

Honorable John C. Coughenour

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

UNITED STATES,

Plaintiff,

vs.

JOHN PITNER, et al.,

Defendants.

No. CR96-500C

DEFENDANTS' JOINT MOTION
TO DISMISS BASED ON SECOND
AND NINTH AMENDMENTS,
AND SUPPORTING
MEMORANDUM

Noted: December 27, 1996

Defendants John Pitner, Marlin Mack, Gary Kuehnoel, Frederick Fisher, John Kirk, Richard Burton, Tracy Brown, Judy Kirk and Theodore Carter, through their attorneys of record, move to dismiss counts 1-18 of the indictment against them because this prosecution violates the Second and Ninth Amendments to the United States Constitution. This motion is supported by the following memorandum of law.

Undersigned counsel has conferred with counsel for the above defendants and is authorized to bring this motion on their behalf.

DATED this _____ day of _____, 199_.

Respectfully submitted:

David Zuckerman, WSBA #18221
Attorney for Defendant Gary Kuehnoel
On behalf of all defendants named above

Page 11 of 22 pages

DEFTS' JOINT MOT TO DISMISS BASED ON
2ND AND 9TH AMEND'TS. AND MEM -- Page 1

Page 11 of 22 pages

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MEMORANDUM

I. INTRODUCTION

The nine defendants bringing this motion are charged in count 1 of the second superseding indictment ("SSI") with conspiracy to commit, among other things, the following crimes:

(a) to make, possess, receive and transfer firearms in violation of Title 26, United States Code, Section 5861;

(b) to possess and transfer machineguns in violation of Title 18, United States Code, Section 922(o);

In addition, John Pitner is charged in count 2, and Gary Kuehnoel in counts 2 and 13-15, with possession and transfer of machineguns in violation of 18 U.S.C. § 922(o). The following defendants are charged with possession of unregistered pipe bombs in violation of 26 U.S.C. § 5861(d): Marlin Mack counts 3-5 and 9-12; John Kirk and Richard Burton in counts 6 and 7; and John Kirk and Judy Kirk in count 8. Finally, Gary Kuehnoel is charged in counts 16-18 with possession of unregistered short-barreled rifles in violation of 26 U.S.C. § 5861(d).

Defendants Pitner, Mack, Kuehnoel, Fisher, and Carter are specifically identified in the indictment as members of the Washington State Militia. SSI at ¶1. The other four defendants bringing this motion are alleged to have shared the aims of the Washington State Militia and to have acted in concert with the militia members. All nine defendants are accused of a conspiracy in which they "prepared for armed confrontation with unnamed persons," SSI at ¶5, and "possess[ed] firearms, including, but not limited to machineguns and short-barreled firearms . . . pipe bombs, fragmentation grenades, incendiary grenades, modified mortar balls, sparkler bombs and claymore mines." SSI at ¶6-7.

Counts 1-18 of the indictment must be dismissed because they violate the Second and Ninth Amendments to the United States Constitution. As noted below, some of the

arguments presented in this brief have apparently been rejected by the Ninth Circuit. Defendants are asking that those rulings be limited to their special facts, or in the alternative that the rulings be overturned.

For purposes of this motion only, the Court may take the allegations in the indictment as true.

II. ARGUMENT

A. THE SECOND AMENDMENT REQUIRES DISMISSAL OF COUNTS 1-18

1. Introduction

The Second Amendment to the United States Constitution states: "A well-regulated militia, being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed."

Judicial interpretation of and legal commentary on the Second Amendment are limited. The last Supreme Court case to deal directly with firearms regulation and the Second Amendment was United States v. Miller, 307 U.S. 174, 59 S.Ct. 816, 83 L.Ed. 1206 (1939). The last Ninth Circuit case was United States v. Tomlin, 454 F.2d 176 (1972), which dismissed a claim that 26 U.S.C. §§ 5841(a) and 5861(d) violated the Second Amendment in one sentence, holding that the argument was "undermined by controlling precedent," including Miller. Since its passage in 1986, 18 U.S.C. § 922(o) has apparently been challenged on Second Amendment grounds only one time, in United States v. Hale, 978 F.2d 1016 (8th Cir. 1992). As for legal commentary, "no one recognized by the legal academy as a 'major' writer on constitutional law has deigned to turn his or her talents to a full consideration of the Amendment." Levinson, The Embarrassing Second Amendment, 99 Yale L.J. 637, 639 n. 13 (1989).

As discussed below, the Second Amendment at the very least guarantees the collective right of citizens to bear arms that are reasonably related to the preservation of a well-regulated militia. Most of the cases rejecting Second Amendment challenges are

therefore distinguishable from this case, because they did not involve organized militia activity. In the alternative, defendants contend that the Second Amendment confers an individual right to possess the weapons charged here. Finally, defendants contend that the Ninth Amendment guarantees them the right to possess and use the weapons charged here for self defense.

2. Counts 1-18 Violate the Second Amendment Because the Charged Conduct was Reasonably Related to the Preservation of a Well-Regulated Militia

In United States v. Miller, 307 U.S. at 175, the defendant was charged with transporting in interstate commerce an unregistered sawed-off shotgun. The Court stressed that the Second Amendment must be interpreted in view of the purpose of militias at the time the constitution was adopted. Id. at 179. Miller made no showing that his sawed-off shotgun was possessed or transported for use with any sort of militia, rather than for illegal street crime, so he could not claim Second Amendment protection.

In the absence of any evidence tending to show that possession or use of a "shotgun having a barrel of less than eighteen inches in length" at this time has some reasonable relationship to the preservation or efficiency of a well regulated militia, we cannot say that the Second Amendment guarantees the right to keep and bear such an instrument. Certainly it is not within judicial notice that this weapon is any part of the ordinary military equipment or that its use could contribute to the common defense.

Id. at 178. "Miller might have had a tenable argument had he been able to show that he was keeping or bearing a weapon that clearly had a potential military use." Levinson, 99 Yale L.J. at 654. The Supreme Court has not addressed a Second Amendment issue since the Miller decision.

The only Ninth Circuit case to address a Second Amendment challenge to any statute involved in this case is United States v. Tomlin, 454 F.2d 176 (1972). There, the court rejected defendant's Second and Tenth Amendment challenges to "offenses proscribed by the National Firearms Act, 26 U.S.C. §§ 5841(a) and 5861(d)" in a four-sentence per curiam opinion. The court's entire legal analysis is as follows: "The two arguments made by

Tomlin are undermined by controlling precedent.” Id. The Court cited three cases for this proposition, including Miller. It is impossible to tell from the Tomlin decision precisely why the Second Amendment argument was rejected. Presumably, as in Miller, defendant made no showing that the weapons involved had any relationship to a militia. The opinion says nothing about what weapons were involved or what purpose defendant put them to.

The only federal circuit case to deal with the Second Amendment and § 922(o) held that “the existence of any reasonable relationship to the preservation of a well-regulated militia was best determined from the facts of each individual case.” Hale, 978 F.2d at 1020 (internal quotations omitted). To make this determination, the Hale court relied on Cases v. United States, 131 F.2d 916 (1st Cir. 1942), cert. denied, 319 U.S. 770, 63 S.Ct. 1431, 87 L.Ed. 1718 (1943), which the court noted “remains one of the most illuminating circuit opinions on the subject of ‘military’ weapons and the Second Amendment.” Hale at 1019. The Cases court “carefully examin[ed] the principles and implications of the then recent Miller decision.” Hale at 1020. The Cases court held:

Considering the many variable factors bearing upon the question it seems to us impossible to formulate any general test by which to determine the limits imposed by the Second Amendment but that each case under it, like cases under the due process clause, must be decided on its own facts and the line between what is and what is not a valid federal restriction pricked out by decided cases falling on one side or the other of the line.

Cases, 131 F.2d at 922. Defendants know of no federal circuit cases that have held otherwise.¹

On the facts of this case, defendants’ alleged weapons conduct is protected by the Second Amendment because it is reasonably related to the preservation of a well-regulated militia. First, machine guns are “distinctly military arms”. Hale, 978 F.2d at 1020 n.4; Cases, 131 F.2d at 922. Similarly, it is obvious that bombs, grenades, mortar balls and

¹ To the extent that Tomlin can be read as inconsistent with the fact-based approach of Miller and Cases, it must be overruled.

mines are typically associated with military use. Short-barreled weapons are not necessarily associated with military use. See Miller. A criminal might saw off a shotgun, for example, to conceal it during commission of a crime. In this case, however, defendant Kuehnoel is specifically charged with possessing military-issue, folding stock "survival rifles."² Such weapons are designed for use by soldiers who need to carry an accurate weapon in a small, lightweight pack. Thus all the weapons involved in this case are "distinctly military arms." In the alternative, if the Court has any doubt that this standard has been satisfied, defendants request an evidentiary hearing and appointment of a military expert in order to make a stronger showing.

Second, the conduct charged in counts 1-18 of the SSI "has some reasonable relationship to the preservation or efficiency of a well regulated militia." See Miller at 178. Defendants are included in the class of people defined by federal and state law as the "unorganized militia." On the federal level, the militia consists of "all able-bodied males at least 17 years of age and, except as provided in section 313 of title 32, under 45 years of age" who are U.S. citizens. 10 U.S.C. § 311. The militia consists of the organized militia -- National Guard and Naval Militia -- and the unorganized militia, everyone not a member of the organized militia. 10 U.S.C. § 311. Similarly, Washington statutes provide that:

The militia of the state of Washington shall consist of all able bodied citizens of the United States . . . residing within this state, who shall be more than eighteen years of age, and shall include all persons who are members of the national guard and the state guard, and said militia shall be divided into two classes, the organized militia and the unorganized militia.

RCW § 38.04.030 (1991). Washington's statute is not unusual. See Moncure, 34 Howard L.J. at 594-95 (citing various states' codes).

² Count 16 involves a "Harrington and Richardson, model M4, .22 caliber survival rifle." The search warrant return, filed on August 2, 1996, refers to this gun as "Prop U.S. Army." Count 17 involves an "Ithaca, model M6, survival weapon." The search warrant return refers to this gun as "Property US Army." Count 18 involves a Colt AR-15 semi-automatic rifle, model SP1 . . . with upper receiver having a barrel of less than 16 inches in length." The Colt is well-known as a military weapon.

In Miller, the Supreme Court explained that "well-regulated militia" meant to the Framers an "unorganized" civilian militia. "The sentiment of the time strongly disfavored standing armies; the common view was that adequate defense of country and laws could be secured through the Militia -- civilians primarily, soldiers on occasion." Miller, 307 U.S. at 179.

The signification attributed to the term Militia appears from the debates in the Convention, the history and legislation of Colonies and States, and the writings of approved commentators. *These show plainly enough that the Militia comprised all males physically capable of acting in concert for the common defense.* "A body of citizens enrolled for military discipline." And further, that ordinarily when called for service these men were expected to appear bearing arms supplied by themselves and of the kind in common use at the time.

Id. See also Levinson, 99 Yale L.J. at 646-47 ("There is strong evidence that 'militia' refers to all of the people, or at least all of those treated as full citizens of the community.").

Here, defendants are not merely eligible for service in the militia, they are specifically charged with organized militia activity. According to the indictment, the WSM conducted numerous organized meetings between January 1, 1995 and July 27, 1996. At these meetings, the WSM, among other things, allegedly made and possessed firearms, "prepared for armed confrontation with unnamed persons," SSI at 3, and trained WSM members in sniper detection, SSI at 5. The discovery includes allegations that the WSM prepared a military-style obstacle course for training, and practiced target shooting, survival skills, communications, and other military disciplines. The members are alleged to have organized themselves in a military style of leadership. Thus, the conduct charged clearly has "some reasonable relationship to the preservation or efficiency of a well regulated militia." Again, if the Court finds the pleadings insufficient to meet this standard, defendants request an evidentiary hearing to make a stronger showing.

Thus, counts 1-18 of the SSI must be dismissed because they violate the core protections of the Second Amendment.

3. In the Alternative, the Indictment Violates Defendants' Individual Rights to Bear Arms

In the alternative, if the Court concludes that defendants cannot make a sufficient showing that their conduct was reasonably related to the preservation or efficiency of a militia, defendants contend that counts 1-18 of the SSI violate their individual right to bear arms under the Second Amendment. That the Second Amendment confers such a right is clear from the following language: "... the right of *the people* to bear arms shall not be infringed." (emphasis added). Despite this language, the Ninth Circuit has recently held that "it is clear that the Second Amendment guarantees a collective rather than an individual right." Hickman v. Block, 81 F.3d 98, 100 (9th Cir. 1996) (internal quotation omitted). Nonetheless, defendants include this section of the brief to preserve their argument that the Ninth Circuit should reverse its position or, failing that, that the United States Supreme Court should reverse the Ninth Circuit.

Nowhere in the Hickman opinion does the court reference United States v. Verdugo-Urquidez, 494 U.S. 259, 265 (1990), in which a majority of the Supreme Court stated for the first time that the phrase "the people" in the Second Amendment should be read the same way as identical references to "the people" contained in the First, Fourth and other Amendments. Obviously, the First and Fourth amendments confer individual rights.

4. Even if the Court Upholds the Other Counts Under the Second Amendment, it Should Dismiss the Counts Based on 18 U.S.C. § 922(o).

The government may argue that the counts based on 26 U.S.C. § 5861 do not violate the Second Amendment because they involve only reasonable regulations of firearms. Even if the Court were to accept that argument, it cannot apply such reasoning to counts 2 and 13-15, which are based on 18 U.S.C. § 922(o). That statute imposes an outright ban on, not a mere regulation of, the possession and transfer of machineguns, and therefore violates the Second Amendment on its face. The history of § 922(o)'s passage is discussed in defendants' memorandum supporting their motion to dismiss the machinegun counts on

grounds other than the Second and Ninth Amendments.

In United States v. Lopez, -- U.S. --, 115 S.Ct. 1624, 131 L.Ed.2d 626 (1995), the Supreme Court struck down 18 U.S.C. § 922(q), which banned firearm possession in a school zone. The Fifth Circuit in Lopez had noted various parallels between §§ 922(q) and (o): both were passed hastily; neither had any legislative history suggesting a basis for federal jurisdiction; and both, unlike earlier firearms acts, "denounce[d] mere possession with no express tie either to interstate commerce or other federalizing element." Lopez, 2 F.3d 1342, 1356 (5th Cir. 1993). The unanimous Fifth Circuit panel went out of its way to note the possible application of the Second Amendment:

It is also conceivable that some applications of section 922(q) might raise Second Amendment concerns. Lopez does not raise the Second Amendment, and thus, we do not now consider it. Nevertheless, this orphan of the Bill of Rights may be something of a brooding omnipresence here.

Id. at 1364 n.46 (emphasis added).

The Ninth Circuit has yet to address the issue of whether § 922(o), on its face, violates the Second Amendment. In fact, no federal court has addressed this precise issue. The only federal case discussing the Second Amendment and § 922(o) is United States v. Hale, 978 F.2d 1016 (8th Cir. 1992). There, because the pro se petitioner did not raise a facial challenge, the court addressed only whether possession of a machinegun in that case was reasonably related to a well-regulated militia.

Thus, the Court should find that § 922(o) on its face violates the Second Amendment.

B. COUNTS 1-18 VIOLATE THE NINTH AMENDMENT, WHICH GUARANTEES A RIGHT TO SELF DEFENSE

The rights of Americans are not limited to those specified in the Constitution and Bill of Rights. "In the debates over ratification of the Bill of Rights, delegates commonly objected that it was impossible to list the rights of free men." Johnson, Beyond The Second

Amendment: An Individual Right To Arms Viewed Through The Ninth Amendment, 24 Rutgers L.J. 1, 7 (1992). The Ninth Amendment of the Constitution was therefore passed to specifically preserve these "unenumerated" rights:

The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

U.S. Const. Amend. 9.

