning, implying a direction to act[;] in the nature of *Quality Building & Securities Co. v. Bledsoe*, 125 Cal.App. 493, et seq.; *Black's Law Dictionary*, 4th Ed., p.169.
- 70 **legislation means:** The Act of giving or enacting law; the power to make laws; the act of legislating; preparation and enactment of law; the making of laws by express decree[;] in the nature of *State ex rel Yancey v. Hyde*, 121 Ind 20, et seq.; *Black's Law Dictionary*, 4th Ed., p.1045.
- 71 **other means:** Different or distinct from that already mentioned; additional or further[;] in the nature of *Cit of Ft. Smith v. Gunter*, 106 Ark. 371, et seq. . Following an enumeration of particular classes "other" must be read as "other such like," and includes only others of like kind and character[;] in the nature of *Van Pelt v. Hilliard*, 75 Fla. 792, et seq.; *Black's Law Dictionary*, 4th Ed., p.1253.
- 72 **action means:** Conduct; behavior; something done; the condition of acting; an act or series of acts; *Black's Law Dictionary*, 4th Ed., p.49.
- 73 **prohibit means:** To forbid by law; to prevent; – not synonymous with "regulate[;]" in the nature of *Simpkins v. Sate*, 25 Okl.Cr. 143, et seq.; *Black's Law Dictionary*, 4th Ed., p.1377.
- 74 **United States means:** the usage reference for the government for the people of the United States of America
- 75 **interpret means:** to construe; to seek out the meaning of language; to translate orally from one tongue to another[;] *Black's Law Dictionary*, 4th Ed., p.953.
- 76 **as interpreted by the United States means:** as interpreted by the SCOTUS
- 77 **The ICCPR Treaty has been and remains enforceable as depicted in the § IV proviso as "Self-Operating", with No mention of "Not 'Self-Executing'."** The ICCPR ratification § III(1) declared treaty portions "not self-executing," while the prevailing § IV proviso depicted the whole treaty as self-operating: to wit: **A) self-operating** (requiring no special legislation) while **B) not self-executing** (Not "with accompanying implementing regulations where from a right of action is specified to individuals alleging breach of its provisions"): and, concordantly so, because the **'implementing**



legislation' of the ICCPR Treaty provisions is the Const.-1787 and the BORights-1789-91.

- 78 **SELF-OPERATING** means: A treaty is generally self-operating in that it requires no legislation by either Congress or the state. *Amaya v. Stanolind Oil & Gas Co.*, C.C.A.5 (Tex.) 1946, 158 F.2d 554, certiorari denied 67 S.Ct. 1191, 331 U.S. 808, 91 L.Ed. 1828, rehearing denied 67 S.Ct. 1530, 331 U.S. 867, 91 L.Ed. 1871.
- 79 **SELF-EXECUTING** means: "Self-executing treaty" is one that becomes domestic law of signatory nation without implementing legislation, and provides private right of action to individuals alleging breach of its provisions. *U.S. v. Noriega*, S.D.Fla.1992, 808 F.Supp. 791.
- 80 "Statutory construction must begin with the language employed by Congress and the assumption that the ordinary meaning of that language accurately expresses the legislative purpose." *Park 'N Fly, Inc. v. Dollar Park & Fly, Inc.*, 469 U.S. 189, 194, 105 S.Ct. 658, 83 L.Ed.2d 582 (1985). That assumption, however, does not apply where Congress [or the Courts] provides a statutory definition. *See United States v. Mohrbacher*, 182 F.3d 1041, 1048 (9th Cir.1999) (holding that in the absence of a statutory definition, a term should be accorded its ordinary meaning); in that nature of: *U.S. v. Havelock*, 664 F.3d 1284 (2012).

Supremacy of [the] Constitution [for the United States of America] over treaties also applies to executive augmentations. *Holmes v. Laird*, C.A.D.C.1972, 459 F.2d 1211, 148 U.S.App.D.C. 187, certiorari denied 93 S.Ct. 197, 409 U.S. 869, 34 L.Ed.2d 120.