Since its passage, the Ninth Amendment has been construed periodically to establish substantive individual rights. See Barnett, Foreward: The Ninth Amendment and Constitutional Legitimacy, 64 Chi.-Kent L. Rev. 37, 57-58 (1988) (citing Court's list of 13 unenumerated rights). It is one of provisions creating a "penumbra" that supports a constitutional right of privacy. See e.g., Griswold v. Connecticut, 381 U.S. 479, 85 S.Ct. 1678, 14 L.Ed.2d 510 (1965); see also id. at 485-86 (Goldberg, J., concurring) (suggesting exclusive reliance on Ninth Amendment for constitutional right of privacy). Several commentators have recently taken the position that one of these unenumerated rights is the right of self-defense, which implicitly also covers all reasonable tools of self-defense.

The notion of a "natural" right of self-defense stems from the absence of any right to rely on society for one's defense. As noted in Bowers v. DeVito, 686 F.2d 616, 618 (7th Cir. 1982), "there is no constitutional right to be protected by the state against being murdered by criminals or madmen." Accordingly, "[o]ur common law supports an individual right to arms for self-defense, unimpaired by governmental restrictions." Johnson, 24 Rutgers L.J. at 8:

The Federalist Papers directly support derivation of an individual right to bear arms for self-defense from the Ninth Amendment. Federalist No. 28 describes an "original right to self-defense which is paramount to all positive forms of government." Several commentators have urged that certain rights predate government, and the Ninth Amendment preserves them.

Id. at 35. See also Blackstone's Commentaries, 143-44 (1766) ("self-defense, therefore, as it is justly called the primary law of nature, so it is not, neither can it be in fact, taken away

by the law of society"); Johnson, 24 Rutgers L.J. at 66 & n.209 (citing other English common law).

In Quilici v. Village of Morton v Grove, 695 F.2d 261, 279-80 (7th Cir. 1982), cert. denied, 464 U.S. 863 (1983), dissenting judge Coffey would have invalidated the local gun ordinance involved there on Ninth Amendment grounds. "A fundamental part of our concept of ordered liberty is the right to protect one's home and family against dangerous intrusions subject to criminal law." *Id.* at 280 (dissent). Judge Coffey noted that the Ninth Amendment has been utilized by litigants to argue for various personal rights, such as a right to privacy and abortion, to engage in sodomy, to wear long hair, to view obscene materials, and many other rights.

The right of self-defense and personal security has as much or more of a basis in natural law as these other rights. The Ninth Amendment therefore serves as a viable basis for protection of the right to possess arms necessary to effect that right. See also Van Alstyne, 43 Duke L. J. at 1248, n.43 ("An impressive number of authors . . . have sought to locate the right to keep and bear arms in the Ninth Amendment").

The right to weapons necessary for adequate self-defense cannot be limited to exclude the type of firearms and destructive devices involved here.

[W]e have started to identify and regulate "bad" guns. The approach seems strained. Ultimately, we are concerned about guns because they can be used to kill people. This capability is inherent in every gun, and it exposes the absurd notion that we are going to ban only the "bad" ones.

Johnson, 24 Rutgers L.J. at 78. Further, the reasonableness of actions taken in self-defense will necessarily depend on the extent of the violent threat. In this case, the government asserts that the defendants were preparing to repel an invasion of United Nations troops, which might be unlawfully supported by the federal government. Clearly, citizens would require substantial weapons to defend themselves against such a threat.

Thus, counts 1-18 of the indictment violate the Ninth Amendment and must be dismissed.

DATED this _____ day of _____, 199__.

Respectfully submitted:

David Zuckerman, WSBA #18221
Attorney for Defendant Gary Kuehnoel
On behalf of all defendants named in motion

CERTIFICATE OF SERVICE

I hereby certify that I forwarded a true copy of this pleading to the government by messenger, and to all defense counsel by U.S. mail, this _____ day of _____, 1996.

Stacey Bridges
Legal Assistant to David Zuckerman

IN THE OFFICE(S) OF: *THE COUNTY RECORDER AND THE U.S. DISTRICT COURT AT SEATTLE*
STATE: *WASHINGTON* COUNTY: *KING*
County Recorders Number _____
United States District Court Case Number: *CR96-281M and CR96-500C*

A U. S. FIRST AMENDMENT AFFIDAVIT PETITION FOR REDRESS OF GRIEVANCES
(An Affidavit, Citation, and Brief of Information with attached Criminal Complaint(s) and Exhibits)
In the matter of:

Hartford Van Dyke
Distress Demandant/Affiant/Plaintiff

VS.

Judge John C. Coughenour, Susan B. Dohrmann,
Katrina C. Pflaumer, William H. Redkey, Jr., et al
Mark N. Bartlett, Gene Porter, et al (see parts 2, 3)
Distress Defendant(s)

A COMMERCIAL WARRANT TO SEIZE, ARREST, AND IMPOUND A BOND OR BAR ACCOUNT

A SECURITY (15 USC)

THIS IS A U.S.S.E.C. TRACER FLAG
NOT A POINT OF LAW

DISTRESS ON A JUDICIAL BOND, et al

(four page Point Brief)

AFFIDAVIT OF OBLIGATION

OF SPECIFIC PERFORMANCE

BONDED BY A CRIMINAL COMPLAINT

NOTICE IS HEREBY GIVEN TO AND DEMAND IS HEREBY MADE UPON ALL BONDING COMPANIES AND UNDERWRITING INSURANCE COMPANIES, THE U.S. COURT ADMINISTRATOR AND THE U.S. MARSHALS, THE STATE AND COUNTY DEPARTMENTS OF RISK MANAGEMENT, AND THE COUNTY COURT ADMINISTRATOR AND COUNTY SHERIFF TO ARREST, SEIZE, AND IMPOUND (SUSPEND THE USE OF) THE BOND OR BAR ACCOUNT OF THE CITED DISTRESS DEFENDANT.

This Distress is running concurrently with and bonded by a Criminal Complaint. (copy attached)

AFFIDAVIT

I, the natural person presenting testimony herein, the undersigned Affiant / Distress Demandant, depose and say as follows:

PLAIN STATEMENT OF FACT

- 1A. Parties: The Distress Demandant/Affiant is, i.e., this Distress process is being presented by:
Hartford Van Dyke, P.O. Box 3100, Battle Ground, Washington 98604
- 1B. Parties: The Distress Defendants are, i.e., this Distress process is being brought against:
*Judge John C. Coughenour, et al,
U.S. District Courthouse, 1010 Fifth Ave., Seattle, Washington—
Assistant U.S. Attorneys, Susan B. Dohrmann, et al, and U.S. Attorney Katrina C. Pflaumer
3600 Seafirst Fifth Ave. Plaza, 800 Fifth Ave., Seattle, Washington 98104*
2. Allegations by Affidavit: The attached Criminal Complaint(s) with Constitutional Ledgering, ledgered pursuant to 18 USC 4, 241, 242 values, is/are the Affidavit(s) in support of this Distress.

SPECIFIC PERFORMANCE

The Distress Defendant has violated the law (U.S. Constitution, etc.) by the following acts or omissions:

DEFENDANT(S) DID UNLAWFULLY

The above named Defendants herein (Plaintiffs in Case No. CR96-500C) are accused by this instrument of the offense of violation of the U.S. Constitution—the ORIGINAL and SUPREME Law of the Land. Said Defendants herein, on or about July 26, 1996, through December 27, 1996, (Zuckerman's Motion day explained later) and to the present, February 3, 1997, in King County, State of Washington through what is now known as the United States District Court (at Seattle, Washington) Criminal Case #CR96-500 C, having knowledge of the law and the power to prevent the Constitutional deprivation of Plaintiffs' herein (Defendants in Case No. CR96-500C) guaranteed Rights, with intent, without authority and under color of law did unlawfully: engage in a conspiracy to overthrow the United States Government, and specifically, to defraud and betray the Plaintiffs herein (Defendants in Case #CR96-500C), of their lawful Constitutional exercise of their 9th Amendment natural law invariant individual right of self-defense and self-preservation, and the corollary 2nd Amendment Constitutional right to "Keep and Bear Arms"—rights based on Natural Law, hence invariant and not subject to human opinion or prosecution. Said acts are in violation of Title 18 USC 241.

COMMITTED AS FOLLOWS

See "DEFENDANTS' JOINT MOTION TO DISMISS BASED ON SECOND AND NINTH AMENDMENTS, AND SUPPORTING MEMORANDUM" (Motion attached) by David Zuckerman. This is an excellent argument and defense based on the 2nd and 9th Amendment's to the U.S. Constitution, but it was rejected by Judge John C. Coughenour who is conducting the mass trial of William (Bill) Smith and eight other people accused of breaking the law by exercising their U.S. Constitutional 2nd and 9th Amendment Rights.

3. **Ledger** - explicit point for point ledgering: See attached Criminal Complaints with Constitutional Ledgering, ledgered pursuant to 18 USC 241, 242 values.

DISTRESS VS. CRIME AND AGGRAVATION OF CRIME

This Distress is applied for termination of criminal behavior of the cited Distress Defendants and Accessory Accomplices in this case, because they have been or are engaged in denying Distress Demandant his legal and lawful remedies. This Distress is applied to prevent any future imposition of a violation of the "Peace and Dignity of the State" upon the Distress Demandant and other Americans by the cited Distress Defendant and Accessory Accomplices. (42 USC § 1986 - The Brothers Keeper/Good Samaritan Statute).

CLEAN HANDS/GOOD FAITH DISTRESS

This distress is Not applied for light or transient reasons, Not engaged in for purposes of harassment, and Not engaged in for purposes of impeding or slowing down the court process.

The Distress Defendant(s) has violated the law (U.S. Constitution, etc.) by the foregoing acts and omissions, and must correct each act and omission as follows:

- 3A. *Allow the Defendants in Case No. CR96-500C and their Public Defenders to rely upon all U.S. Constitutional arguments and particularly the Ninth and Second Amendments to The Constitution for the United States of America.*
- 3B. *Allow the DEFENDANTS JOINT MOTION TO DISMISS BASED UPON SECOND AND NINTH AMENDMENTS, AND SUPPORTING MEMORANDUM, presented by David B. Zuckerman in Case No. CR96-500C, to be admitted as argument in defense of the Defendants in that case.*
- 3C. *Reevaluate all Motions in Limine in Case No. CR96-500C to eliminate all Motions which act in prejudice of the Defense raising the Ninth and Second Amendments of The Constitution for the United States of America.*
- 3D. *Or in the alternative, each Distress Defendant shall have the option to submit to a prosecution for treason in Case No. CR96-500C for the deliberate and premeditated violation of the Ninth and Second Amendments to The Constitution for the United States of America.*
- 4. **Surety-Property** — The Surety Property of this Distress is any and all property which may be distressed / arrested / impounded / use-suspended in third party custody to guarantee specific performance, namely, to guarantee arrest of criminal behavior on the part of the Distress Defendants and their Accomplices.
- 4A. **Demand** - This Bonded Distress immediately impounds the Official Malpractice Bond(s) and Commercial Malpractice Bond(s) of the Distress Defendants, said Bonds to be impounded by being held in third party custody, said impoundment/arrest/third party custody to be guaranteed by the Bonding Company(s), the Underwriting Insurance Company(s), the State and County Departments of Risk Management, the County Court Administrator, the County Sheriff, the U.S. Court Administrator, and the U.S. Marshals.
- 4B. **Bonding** (established pursuant to 42 USC 1986 and 18 USC 4, 241, 242):
A Distress to limit criminal behavior, especially in hot pursuit, does not have to be cash bonded.

A Criminal Complaint is a lawful bond for the bonding of a Distress on an Official Malpractice Bond or a Distress on a Commercial Malpractice Bond.

This Distress is both criminally and commercially bonded by the attached Criminal Complaint filed on February 4, 1997, in the United States Attorneys Office at Seattle, WA., and the Commercial Lien filed on (date) _____, in the amount of \$3,260,000, per Defendant in Case No. CR96-500C, per three (3) day cycle (the Jewish arraignment period) of unlawful imprisonment arising from Case No. CR96-281M and Case No. CR96-500C, sworn to be true, correct, complete, and not misleading for a total of \$1,760,400,000— and represents the value claimed against the Distress Defendants and their employer, the United States Government, severally and jointly as of February 4, 1997. See, pages 6 and 7 of the Criminal Complaint, and page 3 of the Consensual Commercial Lien.

4C. Affidavit - The attached Criminal Complaint is the Affidavit in support of this Distress. Violation of this process constitutes accessory to a crime. Trespass, Rescue and Poundbreach are felonies. Any attempt to abridge or defeat or impair this process and release the Distress of the said Official Malpractice Bond(s) or Commercial Malpractice Bond(s) will constitute a felony known as Poundbreach or Rescue. If the said custodians of the said Official Malpractice Bond(s) or Commercial Malpractice Bond(s) do not take the required action, said custodians, and their personnel individually assume liability for all damages which result both commercially and criminally, which could have been prevented by reasonable diligence and lawful behavior pursuant to 42 USC 1986 and 18 USC 4, 241, 242.

4D. Conditions for releasing Distress — When the Distress Defendants comply with the conditions outlined in Part 3 above, this Distress will be released by the issue of a Distress Release Order signed by Distress Demandant / Affiant.

5. Evidence, Exhibits, Memoranda (points of law):

(1) ***DEFENDANTS' JOINT MOTION TO DISMISS BASED ON SECOND AND NINTH AMENDMENTS, AND SUPPORTING MEMORANDUM by David B. Zuckerman***

6. **Criminal Certification:** I, the Affiant / Distress Demandant certify and affirm that I have grounds to, and do believe, that the above accused Distress Defendants committed the above offenses contrary to law.

General Final Certification: I, Affiant, certify and affirm on my own commercial liability, that I have read the foregoing and know the content thereof and that, to the best of my knowledge, understanding and belief, it is true, correct, complete and not misleading, *the truth, the whole truth and nothing but the truth.*

(Signature of Affiant/Distress Demandant) *Gyle Hartford Lincoln* Date 2/6/97

7. **Witnesses:** Subscribed and sworn to before me this ____ day of _____, 199__,

Notary Public

My Commission expires (date)

This Point Brief is followed by a 9 page Detail Brief with Exhibits.

PAGE -4 of 4 Point Brief: DISTRESS ON JUDICIAL BOND, et al (revision 1)

IN THE OFFICE(S) OF: *THE COUNTY RECORDER AND THE U.S. DISTRICT COURT AT SEATTLE*
STATE: *WASHINGTON* COUNTY: *KING*
County Recorders Number _____
United States District Court Case Number: *CR96-281M and CR96-500C*

A U. S. FIRST AMENDMENT AFFIDAVIT PETITION FOR REDRESS OF GRIEVANCES
(An Affidavit, Citation, and Brief of Information with attached Criminal Complaint(s) and Exhibits)
In the matter of:

Hartford Van Dyke
Distress Demandant/Affiant/Plaintiff
(acting pursuant to 42 USC 1986 and 18 USC 4)

A SECURITY (15 USC)
THIS IS A U.S.S.E.C. TRACER FLAG
NOT A POINT OF LAW

VS.

DISTRESS – type indicated below:

Judge John C. Coughenour, Susan B. Dohrmann,
Katrina C. Pflaumer, William H. Redkey, Jr., et al
Mark N. Bartlett, Gene Porter, et al (see parts 2, 3)
Distress Defendant(s)

AFFIDAVIT OF OBLIGATION
OF SPECIFIC PERFORMANCE
BONDED BY A CRIMINAL COMPLAINT

☒ DISTRESS ON AN OFFICIAL BOND

☒ DISTRESS ON A JUDICIAL BOND

☒ DISTRESS ON AN ATTY'S BOND / BAR ACCT.

☐ DISTRESS ON A COMMERCIAL BOND

A COMMERCIAL WARRANT TO SEIZE, ARREST, AND IMPOUND A BOND OR BAR ACCOUNT

NOTICE IS HEREBY GIVEN TO AND DEMAND IS HEREBY MADE UPON:
ALL BONDING COMPANIES AND UNDERWRITING INSURANCE COMPANIES,
THE U.S. COURT ADMINISTRATOR AND THE U.S. MARSHALS,
THE STATE AND COUNTY DEPARTMENTS OF RISK MANAGEMENT, AND
THE COUNTY COURT ADMINISTRATOR AND COUNTY SHERIFF
TO ARREST, SEIZE, AND IMPOUND (SUSPEND THE USE OF) THE BOND OR BAR ACCOUNT
OF THE CITED DISTRESS DEFENDANT.

This Distress is running concurrently with and bonded by a Criminal Complaint. (copy attached)

AFFIDAVIT

I, the natural person presenting testimony herein, the undersigned Affiant / Distress Demandant, depose and say as follows:

PLAIN STATEMENT OF FACT

1. Parties:

1A. The Distress Demandant(s)/Affiant(s) is(are), i.e., this Distress process is being presented by:

(name and address): *Hartford Van Dyke*
P.O. Box 3100, Battle Ground, Washington 98604

1B. The Distress Defendant(s) is (are), i.e., this Distress process is being brought against:

(name and address): *Judge John C. Coughenour, et al,*
U.S. District Courthouse, 1010 Fifth Ave., Seattle, Washington—
Assistant U.S. Attorneys, Susan B. Dohrmann, William H. Redkey, Jr., Mark N. Bartlett,
Gene Porter, et al,— U. S. Attorney Katrina C. Pflaumer
3600 Seafirst Fifth Ave. Plaza, 800 Fifth Ave., Seattle, Washington 98104

For additional Distress Defendant(s), see parts 2 and 3 and: *Motion brief of David Zuckerman, attached.*

1C. The Other Interested Party(s) is (are): Bonding Companies, Underwriting Insurance Companies, Credit Card Companies, and other financial institutions (specify) _____

The Distress Demandant / Affiant is serving copies of this Commercial Arrest Warrant upon the following: (Mail deliverers are not process servers. There is no such thing as service of legal processes by mail.)

NATION *United States of America* STATE *Washington*
COUNTY *King* CITY *Seattle*

☐ The Distress Defendant

☐ In the Office of the United States ☐ District Court ☐ Magistrate Judge

☐ District Court Judge ☐ Attorney ☐ Marshals ☐ Court Administrator ☐ Risk Management

☐ In the Office of the State ☐ Governor ☐ Secy. of State ☐ Atty. General ☐ Risk Management

☐ In the Office of the County ☐ Sheriff ☐ Recorder ☐ Prosecuting Atty. ☐ Risk Management

☐ In the Office of the City ☐ Mayor ☐ Police ☐ Prosecuting Attorney ☐ Risk Management

☐ Other _____ ☐ Risk Management

☐ For Risk Management, specify Bonding Company _____
and national Underwriting Insurance Company _____

For additional Other Party(s), see Attachment(s) #1C entitled: _____

2. Allegations by Affidavit: The attached Criminal Complaint(s) with Constitutional Ledgering, ledgered pursuant to 18 USC 4, 241, 242 values, is/are the Affidavit(s) in support of this Distress.

Page 2 of 9 pages — Generic 7-Point International Commercial and Criminal Process Form

+ _____ Page(s) of Exhibit(s) attached (if any) (revision 1) NACA Form 7GEN-D1

SPECIFIC PERFORMANCE

The Distress Defendant has violated the law (U.S. Constitution, etc.) by the following acts or omissions (did unlawfully, committed as follows):

DEFENDANT(S) DID UNLAWFULLY

The above named Defendants herein are accused by this instrument of the offense of violation of the herein listed and marked parts of the U.S. Constitution—the ORIGINAL and SUPREME Law of the Land. Said Defendants, on or about July 26, 1996, through December 27, 1996, (Zuckerman's Motion day explained later) and to the present, February 3, 1997, in King County, State of Washington through what is now known as the United States District Court (at Seattle, Washington) Criminal Case #CR96-500 C, having knowledge of the law and the power to prevent the Constitutional deprivation of Plaintiffs' herein (Defendants in Case No. CR96-500C) guaranteed Rights, with intent, without authority and under color of law did unlawfully: engage in a conspiracy to use the offices, formalities, ceremonies, and power of the U.S. Government and their official bonds and professional licenses to overthrow the United States Government, and specifically, to defraud and betray the Plaintiffs herein (Defendants, American Citizens, in Case #CR96-500C), of their lawful Constitutional exercise of their 9th Amendment natural law invariant individual right of self-defense and self-preservation, and the corollary 2nd Amendment Constitutional right to "Keep and Bear Arms"—rights based on Natural Law, hence invariant and not subject to human opinion or prosecution. Said acts are in violation of Title 18 USC 241.

COMMITTED AS FOLLOWS

Re: Seattle, Washington U.S. District Court multidefendant Criminal Case #CR96-500C.

On the evening of Saturday February 1, 1997, a person who has been able to follow William (Bill) Smith's case in the U.S. District Court presented to me a brief entitled "DEFENDANTS' JOINT MOTION TO DISMISS BASED ON SECOND AND NINTH AMENDMENTS, AND SUPPORTING MEMORANDUM" (hereinafter Motion) that was written and delivered to the Court by one of the public defenders in that case, David Zuckerman, back in December, 1996. It was an excellent argument and defense based on the 2nd and 9th Amendment's to the U.S. Constitution, but it was rejected by Judge John C. Coughenour who is conducting the mass trial of William (Bill) Smith and eight other people accused of breaking the law by exercising their U.S. Constitutional 2nd and 9th Amendment Rights.

As I understand the matter, Judge Coughenour forbade Mr Zuckerman and the other public defenders to raise the 2nd Amendment as an argument in defense of their clients. But the issue in this matter clearly requires a 2nd Amendment defense, involving the legal existence of an "unorganized militia" in each state and Mr. Zuckerman in his Motion not only proved that, but went on to show that the 2nd Amendment defense was merely corollary to the more general Constitutional 9th Amendment natural right to protection consistent with the natural right of every animal under Natural Law to

exercise self-defense in a predatory world. Mr Zuckerman showed that the self-defense argument "implicitly covers all reasonable tools of self-defense" including "distinctly military weapons" and that it also exists there for the obvious reason of absurdity (reductio absurdum) that the Constitution does not and could not reasonably guarantee the right of anyone to absolutely rely on Society for one's own defense.

In rejecting Mr. Zuckerman's Motion, Judge Coughenour committed a wide variety of offenses against the Plaintiffs' herein (Defendants in Case No. CR96-500C) the Public Defenders, the Court, the Government, the Military, the U.S. Constitution, and the Public generally. The soldiers of our army, navy, air force, national guard, marines, and other military organizations take a 9th and 2nd Amendment oath of induction to defend this Nation and its Constitution against all enemies both foreign and domestic. Judge Coughenour treats with absolute and unlimited contempt (1) our soldiers' oath, (2) our soldiers' object of protecting the Constitution and this nation founded upon it, (3) our soldiers' mortal combat, (4) our soldiers' ultimate sacrifice of their lives, and (5) the unorganized militia which must provide those soldiers. The Judge's character is clearly that of a tyrant and a traitor.

But why did Mr. Zuckerman not force Judge Coughenour by legal reason and force of commercial processes to correct Judge Coughenour's contempt for Mr. Zuckerman's clear presentation of legal principle? Mr. Zuckerman is clearly able to reason. And the judge clearly is motivated by other interests.

The answer is sad. A Washington State attorney admitted to a person who became one of my clients that when an attorney wants to buy malpractice insurance, he has to promise that he will not sue another attorney or a judge. And in order to win cases in today's summary/"judge only" trials, he has to be on good terms with the judge. Since the establishment of the Bar Association in 1878, the law schools and the courts have discouraged the exercise of principles, reason and conscience, and stress only process, government expedience, and government advantage. That feudal attitude is known as attornment, hence, the title "Attorney". The public doesn't realize that it is the public's responsibility to help the law abiding attorneys, what I would call real lawyers, to overcome the corruption of the courts and the judges.

I agree with the principles Mr. Zuckerman has stated. But, I am not inhibited by the "government privilege"-constrained system which "allows" Mr. Zuckerman to work in the legal cesspool of today's courts. As a Citizen, I am subject, as all Citizens including Mr. Zuckerman are subject, to obey 42 USC 1986, the federal "brother's keeper statute". Therefore, I must support Mr. Zuckerman's efforts to clean up the legal cesspool by filing a Criminal Complaint and this Distress Process.

Another public defender in this same case, Howard Ratner, has pointed out the cleverly engineered libel, slander, and deliberate tactics of McCarthyism which the prosecutor, Assistant U.S. Attorney Susan B. Dohrmann, and her team are engaging in to destroy the lives and sacrifices of the defendants, and the efforts of the public defenders. Susan B. Dohrmann, William H. Redkey, Jr., Mark N. Bartlett, Gene Porter, and their boss, U.S. Attorney Katrina C. Pflaumer are also supporting the treason of Judge John C. Coughenour, Judge David E. Wilson, Ramon E. Garcia, Michael German and others.

If the U.S. Attorney's Office wants to deal with a real weapons problem, then they should attack the Silent Weapons System of the New World Order engineered by the 1973 Nobel Prize winner in economics, Wassily W. Leontief whose job was to engineer a World Economics Computer, a Silent Weapons System, to control and automate the World's economy. He was financed by the Rockefeller Foundation and others who intend to benefit by, and rule the world by, using the Silent Weapons System as an economic tool par excellent. See the attached (approx. 80 page) Exhibit on the Silent Weapons System.

I wrote the book The Skeleton in Uncle Sam's Closet about the treason committed by President Roosevelt to ensure the success of the Pearl Harbor Attack, and I wrote the book Silent Weapons for Quiet Wars about the computer system of the New World Order, so I need not say any more to describe the treason of Judge Coughenour who is an obvious part of the problem and puppet of the New World Order.

For additional Allegations or Affidavit information, see Attachment(s) #2 entitled: _____

3. Ledger - explicit point for point ledgering: DISTRESS FOR SPECIFIC PERFORMANCE
See attached Criminal Complaint(s) with Constitutional Ledgering, ledgered pursuant to 18 USC 241, 242 values.

DISTRESS VS. CRIME AND AGGRAVATION OF CRIME

This Distress is applied for termination of criminal behavior of the cited Distress Defendants and Accessory Accomplices in this case, because they have been or are engaged in denying Distress Demandant his legal and lawful remedies. This Distress is applied to prevent any future imposition of a violation of the "Peace and Dignity of the State" upon the Distress Demandant and other Americans by the cited Distress Defendant and Accessory Accomplices. (42 USC § 1986 - The Brothers Keeper/Good Samaritan Statute).

CLEAN HANDS/GOOD FAITH DISTRESS

This distress is Not applied for light or transient reasons, Not engaged in for purposes of harassment, and Not engaged in for purposes of impeding or slowing down the court process.

The Distress Defendant(s) has violated the law (U.S. Constitution, etc.) by the foregoing acts and omissions, and must correct each act and omission as follows:

- 3A. Allow the Defendants in Case No. CR96-500C and their Public Defenders to rely upon all U.S. Constitutional arguments and particularly the Ninth and Second Amendments to The Constitution for the United States of America.
- 3B. Allow the DEFENDANTS JOINT MOTION TO DISMISS BASED UPON SECOND AND NINTH AMENDMENTS, AND SUPPORTING MEMORANDUM, presented by David B. Zuckerman in Case No. CR96-500C, to be admitted as argument in defense of the Defendants in that case.
- 3C. Reevaluate all Motions in Limine in Case No. CR96-500C to eliminate all Motions which act in prejudice of the Defense raising the Ninth and Second Amendments of The Constitution for the United States of America.

3D. Or in the alternative, each Distress Defendant shall have the option to submit to a prosecution for treason in Case No. CR96-500C for the deliberate and premeditated violation of the Ninth and Second Amendments to The Constitution for the United States of America.

For additional Ledgering, see Attachment(s) #3 entitled: _____

4. **Surety-Property** — The Surety Property of this Distress is any and all property which may be distressed / arrested / impounded / use-suspended in third party custody to guarantee specific performance, namely, to guarantee arrest of criminal behavior on the part of the Distress Defendants and Distress Defendants' Accessory Accomplices, such as Legislators, Judges, Prosecuting Attorneys, Attorneys, Sheriffs, Clerks, Assessors, Administrators, Commissioners, Revenue Officers, auctioneers, locksmiths, movers, etc..

SAID DISTRESS SHALL BE DEEMED TO BE IN HOT PURSUIT AND ACT AGAINST THE BOND(S), BAR ACCOUNT(S), ETC., AND ALL SOURCES OF FINANCE WHICH THE DISTRESS DEFENDANT IS USING IN RETALIATION AGAINST THE AFFIANT / DISTRESS DEMANDANT BECAUSE OF AFFIANT'S / DISTRESS DEMANDANT'S PRESENTATION OF TESTIMONY IN, AND ATTEMPT TO ENFORCE, THE AFFIANT'S / DEMANDANT'S AFFIDAVIT DISTRESS PROCESS, AND THE AFFIDAVIT IN SUPPORT OF THE CRIMINAL COMPLAINT(S) AND THE DISTRESS DEMAND.

(42 USC 1986, 18 USC 4, 241, 242)

ANY OFFICER OF ANY FINANCIAL ENTITY WHO MAKES AVAILABLE THE ASSETS OF THAT FINANCIAL ENTITY TO FINANCE OR FURTHER ANY CRIMINAL ACT OF THE SAID DISTRESS DEFENDANT OR DISTRESS DEFENDANT'S ACCESSORY ACCOMPLICES, AFTER BEING PUT ON NOTICE OF THIS DISTRESS ACTION, WILL BE HELD CRIMINALLY LIABLE AS AN ACCOMPLICE AND WILL BE SUBJECT TO AN EQUAL COMMERCIAL AND PERSONAL INJURY AS THAT CAUSED BY THE CITED DISTRESS DEFENDANT AND DISTRESS DEFENDANT'S ACCESSORY ACCOMPLICES.

- 4A. **Demand** - This Bonded Distress immediately impounds the Official Malpractice Bond(s) and Commercial Malpractice Bond(s) of the Distress Defendants, said Bonds to be impounded by being held in third party custody, said impoundment/arrest/third party custody to be guaranteed by the Bonding Company(s), the Underwriting Insurance Company(s), the State and County Departments of Risk Management, the County Court Administrator, the County Sheriff, the U.S. Court Administrator, and the U.S. Marshals.

- 4B. **Bonding** (established pursuant to 42 USC 1986 and 18 USC 4, 241, 242):

A Distress to limit criminal behavior, especially in hot pursuit, does not have to be cash bonded.

A Criminal Complaint is a lawful bond for the bonding of a Distress on an Official Malpractice Bond or a Distress on a Commercial Malpractice Bond.

This Distress is both criminally and commercially bonded by the attached Criminal Complaint filed on February 4, 1997, in the United States Attorneys Office at Seattle, WA., and the Commercial Lien filed on (date) _____, in the amount of \$3,260,000, per Defendant in Case No. CR96-500C, per three (3) day cycle (the Jewish arraignment period) of unlawful imprisonment arising from Case No. CR96-281M and Case No. CR96-500C, sworn to be true, correct, complete, and not misleading for

*a total of \$1,760,400,000— and represents the value claimed against the Distress Defendants and their employer, the United States Government, severally and jointly as of February 4, 1997.
See, pages 6 and 7 of the Criminal Complaint, and page 3 of the Consensual Commercial Lien.*

4C. Affidavit - The attached Criminal Complaint is the Affidavit in support of this Distress. Violation of this process constitutes accessory to a crime. Trespass, Rescue and Poundbreach are felonies. Any attempt to abridge or defeat or impair this process and release the Distress of the said Official Malpractice Bond(s) or Commercial Malpractice Bond(s) will constitute a felony known as Poundbreach or Rescue. If the said custodians of the said Official Malpractice Bond(s) or Commercial Malpractice Bond(s) do not take the required action, said custodians, and their personnel individually assume liability for all damages which result both commercially and criminally, which could have been prevented by reasonable diligence and lawful behavior pursuant to 42 USC 1986 and 18 USC 4, 241, 242.