- 81 **State Party** means: the United States Government for the United States of America
- 82 **ICCPR Treaty, Article 2(2).** "Where not already provided for by existing legislative or other measures, each State Party to the present Covenant undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of the present Covenant, to adopt such laws or other measures as may be necessary to give effect to the rights recognized in the present Covenant."
- 83 **abridgment** means: abridge: to reduce or contract; usually spoken of written language.
- 84 **legal abridgment** means: effect of the legal creation of personages under terms such as "homeowner" or "driver" possessing civil rights and privileges conferred by and subject to law system creating it, and to whom obedience and allegiance is pledged/ presumed. This: 1) is a choice of man in his political self-determination, even if unwitting, and this choice 2) reduces man's full fundamental-inalienable rights and freedoms.
- 85 **ICCPR Treaty, Article 1(1).** "All people have the right of self determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development."
- 86 **ICCPR Treaty, Article 14(1).** "All persons shall be equal before the courts and tribunals. In determination of ...his rights and obligations in a suit at law, everyone shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law."
- 87 **ICCPR Treaty, Article 1(2).** "All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations ... based upon the principle of mutual benefits.... In no case may a people be deprived of its own means of subsistence."
- 88 **ICCPR Treaty, Article 47.** "Nothing in the present covenant shall be interpreted as impairing the inherent right of all peoples to enjoy and utilize fully and freely their natural wealth and resources."
- 89 **color of law** means: appearance of truth, likelihood, validity, or right; justification; an initially apparent or prima-facie right; a sufficient warrant for action; as, color of title. See: Gila County Recorder - site: <http://recorder.gilacountyaz.gov/recorder/web/> Document Number: 2017-002378, pg 193. subscript 12.
- 90 Though the court may think an Act of Congress embodies a commendable social plan and are in sympathy with its purpose and intended result, if its provisions go beyond the limits of federal power and extend into the field of power reserved to the states [or the people], the court must so declare. *Davis v. Boston & M. R. Co.*, C.C.A.1 (Mass.) 1937, 89 F.2d 368.
- 91 **obligation** means: The binding power of a vow, promise, oath, or contract, or of law, civil, political, or moral, independent of a promise; that which constitutes legal or moral duty, and which renders a person liable to coercion and punishment for neglecting it. Webster.
At tie which binds us to pay or do something agreeably to the laws and customs of the country in which the obligation is made. Inst. 3, 14
- 92 **breach** means: The breaking or violating of a law, right, or duty, either by commission or omission. Black's Law Dictionary, 4th Ed., p. 235.
- 93 **dishonor** means: discredit. A Notice given by the secured party to the debtor party, that the debtor party has been discredited as not honorable by nonacceptance on presentment for acceptance, or by nonpayment, etc., of an obligation due.
- 94 **estoppel** means: to stop, bar or hinder a man's act, especially in a legal sense, based upon his own prior acts or declarations
- 95 **estoppel by silence** means: A condition that arises where a person is under duty to another to speak or failure to speak is inconsistent with honest dealings;[:] in the nature of *In re McArdle's Estate*, 250 N.Y.S. 276, 287, et seq.; Black's Law



Dictionary, 4th Ed., p. 1554.

96 at common law meaning: 1 Stat. 73 Chap. XX. – An act to establish the Judiciary Courts of the United States; Sec. 16. And be it further enacted, That suits in equity shall not be sustained in either of the courts of the United States, in any case where plain, adequate and complete remedy may be had at law.

(b) ... If a case is cognizable at common law, the defendant has a right of trial by jury, and a suit upon it cannot be sustained in equity. Baker v Biddle, 1 Baldwin's C. C. R. 405. There cannot be concurrent jurisdiction at law and equity, where the right and remedy are the same; but equity may proceed in aid of the remedy at law, by incidental and auxiliary relief; if the remedy at law is complete... . The 16th section of the judiciary law is a declaratory act settling the law as to cases of equity jurisdiction, in the nature of a proviso, limitation or exception to its exercise. If the plaintiff have a plain, adequate and complete remedy at law, the case is not a suit in equity, under the constitution, or the judiciary act. ... Though the rules and principles established in English Chancery at the revolution, are adopted in the federal courts, the changes introduced there since, are not followed here; especially in matters of jurisdiction, as to which the 16th section of the act of 1789 is imperative.

97 The BORights-1789-91: Article IX -Amendment VII

"In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law." BORights-1789-91: Amendment VII.

The right of trial by jury shall remain inviolate. ... [T]he number of jurors, not less than six, and the number required to render a verdict, shall be specified by law. Arizona State Constitution, Article 2 § 23.