THE FAILURE OF ANY LEGISLATIVE OFFICER, JUDICIAL OFFICER, EXECUTIVE OFFICER, OR ANY OTHER OFFICER TO CORRECT ANY OF THE ABOVE CITED MISBEHAVIOR OR UNLAWFUL BEHAVIOR, OR THE FAILURE OF SAID OFFICER(S) TO ORDER THE CORRECTION OF SUCH MISBEHAVIOR OR UNLAWFUL BEHAVIOR CONSTITUTES CRIMINAL COMPLICITY ON THE PART OF THE OFFICER(S) IN THE ABOVE CITED CASES AND IN THE INSTANT / CURRENT ACTION, AND IS INSTANT GROUNDS TO DISTRESS THE BOND OR STATE BAR ACCOUNT OF SAID OFFICER(S) BY DEMANDING THAT THE OFFICER'S BONDING COMPANY OR STATE BAR FINANCIAL FUND TAKE THE SAID BOND OR STATE BAR ACCOUNT INTO THIRD PARTY CUSTODY, SUSPENSION, AND IMPOUNDMENT TO PREVENT THE PERPETUATION OF CRIME. ANY ATTEMPT TO DEFEAT THIS PROCESS IS A FELONY KNOWN AS POUNDBREACH OR RESCUE.

4D. Conditions for releasing Distress — When the Distress Defendants comply with the conditions outlined in Part 3 above, this Distress will be released by the issue of a Distress Release Order signed by Distress Demandant / Affiant.

For additional Surety-Property, see Attachment(s) #4 entitled: _____

5. Evidence, Exhibits, Memoranda (points of law):

- (1) ***DEFENDANTS' JOINT MOTION TO DISMISS BASED ON SECOND AND NINTH AMENDMENTS, AND SUPPORTING MEMORANDUM*** by *David B. Zuckerman*
- (2) *Miscellaneous Exhibits consisting of _____ pages with table of contents included.*

**MEMORANDUM #1
CAUSE OF INSTRUMENT
DISTRESS VS. AGGRAVATION OF CRIME**

This Distress is applied for termination of criminal behavior of the cited Distress Defendants and Accessory Accomplices in this case, because they have been or are engaged in denying the Distress Demandants their legal and lawful remedies. This Distress is applied to prevent any future imposition of a violation of the

"Peace and Dignity of the State" upon the Distress Demandants and other Americans by the cited Distress Defendants and Accessory Accomplices. (42 USC § 1986 - The Brothers Keeper/Good Samaritan Statute)

MEMORANDUM #2 FORCE OF THE INSTRUMENT

Commercial Processes Defined by The Bill of Rights

The 5th Amendment of the Constitution for the United States of America determines the legitimate grounds for passing through the portals of the courthouse and for using the tax-financed court.

All processes in Commerce are legislated, judicated (adjudicated), and executed, challenged, rebutted and consummated by the parties in Commerce within the realm of Economics, labor, contracts, surety, credit, liens, distresses and honorable combat by reason—all without the Courts.

Only those processes belong in the tax-financed court which will not be resolved without libel, slander, violence, dueling, human sacrifice through mortal combat, double jeopardy, self destruction, adverse possession or eminent domain.

The first four Amendments (1-4) of the Bill of Rights keep Commerce on the streets, outside of the courts and out of the public tax coffers.

The second four Amendments (5-8) of the Bill of Rights keep violence off the streets and under the control of government.

The last two Amendments (9-10) guarantee that all persons shall have a remedy by law, either natural law or social law.

The First Amendment protects Truth by Affidavit.

The Second Amendment protects Citizens acting under the First Amendment from government retaliation against witnesses.

The Third Amendment keeps the agents of government from holding potluck dinner wherever its agents want to.

The Fourth Amendment protects the public from a government which takes from Citizens by bearing false witness.

The Fifth Amendment is intended to keep the courthouse doors closed against the capricious and unlawful use of public tax money, and, for example, prohibits and outlaws the private use of its facilities by an organized labor union known as the Bar Association.

The Sixth Amendment provides a method of maintaining the commercial continuity of the nation while at the same time it prevents the government from converting the courthouse into a profitable commercial enterprise, a witch hunting institution, a public slaughter house, and a political genocide institution.

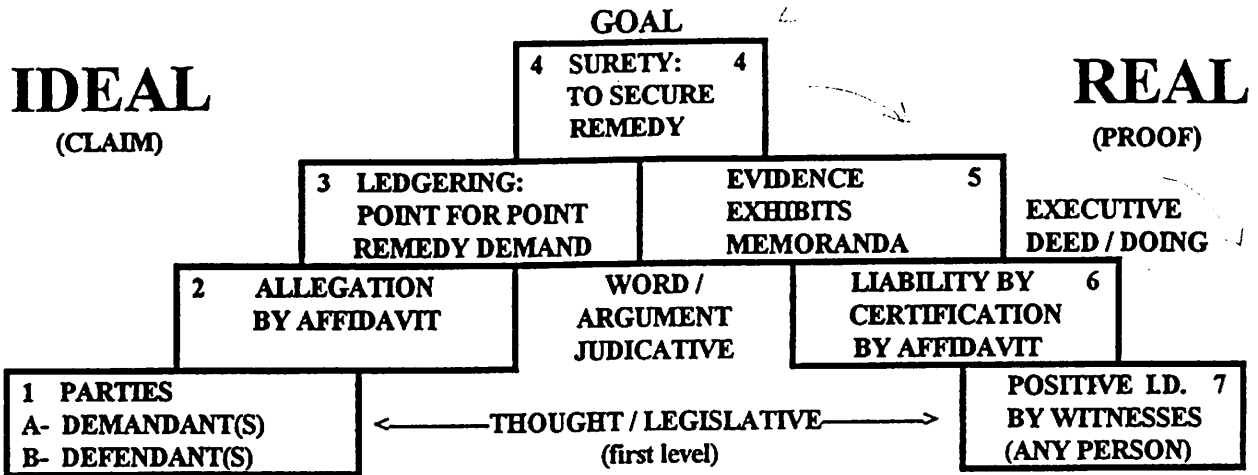
The Seventh Amendment provides and guarantees a method of accessing public wisdom and sensibility to establish the fair market value of commercial controversies, injuries, and violations.

The Eighth Amendment forbids government to terrorize the public to assert government's will. It demands that the punishment of crimes be proportional to the degree of public offense. It is well known that all governments rule by force, that power corrupts, and that absolute power corrupts absolutely. Therefore the Eight Amendment is provided and serves to limit the expansion of corruption.

The Ninth Amendment allows the Citizen to create a remedy by Affidavit.

The Tenth Amendment empowers the same Citizen to exercise an unrebutted choice of remedy.

**MEMORANDUM #3:
STRUCTURE OF INSTRUMENT**



For additional Evidence, Exhibits, Memoranda (points of law), see Attachment(s) #5, entitled as follows:

6. **Criminal Certification:** I, the Affiant / Distress Demandant certify and affirm that I have grounds to, and do believe, that the above accused Distress Defendants committed the above offense(s) contrary to law.

General Final Certification: I, Affiant, certify and affirm on my own commercial liability, that I have read the foregoing and know the content thereof and that, to the best of my knowledge, understanding and belief, it is true, correct, complete and not misleading, *the truth, the whole truth and nothing but the truth.*

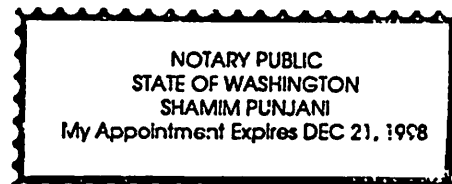
(Signature of Affiant/Distress Demandant) *Lyle Howard Van Dyke Jr.* Date *2/4/97*

7. **Witnesses:** _____

Subscribed and sworn to before me this *4th* day of *February*, 199*7*,

Shamim Punjani
Notary Public

December 21, 1998
My Commission expires (date)



RECEIVED
FEB 10 1997
LAW OFFICE OF DAVID ZUCKERMAN

RECEIVED
FEB 10 1997
LAW OFFICE OF DAVID ZUCKERMAN

FILED
LONGER
ENTERED
RECEIVED
★ FEB 10 1997 ★

CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY DEPUTY

IN THE OFFICE(S) OF: *THE COUNTY RECORDER AND THE U.S. DISTRICT COURT AT SEATTLE*
STATE: *WASHINGTON* COUNTY: *KING*
County Recorders Number _____
United States District Court Case Number: *CR96-281M and CR96-500C*

A U. S. FIRST AMENDMENT AFFIDAVIT PETITION FOR REDRESS OF GRIEVANCES
(An Affidavit, Citation, and Brief of Information with attached Criminal Complaint(s) and Exhibits)

DEMAND FOR REMOVAL* OF U.S. CRIMINAL CASES

#CR96-281M AND CR96-500C FROM THE U.S. DISTRICT COURT TO THE
LAWFUL OFFICE OF THE WASHINGTON STATE UNORGANIZED MILITIA,
THE WASHINGTON STATE GOVERNOR'S OFFICE, based on the following:

In the matter of:	<u>DISTRESS</u> ON A U.S. JUDICIAL BOND, via (by way of) a
Ross, Tylor	<u>DISTRESS</u> ON THE U.S. DISTRICT COURT JURISDICTION
Removal	IN CASE NO'S. CR96-281M AND CR96-500C, via a
Demandant/	<u>DISTRESS</u> ON THE U.S. CONTROL OF THE CORPORATE
Affiant/Plaintiff	STATE OF WASHINGTON (unlawful 17th Amendment), via a
(42 USC 1986	<u>DISTRESS</u> ON THE U.S. MILITARY CONTROL OF WASH-
18 USC 4)	INGTON STATE, indicated by the presence of the
	gold-fringed flag in WASHINGTON STATE COURTS, via a
VS.	<u>DISTRESS</u> ON THE U.S. CONTROL OF THE CHIEF EXECUTIVE,
Judge John C.	THE GOVERNOR OF WASHINGTON STATE, AND OF THE
Coughenour,	WASHINGTON STATE LEGISLATURE, via a
Susan B.	<u>DISTRESS</u> ON THE U.S. CONTROL OF THE WASHINGTON
Dohrmann	STATE MILITARY, via a
Katrina C.	<u>DISTRESS</u> ON THE U.S. CONTROL OF THE WASHINGTON
Pflaumer, et al,	STATE "UNORGANIZED MILITIA", via a
Removal	<u>DISTRESS</u> ON THE U.S. CONTROL OF THE 9TH AND 2ND
Defendants	AMENDMENT PROTECTIONS OF THE U.S. CONSTITUTION.

The last Distress in the foregoing heading was filed with the United States Attorney's Office on February 4, 1997, under the title of DISTRESS ON AN OFFICIAL BOND, DISTRESS ON A JUDICIAL BOND,

AND DISTRESS ON AN ATTORNEY'S BOND/BAR ACCOUNT by Hartford Van Dyke, and is the basis of the Distress on the U.S. Court Jurisdiction and on its Judge as is required for this REMOVAL.

***A REMOVAL IS A DISTRESS OF JURISDICTION.**

THIS IS A REMOVAL OF A CRIMINAL CASE FROM UNITED STATES DISTRICT COURT TO A WASHINGTON STATE COURT of competent jurisdiction by way of the Chief Executive Officer's Office, the Governor's Office, of Washington State, because the nine parties accused in U.S. cases #CR96-281M and #CR96-500C have been unlawfully accused and unlawfully imprisoned in excess of six months, in violation of the Ninth Amendment Natural Right of self-defense / self-preservation and the corollary Second Amendment Right to Keep and Bear Arms. Therefore, this process, being A REMOVAL OF A CRIMINAL ACTION, does not require a filing fee or a cash bond. A Ninth and Tenth Amendment U.S. Constitutional Brief was filed by a public defender David B. Zuckerman representing the position of the nine accused parties and their public defenders on or about December 27, 1996, and the Affiant's Brief challenging Venue and Jurisdiction was filed on January 6, 1997, but the undersigned Affiant was not made aware, until February 3, 1997, six days ago, of the suppression of the Ninth and Second Amendment defenses by Judge John C. Coughenour. Hence this filing is being made timely within thirty days from the date which the Affiant first realized that a Removal would be necessary to guarantee due process. (SEE 28 USC 1441 - 1447, and following sections, and Article 4 Section 1 Clause 1 of U.S. Constitution.)

The failure of the Governor of Washington State to seize this matter from the United States Government pursuant to this Removal (by way of a compound Distress) constitutes dereliction of duty and grounds for a Malpractice Claim against the Bonds of Washington State, State of Washington, and STATE OF WASHINGTON.

Ross, Tylor, Removal Demandant/Affiant/Plaintiff (acting pursuant to 42 USC 1986 and 18 USC 4)
VS.

Judge John C. Coughenour, Susan B. Dohrmann, Katrina C. Pflaumer, William H. Redkey, Jr., et al
Mark N. Bartlett, Gene Porter, et al (see parts 2, 3) Removal Defendants

This Removal is running concurrently with and bonded by a Criminal Complaint. (copy attached)

AFFIDAVIT

I, the natural person presenting testimony herein, the undersigned Affiant / Removal Demandant, depose and say as follows:

PLAIN STATEMENT OF FACT

1A. Parties: The Removal Demandant/Affiant is, i.e., this Removal process is being presented by:

Ross, Tylor, c/o 16212 Bothell Way S.E., #220, Mill Creek, Washington 98012
in behalf of Plaintiffs' herein (Defendants in U.S. District Court Case No. CR96-500C)

1B. Parties: The Removal Defendants are, i.e., this Removal process is being brought against:

Judge John C. Coughenour, et al,
U.S. District Courthouse, 1010 Fifth Ave., Seattle, Washington—
Assistant U.S. Attorneys, Susan B. Dohrmann, et al, and U.S. Attorney Katrina C. Pflaumer
3600 Seafirst Fifth Ave. Plaza, 800 Fifth Ave., Seattle, Washington 98104

2. **Allegations by Affidavit:** The attached Criminal Complaint, with Constitutional Ledgering ledgered pursuant to 18 USC 241 values, is one of several Affidavit(s) in support of this Removal. See part 5 for a list of Exhibits. The total commercial value assessed against the Removal Defendants, as the 18 USC 241 offense against all nine Defendants in U.S. District Court Case No. CR96-500C repeated over sixty arraignment periods, is explicitly ledgered to be \$1,760,400,000.

SPECIFIC PERFORMANCE

The Removal Defendants have violated the law (U.S. Constitution, etc.) by the following acts or omissions:

DEFENDANT(S) DID UNLAWFULLY

The above named Removal Defendants herein (Plaintiffs in Case No. CR96-500C) are accused by this instrument of the offense of violation of the U.S. Constitution—the ORIGINAL and SUPREME Law of the Land. Said Removal Defendants herein, on or about July 26, 1996 through the present, in King County, State of Washington through what is now known as the United States District Court (at Seattle, Washington) Criminal Case #CR96-500 C, having knowledge of the law and the power to prevent the Constitutional deprivation of Plaintiffs' herein (Defendants in Case No. CR96-500C) guaranteed Rights, with intent, without authority and under color of law did unlawfully: engage in a conspiracy to overthrow the Washington State Government and the United States Government, and specifically, to defraud and betray the Plaintiffs herein (Defendants in Case #CR96-500C), of their lawful Constitutional exercise of their State and United States Rights to be tried in a State Court for a State Offense, specifically, with regard to the exercise of their 9th Amendment natural law invariant individual right of self-defense and self-preservation, the corollary 2nd Amendment Constitutional right to "Keep and Bear Arms", rights based on Natural Law, hence invariant and not subject to human opinion or prosecution, and the Constitutional Right to participate in the responsibilities and activities of the "unorganized Militia" of Washington State. See the DEFENDANTS JOINT MOTION TO DISMISS BASED UPON SECOND AND NINTH AMENDMENTS, AND SUPPORTING MEMORANDUM, presented by David B. Zuckerman in Case No. CR96-500C, to be included herein by reference as argument in defense of this claim of Criminal Offense.. Said acts are in violation of Title 18 USC 4, 241, 242, and Article 4, Section 1, Clause 1 of the Constitution for the United States of America, to wit, "Full Faith and Credit shall be given in each State to the public Acts, Records, and Judicial Proceedings of every other State [including Washington State and Washington, District of Columbia (D.C.)]". The Chief Commanding Officer of the "unorganized Militia" of Washington State is the Governor of the Washington State, not the President of the United States, (nor John Pitner), and the United States cannot bring any member of the "unorganized Militia" to court without joining the Governor of the State of Washington as a Party.