Phrase "suits at common law" in Seventh Amendment refers to suits in which legal rights are to be ascertained and determined, in contradistinction to those where equitable rights alone are recognized and equitable remedies are administered. Granfinanciera, S.A. v. Nordberg, U.S.Fla. 1989, 109 S.Ct. 2782, 492 U.S. 33, 106 L.Ed.2d 26.

This [seventh] amendment was designed to preserve the basic institution of [trial by jury] in only its most fundamental elements, and did not bind federal courts to exact procedural incidents or details of jury trial according to common law. Galloway v. U.S., U.S.Cal.1943, 63 S.Ct. 1077, 319 U.S. 372, 87 L.Ed. 1458, rehearing denied 63 S.Ct. 1443, 320 U.S. 214, 87 L.Ed. 851.

While historically Seventh Amendment was intended to preserve right to jury trial as it existed in 1791, guarantees afforded have been interpreted to encompass not merely suits which common law recognized among its old and settled proceedings, but suits in which legal rights are to be ascertained and determined, in contradistinction to those where equitable rights alone are recognized and equitable remedies are administered. Ginberg v. Tauber, D.C.1996, 678 A.2d 543, certiorari denied 117 S.Ct. 738, 519 U.S. 1077, 136 L.Ed.2d 677.

This [seventh] amendment preserves to litigants right to jury trial in suits at common law, including not merely suits which common law recognized but suits in which legal rights were to be ascertained and determined, in contradistinction to those where equitable rights alone were recognized and equitable remedies were administered. Farmers-Peoples Bank v. U.S., C.A.6 (Tenn.) 1973, 477 F.2d 752. See, also, Hyde Properties v. McCoy, C.A.Tenn.974, 507 F.2d 301.

Seventh Amendment right to jury trial applies not only to common-law causes of action, but also to statutory causes of action analogous to common-law causes of action ordinarily decided in English law courts in the late 18th century, as opposed to those customarily heard by courts of equity or admiralty. City of Monterey v. Del Monte Dunes at Monterey, Ltd., U.S.Cal.999, 119 S.Ct. 1624, 526 U.S. 687, 143 L.Ed.2d 882.

98 See: The Judiciary Act; September 24, 1789. Sec. 7. And be it [further] enacted, That the Supreme Court, and the district courts shall have power to appoint clerks for their respective courts, and that the clerk for each district court..., and each of the said clerks shall, before he enters upon the execution of his office, take the following oath or affirmation, to wit: "I, A. B., being appointed clerk of, do solemnly swear, or affirm, that I will truly and faithfully enter and record all the orders, decrees, judgments and proceedings of the said court, and that I will faithfully and impartially discharge and perform all the duties of my said office, according to the best of my abilities and understanding. So help me God!... And the said clerks shall also severally give bond, with sufficient sureties, 1 Stat. 73. *An Act to Establish the Judicial Courts of the United States*[:] and, consistently,

Whoever, being a clerk of a district court of the United States, willfully refuses or neglects to make or forward any report, certificate, statement, or document as required by law, shall be fined under this title or imprisoned not more than one year, or both. 18 U.S.C. § 2076 – Clerk of United States District Court. 62 Stat. 796; 110 Stat. 3498.

99 did not file meaning: the Clerk of Court, et al., Whoever, being a clerk of a district court of the United States, willfully



refuses or neglects to make or forward any report, certificate, statement, or document as required by law, shall be fined under this title or imprisoned not more than one year, or both. 18 U.S.C. § 2076 – Clerk of United States District Court. 62 Stat. 796; 110 Stat. 3498.