COMMITTED AS FOLLOWS

(Re: 18 USC 242) Without authority and under color of law, said U.S. Judge and U.S. Prosecuting Attorneys, being under Oath or Affirmation and having a known legal duty to stop or correct constitutional violations being inflicted upon Petitioner Brown (Tracy Lee, Brown a.k.a. William Smith) and others in U.S. District Court Case No. CR96-500C, acting in concert with one another (42 U.S.C. 1985(1)), and in turn witnesses to each others acts, did knowingly and intentionally perjure (18 U.S.C. 1621) said Oath of Office and Duty by neglecting (42 U.S.C. 1986) to stop a constitutional deprivation from being inflicted upon Petitioner Brown, et al. (CR96-500C) by invading (18 U.S.C. 2381 Treason) the sovereign state of Washington and instituting criminal process (F.R.C.P. Rules 9(b) & 60(b) Fraud) against Petitioner Brown, et al. which resulted in Petitioner Brown, et al. being KIDNAPPED into federal jurisdiction causing Petitioner Brown, et al. to suffer a deprivation of liberty without due process of law (42 U.S.C.

1983). See, *FIRST AMENDMENT PETITION FOR REDRESS OF GRIEVANCES, AFFIDAVIT OF INFORMATION* filed in the Office of the United States Attorney, at Seattle, Washington, January 6, 1997, by Ross, Tylor, and U.S. CRIMINAL COMPLAINT U.S. LIEN, and *DISTRESS ON AN OFFICIAL BOND, DISTRESS ON A JUDICIAL BOND, AND DISTRESS ON AN ATTORNEY'S BOND/BAR ACCOUNT*, filed in the Office of the United States Attorney, at Seattle, Washington February 4, 1997, by Hartford Van Dyke.

3. Ledger - explicit point for point ledgering: See attached Criminal Complaint with Constitutional Ledgering, ledgered pursuant to 18 USC 241 values.

REMOVAL VS. CRIME AND AGGRAVATION OF CRIME

This Removal is applied for termination of criminal behavior of the cited Removal Defendants and Accessory Accomplices in this case, because they have been or are engaged in denying Removal Demandant and Defendants in U.S. Case No. CR96-500C their legal and lawful remedies. This Removal is applied to prevent any future imposition of a violation of the "Peace and Dignity of the State" upon the Removal Demandant and other Americans by the cited Removal Defendants and Accessory Accomplices. (42 USC § 1986 - The Brothers Keeper/Good Samaritan Statute).

CLEAN HANDS/GOOD FAITH REMOVAL

This Removal is Not applied for light or transient reasons, Not engaged in for purposes of harassment, and Not engaged in for purposes of impeding or slowing down the court process. The Removal Defendants have violated the law (U.S. Constitution, etc.) by the foregoing acts and omissions, and must correct each act and omission as follows:

- 3A. Allow the Defendants in Case No. CR96-500C and their Public Defenders to rely upon all U.S. Constitutional arguments and particularly the Ninth and Second Amendments to The Constitution for the United States of America.
- 3B. Allow the DEFENDANTS JOINT MOTION TO DISMISS BASED UPON SECOND AND NINTH AMENDMENTS, AND SUPPORTING MEMORANDUM, presented by David B. Zuckerman in Case No. CR96-500C, to be admitted as argument in defense of the Defendants in that case.
- 3C. Reevaluate all Motions in Limine in Case No. CR96-500C to eliminate all Motions which act in prejudice of the Defense raising the Ninth and Second Amendments of The Constitution for the United States of America.
- 3D. Facilitate the removal of U.S. District Court (Seattle, Washington) Case No's CR96-281M and CR96-500C, to the jurisdiction of the Courts and Governor's Office of Washington State.
- 3E. Or in the alternative, each Removal Defendant shall have the option to submit to a prosecution for treason in Case No. CR96-500C for the deliberate and premeditated violation of the Ninth and Second Amendments to The Constitution for the United States of America, and for the usurpation of the original U.S. Constitutional Tenth (10th) Amendment Jurisdiction of Washington State over the subject matter of the "unorganized Militia".

4/4A. **Surety-Property** — 4A. The Surety Property of this Removal is any and all property which may be distressed / arrested / impounded / use-suspended in third party custody to guarantee specific performance, namely, to guarantee arrest of criminal behavior on the part of the Removal Defendants and their Accomplices.

4B. **Bonding** (established pursuant to 42 USC 1986 and 18 USC 4, 241, 242):

A Removal to limit criminal behavior, especially in hot pursuit, does not have to be cash bonded.

A Criminal Complaint is a lawful bond for the bonding of a Removal of Jurisdiction.

This Removal is both criminally and commercially bonded by the attached filed on February 4, 1997, in the United States Attorneys Office at Seattle, Wash., and the King County Consensual Commercial Lien filed on (date) 02/11/97, in the amount of \$3,260,000, per Defendant in Case No. CR96-500C, per three (3) day cycle (the Jewish arraignment period) of unlawful imprisonment arising from Case No. CR96-281M and Case No. CR96-500C, sworn to be true, correct, complete, and not misleading for a total of \$1,760,400,000— and represents the value claimed against the Removal / Distress Defendants and their Employer, the United States Government, severally and jointly liable as of February 4, 1997. See, pages 6 and 7 of the U.S. Criminal Complaint and U.S. Commercial Lien, and page 3 of the Consensual Commercial Lien, King County Recording No. 970211-0859.

4C. **Affidavit** - The attached Criminal Complaint is the Affidavit in support of this Removal. Violation of this process constitutes accessory to a crime. Trespass, Rescue and Poundbreach are felonies. Any attempt to abridge or defeat or impair this process and release the Surety Property will constitute a felony known as Poundbreach or Rescue. If the said custodians of the said Surety Property do not take the required action, said custodians, and their personnel individually assume liability for all damages which result both commercially and criminally, which could have been prevented by reasonable diligence and lawful behavior pursuant to 42 USC 1986 and 18 USC 4, 241, 242.

4D. **Conditions for releasing Removal** — When the Removal Defendants / Distress Defendants comply with the conditions outlined in Part 3 above, the Distress on the Removal Defendants' Surety Property (See part 4A) will be released by the issue of a Distress Release Order signed by Distress Demandant / Removal Demandant / Affiant.

5. **Evidence, Exhibits, Memoranda (points of law):**

(1) **FIRST AMENDMENT PETITION FOR REDRESS OF GRIEVANCES To Dismiss Indictment for Lack of Venue, and to dismiss Indictment for Lack of In Personam Jurisdiction (42 USC 1986—by Proxy), AFFIDAVIT OF INFORMATION (Sixth Amend.) (Counter Criminal Complaint— 18 USC [241], 242) to overcome Fraud of Superseding Indictment.** Filed in the Office of the United States Attorney at Seattle, Washington on 6 January 1997, by Ross, Tylor.

(2) **DEFENDANTS' JOINT MOTION TO DISMISS BASED ON SECOND AND NINTH AMENDMENTS, AND SUPPORTING MEMORANDUM** by David B. Zuckerman. Filed in the United States District Court, and heard on or about December 27, 1996.

(3) **U.S. CRIMINAL COMPLAINT / U.S. LIEN, and DISTRESS ON AN OFFICIAL BOND, DISTRESS ON A JUDICIAL BOND, DISTRESS ON AN ATTORNEY'S BOND/BAR ACCOUNT,** filed in the Office of the United States Attorney, at Seattle, Washington February 4, 1997; **CONSENSUAL**

COMMERCIAL LIEN, AN ALTRUISTIC PUBLIC LIEN AGAINST BREACH OF PUBLIC TRUST —
by Hartford Van Dyke.

(4) Exhibits, 99 pages — **THE PRINCIPLES, LOGIC, HISTORY, RULES AND PROCESSES OF COMMERCIAL LAW [15], SILENT WEAPONS FOR QUIET WARS [79],** information on Pearl Harbor Attack [1], writing on Commercial and Military Lien Rights [4], by Hartford Van Dyke.

(5) Exhibits, 8 pages — on Maxims [3], Shetar [2], Generic Commercial Brief [2], 42 USC 1986 [1].

6. Criminal Certification: I, the Affiant / Removal Demandant certify and affirm that I have grounds to, and do believe, that the above accused Removal Defendants committed the above cited offenses contrary to law.

General Final Certification: I, Affiant, certify and affirm on my own commercial liability, that I have read the foregoing and know the content thereof and that, to the best of my knowledge, understanding and belief, it is true, correct, complete and not misleading, *the truth, the whole truth and nothing but the truth.*

(Signature of Affiant/Removal Demandant) Ross Tyler Date 2/10/97

7. Witnesses: Subscribed and sworn to before me this 10 day of February, 1997,

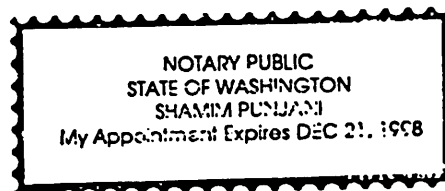
Spicyani
Notary Public

December 21, 1998
My Commission expires (date)

CORRECTION NOTICE: The second all-Caps paragraph on page 6 of the 9 page Brief entitled **DISTRESS ON AN OFFICIAL BOND, DISTRESS ON A JUDICIAL BOND, DISTRESS ON AN ATTORNEY'S BOND/BAR ACCOUNT**, filed at the United States Attorneys Office on February 4th, 1997, should read as follows:

ANY OFFICER OF ANY FINANCIAL ENTITY WHO MAKES AVAILABLE THE ASSETS OF THAT FINANCIAL ENTITY TO FINANCE OR FURTHER ANY CRIMINAL ACT OF THE SAID DISTRESS DEFENDANT OR DISTRESS DEFENDANT'S ACCESSORY ACCOMPLICES, AFTER BEING PUT ON NOTICE OF THIS DISTRESS ACTION, WILL BE HELD CRIMINALLY LIABLE AS AN ACCOMPLICE AND WILL BE SUBJECT TO AN EQUAL COMMERCIAL AND PERSONAL INJURY AS THAT CAUSED BY THE CITED DISTRESS DEFENDANT AND DISTRESS DEFENDANT'S ACCESSORY ACCOMPLICES.

Other slight revisions are being made as typographical, grammatical, chronological, plural, and identification mistakes are found or meanings can be made more clear. Corrected copies are being dispatched to replace those containing errors or omissions. Information on corrections will be appreciated. Write to National Association for Commercial Accountability (NACA) 4320 196th S.W., #B-110, Lynnwood, Washington 98036-6754.



HAND DELIVERED

FEB 11 1997

OFFICE OF THE GOVERNOR

M

IN THE OFFICE(S) OF: *THE COUNTY RECORDER AND THE U.S. DISTRICT COURT AT SEATTLE*
STATE: *WASHINGTON* COUNTY: *KING*

County Recorders Number _____

United States District Court Case Number: *CR96-281M and CR96-500C*

A U. S. FIRST AMENDMENT AFFIDAVIT PETITION FOR REDRESS OF GRIEVANCES
(An Affidavit, Citation, and Brief of Information with attached Criminal Complaint(s) and Exhibits)

**DEMAND FOR REMOVAL* OF U.S. CRIMINAL CASES
#CR96-281M AND CR96-500C FROM THE U.S. DISTRICT COURT TO THE
LAWFUL OFFICE OF THE WASHINGTON STATE UNORGANIZED MILITIA,
THE WASHINGTON STATE GOVERNOR'S OFFICE, based on the following:**

In the matter of:	<u>DISTRESS ON A U.S. JUDICIAL BOND</u>, via (by way of) a
Ross, Tylor	<u>DISTRESS ON THE U.S. DISTRICT COURT JURISDICTION</u>
Removal	IN CASE NO'S. CR96-281M AND CR96-500C, via a
Demandant/	<u>DISTRESS ON THE U.S. CONTROL OF THE CORPORATE</u>
Affiant/Plaintiff	STATE OF WASHINGTON (unlawful 17th Amendment), via a
(42 USC 1986	<u>DISTRESS ON THE U.S. MILITARY CONTROL OF WASH-</u>
18 USC 4)	INGTON STATE, indicated by the presence of the
	gold-fringed flag in WASHINGTON STATE COURTS, via a
VS.	<u>DISTRESS ON THE U.S. CONTROL OF THE CHIEF EXECUTIVE,</u>
Judge John C.	THE GOVERNOR OF WASHINGTON STATE, AND OF THE
Coughenour,	WASHINGTON STATE LEGISLATURE, via a
Susan B.	<u>DISTRESS ON THE U.S. CONTROL OF THE WASHINGTON</u>
Dohrmann	STATE MILITARY, via a
Katrina C.	<u>DISTRESS ON THE U.S. CONTROL OF THE WASHINGTON</u>
Pflaumer, et al,	STATE "UNORGANIZED MILITIA", via a
Removal	<u>DISTRESS ON THE U.S. CONTROL OF THE 9TH AND 2ND</u>
Defendants	AMENDMENT PROTECTIONS OF THE U.S. CONSTITUTION.

The last Distress in the foregoing heading was filed with the United States Attorney's Office on February 4, 1997, under the title of **DISTRESS ON AN OFFICIAL BOND, DISTRESS ON A JUDICIAL BOND,**

COMMERCIAL LIEN, AN ALTRUISTIC PUBLIC LIEN AGAINST BREACH OF PUBLIC TRUST —
by Hartford Van Dyke.

- (4) Exhibits, 99 pages — **THE PRINCIPLES, LOGIC, HISTORY, RULES AND PROCESSES OF COMMERCIAL LAW [15], SILENT WEAPONS FOR QUIET WARS [79]**, information on Pearl Harbor Attack [1], writing on Commercial and Military Lien Rights [4], by Hartford Van Dyke.
- (5) Exhibits, 8 pages — on Maxims [3], Shetar [2], Generic Commercial Brief [2], 42 USC 1986 [1].

6. **Criminal Certification:** I, the Affiant / Removal Demandant certify and affirm that I have grounds to, and do believe, that the above accused Removal Defendants committed the above cited offenses contrary to law.

General Final Certification: I, Affiant, certify and affirm on my own commercial liability, that I have read the foregoing and know the content thereof and that, to the best of my knowledge, understanding and belief, it is true, correct, complete and not misleading, *the truth, the whole truth and nothing but the truth.*

(Signature of Affiant/Removal Demandant) Rose Zylas Date 2/11/97

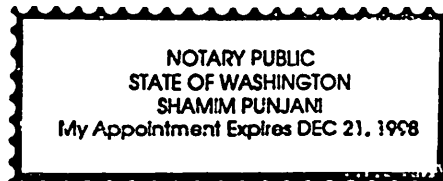
7. **Witnesses:** Subscribed and sworn to before me this 11 day of February, 1997,

Spunjani December 21, 1998
Notary Public My Commission expires (date)

CORRECTION NOTICE: The second all-Caps paragraph on page 6 of the 9 page Brief entitled **DISTRESS ON AN OFFICIAL BOND, DISTRESS ON A JUDICIAL BOND, DISTRESS ON AN ATTORNEY'S BOND/BAR ACCOUNT**, filed at the United States Attorneys Office on February 4th, 1997, should read as follows:

ANY OFFICER OF ANY FINANCIAL ENTITY WHO MAKES AVAILABLE THE ASSETS OF THAT FINANCIAL ENTITY TO FINANCE OR FURTHER ANY CRIMINAL ACT OF THE SAID DISTRESS DEFENDANT OR DISTRESS DEFENDANT'S ACCESSORY ACCOMPLICES, AFTER BEING PUT ON NOTICE OF THIS DISTRESS ACTION, WILL BE HELD CRIMINALLY LIABLE AS AN ACCOMPLICE AND WILL BE SUBJECT TO AN EQUAL COMMERCIAL AND PERSONAL INJURY AS THAT CAUSED BY THE CITED DISTRESS DEFENDANT AND DISTRESS DEFENDANT'S ACCESSORY ACCOMPLICES.

Other slight revisions are being made as typographical, grammatical, chronological, plural, and identification mistakes are found or meanings can be made more clear. Corrected copies are being dispatched to replace those containing errors or omissions. Information on corrections will be appreciated. Write to National Association for Commercial Accountability (NACA) 4320 196th S.W., #B-110, Lynnwood, Washington 98036-6754.



IN THE OFFICE OF THE COUNTY RECORDER

STATE: *WASHINGTON*; COUNTY: *KING*

County Recorder's Number _____

United States District Court Reference Case Number(s): *CR96-281M and CR96-500C*

A U. S. FIRST AMENDMENT AFFIDAVIT PETITION FOR REDRESS OF GRIEVANCES
(An Affidavit, Citation, and Brief of Information with attached Criminal Complaint and Exhibits)

In the matter of: the consensual commercial obligation of the Lien Debtors established by the Lien Debtors' voluntary contract, oath, and acceptance of public compensation, the subsequent breach of that obligation, and the consequent altruistic rebate of that compensation and punitive remedies **PAID TO THE ORDER OF the Public.**

This is a National Commercial / Military Filing
A SECURITY (15 USC)
THIS IS A U.S.S.E.C. TRACER FLAG
NOT A POINT OF LAW

18 USC 4

Hartford Van Dyke, Public Servant since 1967,

a 42 USC 1986 Escrow Proxy for Public,

Public Lien Claimant/Affiant

VS.

Judge John C. Coughenour, Susan B. Dohrmann, Katrina C. Pflaumer, William H. Redkey, Jr., et al Mark N. Bartlett, Gene Porter, et al (see parts 2, 3), and the Corporate United States of America, the principal offices of which are in Washington, D.C., Puerto Rico, The Virgin Islands, American Samoa, Guam, etc., as declared in the IRS Code, Public Lien Debtor(s)

**CONSENSUAL
COMMERCIAL LIEN
AN ALTRUISTIC PUBLIC LIEN
AGAINST BREACH OF PUBLIC TRUST**

**THIS IS A RELATIVE LIEN MEANING
THAT ITS VALUE IS ESTABLISHED
RELATIVE TO STATUTE: 18 USC 241.
AN AFFIDAVIT OF OBLIGATION
OF SPECIFIC PERFORMANCE**

This Lien is running concurrently with a Criminal Complaint and a Distress bonded by a Criminal Complaint.

AFFIDAVIT

I, the natural person presenting testimony herein, the undersigned Affiant / Lien Claimant, depose and say as follows:

PLAIN STATEMENT OF FACT

1A. Parties: The Lien Claimant/Affiant is:

Hartford Van Dyke, P.O. Box 3100, Battle Ground, Washington 98604

a 42 USC 1986 Escrow Proxy for actual Lien Claimants and The Public.

This Lien is filed on behalf of the nine actual (not proxy) Lien Claimants who are Defendants in US District Court Case No. CR96-500C, and on behalf of The Public.

1B. Parties: Then Lien Debtors are:

Judge John C. Coughenour, et al,

U.S. District Courthouse, 1010 Fifth Ave., Seattle, Washington—

Assistant U.S. Attorneys, Susan B. Dohrmann, et al, and U.S. Attorney Katrina C. Pflaumer

3600 Seafirst Fifth Ave. Plaza, 800 Fifth Ave., Seattle, Washington 98104 and the Corporate United States of America, the principal offices of which are in Washington, D.C., Puerto Rico, The Virgin Islands, American Samoa, Guam, etc., as declared in the IRS Code.

2. Allegations by Affidavit: The attached Criminal Complaint with Constitutional Ledgering, ledgered pursuant to 18 USC 4, 241, 242 values, is the Affidavit in support of this Lien / Claim of Lien.

SPECIFIC PERFORMANCE

The Lien Debtors have violated the law (U.S. Constitution, etc.) by the following acts or omissions and have breached their commercial contract with The Public / The People thereby:

DEFENDANTS DID UNLAWFULLY

The above named Lien Debtors are accused by this instrument of the offense of violation of the U.S. Constitution—the ORIGINAL and SUPREME Law of the Land. Said Lien Debtors, on or about July 26, 1996, to the present, in King County, State of Washington through United States District Court (at Seattle) Case #CR96-500 C, having knowledge of the law and the power to prevent the Constitutional deprivation of Lien Claimant's(s') guaranteed Rights, with intent, without authority and under color of law did unlawfully: engage in a conspiracy to overthrow the United States Government, and specifically, to defraud and betray the Lien Claimants of their lawful Constitutional exercise of their 9th Amendment natural law invariant individual right of self-defense and self-preservation, and the corollary 2nd Amendment Constitutional right to "Keep and Bear Arms"—rights based on Natural Law, hence invariant. Said acts are in violation of Title 18 USC 241.

COMMITTED AS FOLLOWS

See "DEFENDANTS' JOINT MOTION TO DISMISS BASED ON SECOND AND NINTH AMENDMENTS, AND SUPPORTING MEMORANDUM" (Motion attached) by David Zuckerman. This is an excellent argument and defense based on the 2nd and 9th Amendments to the U.S. Constitution, but it was rejected by Judge John C. Coughenour who is conducting the mass trial of William Smith and eight other people accused of violating the law by exercising their U.S. Constitutional 2nd and 9th Amendment Rights.

3. Ledger - explicit point for point ledgering: See attached Criminal Complaints with Constitutional Ledgering, ledgered pursuant to 18 USC 241, 242 values.

THIS LIEN VS. CRIME AND AGGRAVATION OF CRIME

This Lien is applied for termination of criminal behavior of the cited Lien Debtors and their Accessory Accomplices in this case, by creating a charitable channel for rebating unlawfully disbursed tax monies back to The Public / The People because said Lien Debtors, Officers and Agents of the United States Government and their Accessory Accomplices have been or are engaged in denying the Lien Claimants in Case Numbers CR96-281M and CR96-500C and The Public / The People their legal and lawful remedies. This Lien is applied to remedy the current situation and to discourage and prevent any future imposition of a violation of the "Peace and Dignity of the State" upon The Public / The People generally. This Lien is known as a Relative Lien because it is appraised, derived and valued at fair market value based on, hence, related to, Statute, namely 18 USC 241 and 242, with the Lien Claimant(s) acting as a Trust Executor(s) of the Public Trust through an Escrow Account. In contrast, an Absolute Lien is one in which the Ledgered value of debt or damages is appraised, derived and valued by reference to the actual public common market value which would be paid to the Lien Claimant(s) for labor, materials, etc., and would be owed to the Lien Claimant(s) as a Person(s) rather than to The Public / The People generally. Because the large sums / values derived by the statutory method of appraisal represent the damage done to The Public / The People generally rather than the damage done only to the Lien Claimant Party(s), the major share of, say, ninety per cent of this punitive Lien must be rebated to the people or institutions of The Public through legitimate charitable disbursements at the election and control of the Lien Claimant(s) and Damaged Parties who have assumed the hazardous duty of challenging *the corruption of the Lien Debtors and their Corporate Employer (U. S. municipal corporation) which is also attachable as a Lien Debtor by virtue of its financial support of corruption and crime.* (42 USC § 1986 - The Brothers Keeper/Good Samaritan Statute).

CLEAN HANDS/GOOD FAITH LIEN

This Lien is Not applied for light or transient reasons, Not engaged in for purposes of harassment, and Not engaged in for purposes of impeding or slowing down the court process.

The Lien Debtors have violated the law (U.S. Constitution, etc.) by the foregoing acts and omissions, and are severally and jointly assessed pursuant to the Constitution for the United States of America and pursuant to the Statutes of the United States Code for their acts and omissions in the amount of at least THREE MILLION TWO HUNDRED SIXTY THOUSAND DOLLARS (\$3,260,000), per actual (not proxy) Lien Claimant, per three (3) day cycle (Jewish arraignment period) of unlawful imprisonment arising from Case Numbers CR96-281M and CR96-500C as set forth and ledgered in the attached Criminal Complaint which was filed with the United States Attorney's Office on February 4th, 1997. THEREFORE, the total value of this Lien after six months (180 days = 60 arraignment periods) of unlawful imprisonment of nine (9) Lien Claimants is given by the formula "Lien Claimants X arraignment periods X \$3,260,000 = 9 X 60 X \$3,260,000 = ONE BILLION SEVEN HUNDRED SIXTY MILLION FOUR HUNDRED THOUSAND DOLLARS (\$ 1,760,400,000). Now the reader understands the commercial meaning and importance of a "speedy trial".

4. **Surety-Property** — The Surety Property of this Commercial Lien is any and all property of the Lien Debtors both real and movable, except those survival provisions and keepsakes and wedding rings which are normally exempt in the Lien Process. Refer to an ordinary lien exemption list, such as is presented by the IRS, for further details. The IRS assessment process is a commercial fraud, whereas its collection process with an Affidavit of Assessment would be commercially lawful. The IRS relies on commerce not Title 26.

- 4A. Grace — The commercial grace of a Lien process consists of a ninety (90) day (three month— Old Testament Hebrew / Jewish Commerce) grace period.
- 4B. Assessment: This Lien is assessed and ledgered by the attached Criminal Complaint filed on February 4th, 1997, and is sworn to be true, correct and complete and not misleading.
- 4C. Affidavit - The attached Criminal Complaint filed at the U.S. Attorneys Office on February 4th, 1997, is the Affidavit in support of this Lien. Violation of this process constitutes accessory to a crime. Any attempt to abridge or defeat or impair this process and release this Lien against the cited Lien Debtors is a felony, publicly punishable by an escalation of this Commercial Process. If the official custodians of this Lien do not honor and protect it, or attempt to tamper with, expunge or release it, they will become personally individually liable for all damages which result both commercially and criminally, which could have been prevented by reasonable diligence and lawful behavior pursuant to 42 USC 1986 and 18 USC 4, 241, 242.
- 4D. Conditions for releasing Lien — To obtain a release of this Lien, the Lien Debtor(s) must:
- (1) rebut this Lien by a Counter Affidavit sworn to be true, correct, complete and not misleading,
 - (2) pay the amount demanded,
 - (3) file a civil court case naming the Lien Claimant(s) as the Plaintiff (s) and the Lien Debtor(s) as the Defendant(s) and have the Sheriff assemble a Common Law Jury for a trial in which the Jury shall rule on both the Facts and Law, because the burden of proof is always on the Lien Claimant, or
 - (4) pursuant to the Ninth and Tenth Amendments to the Constitution for the United States of America, create a custom-made remedy by Affidavit which the Lien Claimant or any other interested party must then challenge by Counter Affidavit within twenty one (21) days (three weeks — Old Testament Hebrew / Jewish Commerce) grace period.
5. Evidence, Exhibits, Memoranda (points of law):
- (1) See the article on the Jewish Shetar in the Georgetown Law Journal Volume 71: pages 1179 - 1200.
 - (2) **DEFENDANTS' JOINT MOTION TO DISMISS BASED ON SECOND AND NINTH AMENDMENTS, AND SUPPORTING MEMORANDUM** by *David B. Zuckerman*, filed in the above cited case, U.S. District Court Case No. CR96-500C.
6. Criminal Certification: I, the Affiant / Lien Claimant , certify and affirm that I have grounds to, and do believe, that the above accused Lien Debtors committed the above offenses contrary to law.

General Final Certification: I, Affiant, certify and affirm on my own commercial liability, that I have read the foregoing and know the content thereof and that, to the best of my knowledge, understanding and belief, it is true, correct, complete and not misleading, *the truth, the whole truth and nothing but the truth.*

(Signature of Affiant / Proxy Lien Claimant) _____ Date _____

7. Witnesses: Subscribed and sworn to before me this ____ day of _____, 199 __,

Notary Public

My Commission expires (date)

LYLE HARTFORD VAN DYKE, JR.
4320 196th S.W., #B110
LYNNWOOD, WASH. 98036-6754

970211-0859 02:12:00 PM KING COUNTY RECORDS 008 THIS

15.00

IN THE OFFICE OF THE COUNTY RECORDER

STATE: WASHINGTON; COUNTY: KING

County Recorder's Number

United States District Court Reference Case Number(s): CR96-281M and CR96-500C

A U. S. FIRST AMENDMENT AFFIDAVIT PETITION FOR REDRESS OF GRIEVANCES
(An Affidavit, Citation, and Brief of Information with attached Criminal Complaint and Exhibits)

In the matter of: the consensual commercial obligation
of the Lien Debtors established by the Lien Debtors'
voluntary contract, oath, and acceptance of public
compensation, the subsequent breach of that obligation,
and the consequent altruistic rebate of that compensation
and punitive remedies PAID TO THE ORDER OF the Public.

This is a National Commercial / Military Filing
A SECURITY (15 USC)
THIS IS A U.S.S.E.C. TRACER FLAG
NOT A POINT OF LAW

18 USC 4

Hartford Van Dyke, Public Servant since 1967,
a 42 USC 1986 Escrow Proxy for Public,

Public Lien Claimant/Affiant

VS.

Judge John C. Coughenour, Susan B. Dohrmann,
Katrina C. Pflaumer, William H. Redkey, Jr., et al
Mark N. Bartlett, Gene Porter, et al (see parts 2, 3),
and the Corporate United States of America, the principal
offices of which are in Washington, D.C., Puerto Rico,
The Virgin Islands, American Samoa, Guam, etc.,
as declared in the IRS Code, Public Lien Debtor(s)

CONSENSUAL
COMMERCIAL LIEN
AN ALTRUISTIC PUBLIC LIEN
AGAINST BREACH OF PUBLIC TRUST

THIS IS A RELATIVE LIEN MEANING
THAT ITS VALUE IS ESTABLISHED
RELATIVE TO STATUTE: 18 USC 241.
AN AFFIDAVIT OF OBLIGATION
OF SPECIFIC PERFORMANCE

This Lien is running concurrently with a Criminal Complaint and a Distress bonded by a
Criminal Complaint.

9702110859

- 4A. Grace — The commercial grace of a Lien process consists of a ninety (90) day (three month— Old Testament Hebrew / Jewish Commerce) grace period.
- 4B. Assessment: This Lien is assessed and ledgered by the attached Criminal Complaint filed on February 4th, 1997, and is sworn to be true, correct and complete and not misleading.
- 4C. Affidavit - The attached Criminal Complaint filed at the U.S. Attorneys Office on February 4th, 1997, is the Affidavit in support of this Lien. Violation of this process constitutes accessory to a crime. Any attempt to abridge or defeat or impair this process and release this Lien against the cited Lien Debtors is a felony, publicly punishable by an escalation of this Commercial Process. If the official custodians of this Lien do not honor and protect it, or attempt to tamper with, expunge or release it, they will become personally individually liable for all damages which result both commercially and criminally, which could have been prevented by reasonable diligence and lawful behavior pursuant to 42 USC 1986 and 18 USC 4, 241, 242.
- 4D. Conditions for releasing Lien — To obtain a release of this Lien, the Lien Debtor(s) must:
- (1) rebut this Lien by a Counter Affidavit sworn to be true, correct, complete and not misleading,
 - (2) pay the amount demanded,
 - (3) file a civil court case naming the Lien Claimant(s) as the Plaintiff (s) and the Lien Debtor(s) as the Defendant(s) and have the Sheriff assemble a Common Law Jury for a trial in which the Jury shall rule on both the Facts and Law, because the burden of proof is always on the Lien Claimant, or
 - (4) pursuant to the Ninth and Tenth Amendments to the Constitution for the United States of America, create a custom-made remedy by Affidavit which the Lien Claimant or any other interested party must then challenge by Counter Affidavit within twenty one (21) days (three weeks — Old Testament Hebrew / Jewish Commerce) grace period.
5. Evidence, Exhibits, Memoranda (points of law):
- (1) See the article on the Jewish Shetar in the Georgetown Law Journal Volume 71: pages 1179 - 1200.
 - (2) **DEFENDANTS' JOINT MOTION TO DISMISS BASED ON SECOND AND NINTH AMENDMENTS, AND SUPPORTING MEMORANDUM** by David B. Zuckerman, filed in the above cited case, U.S. District Court Case No. CR96-500C.
6. Criminal Certification: I, the Affiant / Lien Claimant , certify and affirm that I have grounds to, and do believe, that the above accused Lien Debtors committed the above offenses contrary to law.