- 100 **commercial** means: relating to or connected with trade and traffic or commerce in general[;] in the nature of "Zante Currents", C.C.Cal., 73 F. 189. Occupied with commerce[;] in the nature of Bowles v. Co-Operative G. I. f. Farm Products, D.C.N.Y. 53 F.Supp. 413, 415[;] Black's Law Dictionary, 4th Ed., p337.
- 101 **complaint** means: In civil practice. ... [T]he complaint is the first or initiatory pleading on the part of the plaintiff in a civil action. It corresponds to the declaration in the common law practice. Code N.Y. § 141; et seq.; Black's Law Dictionary, 4th Ed., p356.
- 102 **commercial complaint** means: USDC- AZ: CV-17-00026-PHX-BSB
- 10328 **U.S. Code § 955. Practice of law restricted.** The clerk of each court and his deputies and assistants shall not practice law in any court of the United States. Subject to 18 U.S.C. § 205 – Activities of officers and employees in claims against and other matters affecting the Government. See also: 18 U.S.C. §§ 242, 241
- 104 **intent** means: Design, resolve, or determination with which [a man] acts; in the nature of Witters v. United States, 106 F.2d 837, et seq.; Black's Law Dictionary, 4th Ed., p. 947.
- 105 **The BORights-1789-91: Article Eleven -Ninth Amendment**
"The enumeration in the constitution, of certain rights, shall not be construed to deny or disparage others retained by the people." Const.-1787 & BORights-1789-91: Article the eleventh [Amendment IX]

The enumeration in this [Arizona state] Constitution of certain rights shall not be construed to deny others retained by the people. Article 2, § 33.

Rather than enunciating particular affirmative right, Ninth Amendment serves to protect other fundamental rights that are not set forth in Constitution. U.S. v. Vital Health Products, Ltd., E.D.Wis.1992, 786 F.Supp. 761, affirmed 985 F.2d 563.

The Ninth Amendment is not a substantive source of constitutional guarantees, but was drafted to cope with the problem created by the enumeration of specific rights in the bill of rights, to avoid lowering, degrading or rejecting any rights not specifically mentioned in the Bill of Rights. Schertz v. Waupaca County, E.D.Wis.1988, 683 F.Supp. 1551, affirmed 875 F.2d 578.

The BORights-1789-91: Article Twelve -Tenth Amendment

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people. Const.-1787 & BORights-1789-91: Article the Twelfth [Amendment X].

In determining whether challenged power has been constitutionally exercised, conditions to which power is addressed must be considered, but extraordinary conditions do not create or enlarge constitutional power and cannot justify action which lies outside sphere of constitutional authority. A.L.A. Schechter Poultry Corporation v. U.S., U.S.N.Y.1935, 55 S.Ct. 837, 295 U.S. 495, 79 L.Ed. 1570, 2 O.G. 493.

- 106 **compensation due agreement** means: agreed compensation payable to claimant upon trespass on the case means: one ounce silver dollar cumulative per minute from the beginning to the ending of the trespass on the case. See 'Initial Filing' "Notice to Officers of the Court", at Gila County Recorder – site: <http://recorder.gilacountyaz.gov/recorder/web/> Document Number: 2017-002378, pp. 192-194 .
- 107 **activated meaning: trespass on the case**
- 108 **trespass** means: direct injury to persons or property whether willful or accidental
- 109 **trespass on the case** means: At common law, an action to recover damages that are not the immediate result of a wrongful act but rather a later consequence; Black's Law 7th Ed, p. 1508-9 .
- 110 **Gross- trespass on the case** means: 1) [W]hile statutes enjoy the presumption of constitutionality, "delegations of legislative power are valid only if they establish specific policies and fix definite standards to guide the official, agency, or board in the exercise of the power. Delegations of legislative power which lack such policies and standards are unconstitutional and void." (citing Ames v. Town of Painter, 389 S.E.2d 702, 705) Bell v. Dorey Elec. Co. 448 S.E.2d 622[;] moreover,

2) Though the court may think an Act of Congress embodies a commendable social plan and are in sympathy with its purpose and intended result, if its provisions go beyond the limits of federal power and extend into the field of power reserved to the states [or the people], the court must so declare. Davis v. Boston & M. R. Co., C.C.A.1 (Mass.) 1937, 89 F.2d 368.

- 111 **felony** means: a serious crime, "...of a graver or more atrocious nature that those designated as misdemeanors[;] in the