General Final Certification: I, Affiant, certify and affirm on my own commercial liability, that I have read the foregoing and know the content thereof and that, to the best of my knowledge, understanding and belief, it is true, correct, complete and not misleading, *the truth, the whole truth and nothing but the truth.*

(Signature of Affiant / Proxy Lien Claimant) Lyle Hartford Van Dyke Jr. Date 2/11/97

7. Witnesses: Subscribed and sworn to before me this 11 day of February, 1997.
Shamim Punjani
 Notary Public
 My Appointment Expires DEC 21, 1998
 My Commission expires Dec. 21, 1998 (date)

IN THE OFFICE OF The King County Recorder
IN THE OFFICE OF The Governor of the State of Washington
IN THE OFFICE OF The Attorney General of the State of Washington
IN THE OFFICE OF The United States Attorney for the Western District of
Washington, at Seattle, Washington

A U. S. FIRST AMENDMENT AFFIDAVIT PETITION FOR REDRESS OF GRIEVANCES
(An Affidavit Citation and Brief of Information with attached extensions of information.)

In the matter of: the consensual commercial obligation
of the Lien Debtors established by the Lien Debtors'
voluntary contract, oath, and acceptance of public
compensation, the subsequent breach of that obligation,
and the consequent altruistic rebate of that compensation
and punitive remedies **PAID TO THE ORDER OF the**
Public via the State of Washington as Escrow.

NACA, by one of its agents,

Hartford Van Dyke, Public Servant since 1967,

a 42 USC 1986 Escrow Proxy for Public, et al,

and The State of Washington, (See Part 1A.)

Public Proxy Lien Claimant / Distress Demandant /

Removal Demandant / Affiant

VS.

The Corporate United States of America, a Corporate
State subject to its own Constitution at Article 4 § 1
the principal offices of which are in Washington, D.C.,
the local Washington State U.S. Agents of which are:

Judge John C. Coughenour, Susan B. Dohrmann,
Katrina C. Pflaumer, William H. Redkey, Jr., et al
Mark N. Bartlett, Gene Porter, et al (See Part 1B.),

Public Lien Debtors / Distress Defendants /

Removal Defendants

This is a National Commercial / Military Filing

A SECURITY (15 USC)

THIS IS A U.S.E.C. TRACER FLAG

NOT A POINT OF LAW

18 USC 4

CONSENSUAL
COMMERCIAL LIEN AND
PROPOSED LIEN ASSIGNMENT

REMOVAL DISTRESS
REMOVAL LIEN

AN ALTRUISTIC PUBLIC DISTRESS AND
LIEN AGAINST BREACH OF PUBLIC TRUST

THIS IS A RELATIVE LIEN MEANING
THAT ITS VALUE IS ESTABLISHED
RELATIVE TO STATUTE: 18 USC 241.

AFFIDAVIT OF OBLIGATION
OF SPECIFIC PERFORMANCE

This Lien, Removal and Assignment arises from and is running concurrently with a Criminal Complaint and a Distress bonded by a Criminal Complaint filed February 4th, 1997, in the Office of the U.S. Attorney, at Seattle, Washington.

AFFIDAVIT

I, the natural person presenting testimony herein, the undersigned Affiant / Proxy Lien Claimant / . . . , depose and say as follows:

PLAIN STATEMENT OF FACT

- 1A. Parties: The Public Proxy Lien Claimants / Distress Demandants / Removal Demandants / Potential Assignors / Plaintiffs / Affiants are:
National Association for Commercial Accountability, 4320 196th S.W., #B-110, Lynnwood, Wash. 98036 — Agents / Public Servants: Hartford Van Dyke, Carl Roman Iverson, Ross Tylor, a 42 USC 1986 Escrow Proxy for the Lien Claimants: (1) the Defendants directly injured in U.S. District Court Cases # CR96-281M and # CR96-500C, (2) the Public, and (3) the State of Washington.

ASSIGNEES / BENEFICIARIES:

- This Lien, in the amount of \$1,760,400,000, is a punitive commercial Lien for damages filed:*
(1) *on behalf of the nine actual (not proxy)/ directly injured Lien Claimants who are Defendants directly injured in U.S. District Court Cases # CR96-281M and # CR96-500C, and on behalf of their Public Defenders and legal assistants — (say, 10%), and*
(2) *on behalf of the Public, and on behalf of the Corporate State of Washington — (say, 90%).*

- 1B. Parties: The Lien Debtors / Distress Defendants / Removal Defendants are:
The Corporate United States of America, a Corporate State subject to its own Constitution at Article 4 § 1, the principal offices of which are in Washington, D.C., and the local Washington State U.S. Agents of which are:
*Judge John C. Coughenour, U.S. District Courthouse, 1010 Fifth Ave., Seattle, Washington—
U.S. Attorney Katrina C. Pflaumer, Assistant U.S. Attorneys Susan B. Dohrmann, William H. Redkey, Jr., Mark N. Bartlett, Gene Porter, et al, 3600 Seafirst Fifth Ave. Plaza, 800 Fifth Ave., Seattle, Washington 98104*

2. Allegations by Affidavit: The attached Criminal Complaint, with Constitutional Ledgering ledgered pursuant to 18 USC 241 values, is one of several Affidavit(s) in support of this Lien Assignment. See part 5 for a list of Exhibits and supporting legal documents and processes all of which have been duly filed with the United States District Court, United States Attorney, the Public Defender David B. Zuckerman, the Governor of Washington State, the Washington State Supreme Court, and the Attorney General of the State of Washington. The total commercial value assessed against the Lien Debtors / Removal Defendants, as the 18 USC 241 offense against all nine Defendants in U.S. District Court Case No. CR96-500C repeated over sixty 72 hour (three day - Hebrew / Jewish) arraignment periods, is explicitly ledgered to be \$1,760,400,000.

SPECIFIC PERFORMANCE

The Lien Debtors / Removal Defendants have violated the law (U.S. Constitution, etc.) by the following acts or omissions:

THE LIEN DEBTORS / REMOVAL DEFENDANTS DID UNLAWFULLY

The above named Removal Defendants herein (Plaintiffs in Case No. CR96-500C) are accused by this instrument of the offense of violation of the U.S. Constitution—the ORIGINAL and SUPREME Law of the Land. Said Removal Defendants herein, on or about July 26, 1996 through the present, in King County, State of Washington through what is now known as the United States District Court (at Seattle, Washington) Criminal Case #CR96-500 C, having knowledge of the law and the power to prevent the Constitutional deprivation of Plaintiffs' herein (Defendants in Case No. CR96-500C) guaranteed Rights, with intent, without authority and under color of law did unlawfully: engage in a conspiracy to overthrow the Washington State Government and the United States Government, and specifically, to defraud and betray the Plaintiffs herein (Defendants in Case #CR96-500C), of their lawful Constitutional exercise of their State and United States Rights to be tried in a State Court for a State Offense, specifically, with regard to the exercise of their 9th Amendment natural law invariant individual right of self-defense and self-preservation, and their corollary 2nd Amendment Constitutional right to "Keep and Bear Arms", rights based on Natural Law, hence invariant and not subject to human opinion or prosecution, and the Constitutional Right to participate in the responsibilities and activities of the "unorganized Militia" of Washington State. See the DEFENDANTS JOINT MOTION TO DISMISS BASED UPON SECOND AND NINTH AMENDMENTS, AND SUPPORTING MEMORANDUM, presented by David B. Zuckerman in Case No. CR96-500C, to be included herein by reference as argument in defense of this claim of Criminal Offense. Said acts are in violation of Title 18 USC 4, 241, 242, and Article 4, Section 1, Clause 1 of the Constitution for the United States of America, to wit, "Full Faith and Credit shall be given in each State to the public Acts, Records, and Judicial Proceedings of every other State [including Washington State and Washington, District of Columbia (D.C.)]". The Chief Commanding Officer of the "unorganized Militia" of Washington State is the Governor of Washington State, not the President of the United States, (nor John Pitner), and the United States Government cannot bring any member of the "unorganized Militia" into any Court of the United States Government for trial without joining the Governor of the State of Washington as a Party.

COMMITTED AS FOLLOWS

(Re: 18 USC 242) Without authority and under color of law, said U.S. Judge and U.S. Prosecuting Attorneys, being under Oath or Affirmation and having a known legal duty to stop or correct constitutional violations being inflicted upon Petitioner Brown (Tracy Lee, Brown a.k.a. William Smith) and others in U.S. District Court Case No. CR96-500C, acting in concert with one another (42 U.S.C. 1985(1)), and in turn witnesses to each others acts, did knowingly and intentionally perjure (18 U.S.C. 1621) said Oath of Office and Duty by neglecting (42 U.S.C. 1986) to stop a constitutional deprivation from being inflicted upon Petitioner Brown, et al, (CR96-500C) by invading (18 U.S.C. 2381 Treason) the sovereign state of Washington and instituting criminal process (F.R.C.P. Rules 9(b) & 60(b) Fraud) against Petitioner Brown, et al, which resulted in Petitioner Brown, et al, being KIDNAPPED into federal jurisdiction causing Petitioner Brown, et al, to suffer a deprivation of liberty without due process of law (42 U.S.C. 1983). See, FIRST AMENDMENT PETITION FOR REDRESS OF GRIEVANCES, AFFIDAVIT OF INFORMATION filed in the Office of the United States Attorney, at Seattle, Washington, January 6, 1997, by Ross, Tylor, and U.S. CRIMINAL COMPLAINT/U.S. LIEN, and DISTRESS ON AN OFFICIAL BOND, DISTRESS ON A JUDICIAL BOND, AND DISTRESS ON AN ATTORNEY'S BOND/BAR ACCOUNT, filed in the Office of the United States Attorney, at Seattle, Washington February 4, 1997, by Hartford Van Dyke.

3. **Ledger** - explicit point for point ledgering: See attached Criminal Complaint with Constitutional Ledgering, ledgered pursuant to 18 USC 241 values.

CLEAN HANDS/GOOD FAITH LIEN

This Lien is Not applied for light or transient reasons, Not engaged in for purposes of harassment, and Not engaged in for purposes of impeding or slowing down the court process

THIS LIEN VS. CRIME AND AGGRAVATION OF CRIME

This Lien is applied for termination of criminal behavior of the cited Lien Debtors and their Accessory Accomplices in this case, by creating a charitable channel for rebating unlawfully disbursed tax monies back to The Public / The People because said Lien Debtors, Officers and Agents of the United States Government and their Accessory Accomplices, have been or are engaged in denying the Lien Claimants / Removal Demandants in Case Numbers CR96-281M and CR96-500C and The Public / The People their legal and lawful remedies. This Lien is applied to remedy the current situation and to discourage and prevent any future imposition of a violation of the "Peace and Dignity of the State" upon The Public / The People generally. This Lien is known as a Relative Lien because it is appraised, derived and valued at fair market value based on, hence, related to, Statute, namely 18 USC 241 and 242, with the Lien Claimant(s) acting as a Trust Executor(s) of the Public Trust through an Escrow Account. In contrast, an Absolute Lien is one in which the Ledgered value of debt or damages is appraised, derived and valued by reference to the actual public common market value which would be paid to the Lien Claimant(s) for labor, materials, etc., and would be owed to the Lien Claimant(s) as a Person(s) rather than to The Public / The People generally. Because the large sums / values derived by the statutory method of appraisal represent the damage done to The Public / The People generally rather than the damage done only to the Lien Claimant Party(s), the major share of, say, ninety per cent (90%) of this punitive Lien must be rebated to the people or institutions of The Public through legitimate charitable disbursements at the election and control of the Lien Claimant(s) and Damaged Parties who have assumed the hazardous duty of challenging the corruption of the Lien Debtors / Removal Defendants and their Corporate Employer (the U. S. municipal corporation) which is also attachable as a Lien Debtor by virtue of its financial support of the corruption and crime of its Washington State U.S. Agents. (42 USC § 1986 - The Brothers Keeper/Good Samaritan Statute).

Assessment: This Lien is assessed and ledgered by the attached Criminal Complaint filed with the U.S. Attorney on February 4th, 1997, and is sworn to be true, correct, complete and not misleading.

The Lien Debtors have violated the law (U.S. Constitution, etc.) by the foregoing acts and omissions, and are severally and jointly assessed pursuant to the Constitution for the United States of America and pursuant to the Statutes of the United States Code for their acts and omissions in the amount of at least THREE MILLION TWO HUNDRED SIXTY THOUSAND DOLLARS (\$3,260,000), per actually / directly injured (not proxy) Lien Claimant, per three (3) day cycle (Jewish arraignment period) of the unlawful imprisonment of the Defendants in Case Numbers CR96-281M and CR96-500C as set forth and ledgered in the attached Criminal Complaint which was filed with the United States Attorney's Office on February 4th, 1997. THEREFORE, the total value of this Lien after six months (180 days = 60 arraignment periods) of unlawful imprisonment of nine (9) Lien Claimants is given by the formula "Lien Claimants X arraignment periods X \$3,260,000 = 9 X 60 X \$3,260,000 = ONE BILLION SEVEN HUNDRED SIXTY MILLION FOUR HUNDRED THOUSAND DOLLARS (\$ 1,760,400,000). Now the reader understands the commercial meaning and importance of a "speedy trial".

LIEN, DISTRESS, REMOVAL, AND ASSIGNMENT VS. CRIME AND AGGRAVATION OF CRIME

This Lien, Distress, Removal and Assignment is applied for termination of criminal behavior of the cited Removal Defendants and their Accessory Accomplices in this case, because they have been or are engaged in denying Removal Demandant and Defendants in U.S. Case No. CR96-500C their legal and lawful remedies. This Removal is applied to prevent any future imposition of a violation of the "Peace and Dignity of the State" upon the Removal Demandants and other Americans by the cited Removal Defendants and Accessory Accomplices. (42 USC § 1986 - The Brothers Keeper/Good Samaritan Statute).

CLEAN HANDS/GOOD FAITH LIEN, DISTRESS, REMOVAL AND ASSIGNMENT

This Lien, Distress, Removal and Assignment is Not applied for light or transient reasons, Not engaged in for purposes of harassment, and Not engaged in for purposes of impeding or slowing down the court process.

The Removal Defendants have violated the law (U.S. Constitution, etc.) by the foregoing acts and omissions, and must correct each act and omission as follows:

The purpose of this Lien Assignment is:

- (1) *to facilitate the removal of U.S. District Court (Seattle, Washington) Case No's CR96-281M and CR96-500C to the jurisdiction of the Courts and Governor's Office of Washington State,*
- (2) *to terminate the premeditated Corporate United States violation of the Ninth and Second Amendments to The Constitution for the United States of America,*
- (3) *to terminate the premeditated Corporate United States usurpation of the original U.S. Constitutional Tenth (10th) Amendment protected Jurisdiction of Washington State over the subject matter of the "unorganized Militia",*
- (4) *to compel the obedience of the Corporate United States to its own Article 4, Section 1, Clause 1 U.S. Constitutional mandate that, "Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State", which implies reciprocal right of removal of cases from the U.S. Courts to the State Courts when such is righteous, just, and necessary, and*
- (5) *to abolish the unlawfully ratified Seventeenth Amendment to the United States Constitution which deprived Washington State of its Commercial Corporate Representation in the United States Senate, hence seriously weakened the Commercial Sovereignty of the Corporate State of Washington.*

4A. Surety-Property —

4A(1). The Surety Property of this *Lien, Distress, Removal, and Assignment* is any and all property of the United States Government within the territorial boundaries of the State of Washington which may be distressed / arrested / impounded / use-suspended in third party custody of the State of Washington to guarantee specific performance, namely, to guarantee arrest of criminal behavior on the part of the Removal Defendants and their Accomplices, and to guarantee an arrest of the Commercial Assets of the Corporate United States of America being used for or available for use for the commission of said crimes against the State of Washington, the Peace and Dignity of Washington State, and the People of Washington State.

4A(2). Surety-Property — The Surety Property of this *Consensual Commercial Lien* is any and all property of the Lien Debtors both real and movable, except those survival provisions and keepsakes and wedding rings which are normally exempt in the Lien Process.