- nature of Ex parte Ramirez, 49 Cal.App.2d 709, et seq; Black's Law Dictionary, 4th Ed., p. 744.
- 112 **Violation** means: **violate**: to use force or violence to break a law, rule, promise, etc.; ... to treat roughly or abusively, to mistreat. Webster's 20th Century Unabridged, 2nd Ed., p. 2040.
- 113 **assent** means: Compliance; approval of something done; a declaration of willingness to do something in compliance with a request[;] in the nature of Norton v. Davis, 83 Tex. 32; et seq.; Black's Law Dictionary, 4th Ed., p. 149.
- 114 **jurisdiction** means: the legal right by which [judicial officers] exercise their authority[;] in the nature of Max Ams, Inc. v. Barker, 293 Ky. 798, et seq.; Black's Law Dictionary, 4th Ed., p. 991.
- 115 **28 U.S.C. § 2071** – Judiciary and Judicial Procedure, Part V – Procedure, Chapter 131 – Rules of Courts – **Rule-making power generally**, (a) the Supreme Court and all courts established by Act of Congress may from time to time prescribe rules for the conduct of their business. Such rules shall be consistent with Acts of Congress and rules of practice and procedure prescribed under section 2072 of this title[;] and, **28 U.S.C. § 2072** – Judiciary and Judicial Procedure, Part V – Procedure, Chapter 131 – Rules of Courts, – **Rules of procedure and evidence; power to prescribe**, (a) the Supreme Court shall have the power to prescribe general rules of practice and procedure and rules of evidence for cases in the United States district courts (including proceedings before magistrate judges thereof and courts of appeals. (b) Such rules shall not abridge, enlarge or modify any substantive right.
- 116 See: The Judiciary Act; September 24, 1789. Sec. 7. [;] and, consistently, 18 U.S.C. § 2076 – Clerk of United States District Court. 62 Stat. 796; 110 Stat. 3498. Ibid
- 117 **ignore** means: To disregard willfully; to refuse to recognize; to decline to take notice of [;] in the nature of Cleburne County v. Morton, 69 Ark. 48' Black's Law Dictionary, 4th Ed., p. 882.
- 118 **18 U.S.C. § 4 Misprision of felony**. Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined under this title or imprisoned not more than three years, or both.
- 119 When a court violates the clean and unambiguous language of the Constitution, a fraud is perpetrated and no one is bound to obey it. State v. Sutton, 63 Minn. 147

"In Bradley v. Fisher, 80 U.S. (13 Wall) 335, 351-352, the supreme Court established the guidelines for determining the scope of judicial immunity: "Where there is clearly no jurisdiction over the subject-matter, any authority exercised is a usurped authority, and for the exercise of such authority, when the want of jurisdiction is known to the judge, no excuse is permissible." Bauers v. Heisel, 361 F.2d 581

A void judgment is one that has been procured by extrinsic or collateral fraud, or entered by a court that did not have jurisdiction over the subject matter or the parties. Rook v Rook 353 S.E.2d 756

In general, fundamental rights protected by the [Constitutional] Bill of Rights, such as due process apply only to individual persons, not to the federal government. Lyons v. United States, 99 Fed.Cl. 552.

"Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them." Miranda v. Arizona, 284 U.S. 436, 491.

- 120 **loss** means: the damage, trouble, disadvantage, deprivation, etc. caused by losing something
- 121 **damage** means: the hurt or harm as a result of the loss of any property, or use thereof
- 122 **grief** means: the intense emotional pain caused by loss, misfortune, injury, or evils of any kind
- 123 **tyranny** means: cruel or unjust use of power
- 124 **Kangaroo court** means: a sham legal proceeding in which a person's rights a totally disregarded and in which the result is a foregone conclusion because of the bias of the court or other tribunal. Black's Law Dictionary, 6th Ed., p. 868.
- 125 However, in my observation, given the scope and scale of the actions evidenced in my case, and given the conspicuous absence of common law actions in the Phoenix, Arizona area of several million people, the likelihood is that i am in fact testifying and reporting herein about a much larger and serious problem: even, perhaps larger systemic and systematic State Party Agents who by deceit under the color of law are at wrong-doings against the United States of America people by systematic deprivation of constitutionally guaranteed inalienable fundamental rights and freedoms.
- 126 **9th Circuit Judicial Council Executive Committee** means: Sidney, acting as Chief Judge, Chairman; Richard, acting as Circuit Judge; and Susan, acting as Senior District Judge: c/o Office of Executive Committee, P.O. Box 193939, San Francisco, California 94119-3939
- 127 **USPS RMN: RE 322 399 234 US; Sent April 27, 2017; Rec'd May 1, 2017, 1:53pm**
- 128 **stolen** means: condition after to steal, means: to rob and take away, deprive one of
- 129 **Dereliction** means: voluntarily abandonment; derelict means: to abandon, forsake, desert, cast away