4B. Bonding (established pursuant to 42 USC 1986 and 18 USC 4, 241, 242):

A Distress or Removal (Jurisdictional Distress) to limit criminal behavior, especially in hot pursuit, does not have to be cash bonded.

A Criminal Complaint is a lawful Bond for the bonding of a Removal of Jurisdiction.

This Removal and Lien Assignment is both criminally and commercially bonded by the attached Criminal Complaint filed on February 4, 1997, in the United States Attorney's Office at Seattle, Washington., and by the Consensual Commercial Lien filed at the King County Recorder's Office at Record No. 970211-0859 on February 11, 1997, in the amount of \$3,260,000, per Defendant in Case No. CR96-500C, per three (3) day cycle (the Jewish arraignment period) of the unlawful imprisonment of the Defendants in Case No. CR96-281M and Case No. CR96-500C, and sworn to be true, correct, complete, and not misleading for a total of \$1,760,400,000— and represents the value claimed against the Lien Debtors / Distress Defendants / Removal Defendants and their Employer, the United States Government, severally and jointly liable as of February 4, 1997.

See, pages 6 and 7 of the U.S. Criminal Complaint and U.S. Commercial Lien, and page 3 of the Consensual Commercial Lien, King County Recording No. 970211-0859.

4C. Affidavit - The attached Criminal Complaint, filed at the U.S. Attorney's Office on February 4th, 1997, is the Affidavit in support of this Lien, Distress, Removal and Lien Assignment. Violation of this process constitutes accessory to a crime. Trespass, Rescue and Poundbreach are felonies. Any attempt to abridge or defeat or impair this process and release the Surety Property of the Lien Debtors, or release or expunge the Lien against the cited Lien Debtors, will constitute a felony known as Trespass, Rescue, and Poundbreach which is publicly punishable by an escalation of this Commercial Process. If the official custodians of the Surety Property of this Lien and Distress do not honor and protect it, or attempt to tamper with, expunge or release it, or do not take the lawfully required action, said custodians, and their personnel will become personally individually liable for all damages which result both commercially and criminally, which could have been prevented by reasonable diligence and lawful behavior pursuant to 42 USC 1986 and 18 USC 4, 241, 242. This Consensual Commercial Lien, Commercial Distress, Criminal Removal (a State Commercial Process), and Commercial Lien Assignment, created by the hazardous challenge of political corruption, if unchallenged by Counter-Affidavit / Rebuttal-by-Affidavit within ninety (90) days (three months — Old Testament Hebrew / Jewish commercial grace period), becomes an Accounts Receivable Security in International Commerce.

4D. Conditions for releasing the Surety — To obtain a release of the Surety Property, the Lien Debtors / Distress Defendants / Removal Defendants must:

- (1) allow a removal of U.S. District Court Case Nos. CR96-281M and CR96-500C to Washington State Court pursuant to Article 4, Section 1, Clause 1 of the Constitution for the United States of America, AND
- (2) abolish the unlawfully ratified Seventeenth Amendment to the United States Constitution which deprived Washington State of its Commercial Corporate Representation in the United States Senate.

AND DO ONE OF THE FOLLOWING:

- (3) pay the amount demanded, namely, \$1,760,400,000, to be negotiated, subject to offenders being prosecuted, or
- (4) Rebut / Challenge this process by Counter-Affidavit sworn on the Commercial liability of the Counter-Affiant to be true, correct, complete and not misleading, the truth, the whole truth and nothing but the truth, or
- (5) file a civil court case naming the Lien Claimant(s) as the Plaintiff (s) and the Lien Debtor(s) as the Defendant(s) (because the burden of proof is always on the Lien Claimant), and have the Sheriff

- assemble a Common Law Jury for a trial in which the Jury shall rule on both the Facts and the Law, or
- (6) pursuant to the Ninth and Tenth Amendments to the Constitution for the United States of America, create a custom-made remedy by Affidavit which the Lien Claimant or any other interested party must then challenge by Counter-Affidavit within twenty one (21) days (three weeks – Old Testament Hebrew / Jewish Commerce) grace period.
- 4E. Grace — The commercial Grace / Bond of the Distress Process is the presentment of a Criminal Complaint with sufficient Commercial Ledgering. The commercial Grace of the Lien process consists of a ninety (90) day (three month— Old Testament Hebrew / Jewish Commerce) Grace Period.
- 4F. Judgment by Maturity / Default — If, by and at the end of the Grace Period, the Lien Affidavit has not been exhaustively rebutted categorically point-for-point, then the Lien is said to be matured by Default, and its Assignment can be consummated in Commerce if the Receiving Party is competent to receive it, which includes as a condition of competence that the Receiving Party has an understanding of the process in terms of Commercial Law as distinguishable from Common Law, Equity Law, or Statutory Law, none of which are superior to, or can displace, Commercial Law.
5. Evidence, Exhibits, Memoranda (points of law):
- (1) *See the article on the Jewish Shetar in the Georgetown Law Journal Volume 71: pages 1179 - 1200.*
 - (2) *DEFENDANTS' JOINT MOTION TO DISMISS BASED ON SECOND AND NINTH AMENDMENTS, AND SUPPORTING MEMORANDUM by David B. Zuckerman, filed in the above cited case in the U.S. District Court Case No. CR96-500C, and heard on or about December 27, 1996.*
 - (3) *FIRST AMENDMENT PETITION FOR REDRESS OF GRIEVANCES To Dismiss Indictment for Lack of Venue, and to dismiss Indictment for Lack of In Persona Jurisdiction (42 USC 1986—by Proxy), AFFIDAVIT OF INFORMATION (Sixth Amend.) (Counter Criminal Complaint— 18 USC [241], 242) to overcome Fraud of Superseding Indictment. Filed in the Office of the United States Attorney at Seattle, Washington on 6 January 1997, by Ross, Tylor.*
 - (4) *U.S. CRIMINAL COMPLAINT / U.S. LIEN filed February 4, 1997, with the U.S. Attorney, et al*
 - (5) *DISTRESS ON AN OFFICIAL BOND, DISTRESS ON A JUDICIAL BOND, DISTRESS ON AN ATTORNEY'S BOND/BAR ACCOUNT, filed in the Office of the United States Attorney, et al, at Seattle, Washington, February 4, 1997.*
 - (6) *DISTRESS ON A JUDICIAL BOND, et al, a Point Brief (summary of above (5)).*
 - (7) *CONSENSUAL COMMERCIAL LIEN, AN ALTRUISTIC PUBLIC LIEN AGAINST BREACH OF PUBLIC TRUST — filed February 10th and 11th, 1997.*
 - (8) *DEMAND FOR REMOVAL OF U.S. CRIMINAL CASES filed February 10th and 11th, 1997 This Removal was filed with the Governor of the State of Washington on February 11, 1997.*
 - (9) *Exhibits, 13 pages — on Maxims [3], Shetar [3], writing on Commercial and Military Lien Rights [4], 42 USC 1986 [1], Generic Commercial Brief [2] — 12 pages of which was filed in the Office of the United States Attorney, et al, at Seattle, Washington, February 4, 1997.*
 - (10) *Exhibits, 23 pages — an introduction to the book THE SKELETON IN UNCLE SAM'S CLOSET on the Pearl Harbor Attack [2], an introduction to the book SILENT WEAPONS FOR QUIET WARS on the use of computers to control the world economy [6], THE PRINCIPLES, LOGIC, HISTORY, RULES AND PROCESSES OF COMMERCIAL LAW or MEMORANDUM IN SUPPORT OF COMMERCIAL DISTRESS PROCESS [15], all by Hartford Van Dyke, most of*

which was filed in the Office of the United States Attorney, et al, at Seattle, Washington, February 4, 1997.

(11) Exhibits, 79 pages – *SILENT WEAPONS FOR QUIET WARS* [79] by Hartford Van Dyke, which was filed in the Office of the United States Attorney, et al, at Seattle, Washington, February 4, 1997.

6. **Criminal Certification:** I, the Affiant / Lien Claimant / Distress Demandant / Removal Demandant, certify and affirm that I have grounds to, and do believe, that the above accused Lien Debtors / Distress Defendants / Removal Defendants committed the above offenses contrary to law.

General Final Certification: I, Affiant, certify and affirm on my own commercial liability, that I have read the foregoing and know the content thereof and that, to the best of my knowledge, understanding and belief, it is true, correct, complete and not misleading, *the truth, the whole truth and nothing but the truth.*

(Signature of Affiant / Proxy Lien Claimant. . .) (Tyler) Hartford Van Dyke (Jr.) Date 2/18/97

7. **Witnesses:** Subscribed and sworn to before me this ___ day of _____, 199___,

Notary Public

My Commission expires (date)

Boss, Tyler 2/18/97
Witness Date

THE COMMERCIAL PRINCIPLES GOVERNING THE ENGINEERING OF
PUBLIC WEALTH REBATE BANKS, a.k.a., "ROBIN HOOD BANKS"

Public Wealth Rebate Banks **LAWFULLY SEIZE AND RECOVER WEALTH** (taxes, etc.) stolen by corrupt officials and others engaged in government organized crime, and return it to the common people, the Public, to reimburse and revitalize the common people (Public). These banks bring to mind the legendary character known as Robin Hood, who had the less rigorous more vigorous informal cavalier way of correcting the same social wrongs of Old England. This is the reason for referring to Public Wealth Rebate Banks by the term "Robin Hood Banks"; they paramountly represent the interests of "a government of the people, by the people, for the people". Governments are usually operated by people who do not want to consider the needs of others, hence rule by force, not reason, too often with the result that power corrupts, and absolute power corrupts absolutely. Consequently, governments are not inclined to correct their own evils, and, to the contrary, tend to perpetuate their own evils, and especially to punish those who resist the evils of the government. Understandably, then, Public Wealth Rebate Banks are **PUBLIC INSTITUTIONS**, necessarily founded and operated by non-government self-appointed (42 USC 1986) public servants who operate as public escrow agents known as Public Proxies, and always under the threat of government retaliation. Public Wealth Rebate Banks are operated: (1) pursuant to the Universal and Eternal Natural Laws of Commerce, (2) pursuant to the U.S. Const. 9th Amendment which guarantees the Natural Right to Exercise Any Self-Defense, (3) pursuant to the social "brother's keeper principle" suggested in 42 USC 1986 and in 18 USC 4, (4) pursuant to the commercial fair market values suggested by 18 USC 241 and 18 USC 242, the fair market values to be levied in commerce against violations against the Public and its Constitutions, and especially against those violations committed by government officers and agents of the Public Trust, and (5) pursuant to the remuneration principles suggested by 42 USC 1994 and 18 USC 1581, which clearly state that whatever the government compels the Citizen to do for society, pursuant to statutory law, less than duty in a foreign war, is labor in the ordinary sense, so the government must stand good for a compensation for that labor in commerce or not expect the Citizen to seriously obey the statutes of the government. Public Wealth Rebate Banks keep a public record of all of their organizational by-laws and commercial transactions, which the public can inspect and copy either during regular banking hours, or by ordering information to be sent to them, without filing any formal requests for information. Public Wealth Rebate Banks are Charitable Public Trust Foundations engaged in generating, screening, processing, and directing Commercial Affidavits of Obligation known as Commercial Liens. (A Common Law Lien is inferior to a Commercial [Law] Lien in that a Common Law Lien does not contain **EXPLICIT LEDGERING**, hence relies upon the discretion of a Jury to decide the obligation.) Generally, Public Wealth Rebate Banks acquire their assets through lawful public claims made by way of Affidavits of Information (Criminal Complaints) (1st Amendment guaranteed petitions) against corrupt public officials, et al, who, by their failure to respond within 3 months (90 days), admit, by default, their public contempt, their public guilt and their public liability. Public Wealth Rebate Banks engage in the lawful altruistic/charitable disbursement of public malpractice default judgments to the Public, by generating a Commercial Lien Assignment Currency known as Public Wealth Rebate Notes, establishing, thereby, a lawful method for the Public to lay Claim to the real and moveable property of the Lien Debtor party(ies). Therefore, Public Wealth Rebate Banks are lawful Commercial (1st Amendment) Demand Note Currency Banks. Money is a social symbol for the existence of the intrinsic social survival value of mankind, a symbol for the Sun's daily delivery of energy to the Earth via agriculture, hydroelectric power, etc., and a symbol for the capacity of **HUMAN LABOR** to use information and intelligence to gain amplified access to Nature's resources of energy. The intrinsic value of the human labor of a population to amplify energy access, is represented by Population Notes or Allowance Notes, which are of the First Class of Notes. Commercial Notes are of two types or classes, namely, Population or Allowance Notes, and Promissory Notes. Allowance Notes are a public statement of the intrinsic worth of the common people of a society and, in accordance with the Equal Protection Maxim of Commercial Law (Matt. 5:45), can only be spent into circulation on an equal per person per day basis by the common people, and then only to create a currency to meet the ordinary need to have something to use for buying, selling, etc.. Allowance Notes must be generated only by public governments, and the distribution of such Notes to the public for the public to spend into circulation must be kept to a minimum by that government to prevent destruction of the motivation to do labor. Any attempt on the part of governments or private corporations (e.g., the Federal Reserve Corporation) to spend or loan Allowance Notes into circulation is a felony, hence cannot create a National Debt. A Promissory Note, a Second Class Note, is a written promise to pay or repay a specified sum of money at a stated time or on demand. There are no statutory limitations on Promissory Notes because they do not act as Allowance Notes to create new money for circulation, but merely serve to transfer the value of money which already exists. A Public Wealth Rebate Note is a Reversed Party Promissory Note, a Demand Note, made by a Creditor or Claimant against a Debtor, based on the Debtor's breached promise to pay or to perform. --H. V.

**THE COMMERCIAL PRINCIPLES GOVERNING THE ENGINEERING OF
PUBLIC WEALTH REBATE BANKS, a.k.a. "ROBIN HOOD BANKS"**

Public Wealth Rebate Banks **LAWFULLY SEIZE AND RECOVER WEALTH** (taxes, etc.) stolen by corrupt officials and others engaged in government organized crime, and return it to the common people, the Public, to reimburse and revitalize the common people (Public). These banks bring to mind the legendary character known as Robin Hood, who had the less rigorous more vigorous informal cavalier way of correcting the same social wrongs of Old England. This is the reason for referring to Public Wealth Rebate Banks by the term "Robin Hood Banks"; they paramourously represent the interests of "a government of the people, by the people, for the people". Governments are usually operated by people who do not want to consider the needs of others, hence rule by force, not reason, too often with the result that power corrupts, and absolute power corrupts absolutely. Consequently, governments are not inclined to correct their own evils, and, to the contrary, tend to perpetuate their own evils, and especially to punish those who resist the evils of the government. Understandably, then, Public Wealth Rebate Banks are **PUBLIC INSTITUTIONS**, necessarily founded and operated by non-government self-appointed (42 USC 1986) public servants who operate as public escrow agents known as Public Proxies, and always under the threat of government retaliation. Public Wealth Rebate Banks are operated: (1) pursuant to the Universal and Eternal Natural Laws of Commerce, (2) pursuant to the U.S. Constitution. 9th Amendment which guarantees the Natural Right to Exercise Any Self-Defense, (3) pursuant to the social "brother's keeper principle" suggested in 42 USC 1986 and in 18 USC 4, (4) pursuant to the commercial fair market values suggested by 18 USC 241 and 18 USC 242, the fair market values to be levied in commerce against violations against the Public and its Constitutions, and especially against those violations committed by government officers and agents of the Public Trust, and (5) pursuant to the remuneration principles suggested by 42 USC 1994 and 18 USC 1581, which clearly state that whatever the government compels the Citizen to do for society, pursuant to statutory law, less than duty in a foreign war, is labor in the ordinary sense, so the government must stand good for a compensation for that labor in commerce or not expect the Citizen to seriously obey the statutes of the government. Public Wealth Rebate Banks keep a public record of all of their organizational by-laws and commercial transactions, which the public can inspect and copy either during regular banking hours, or by ordering information to be sent to them, without filing any formal requests for information. Public Wealth Rebate Banks are Charitable Public Trust Foundations engaged in generating, screening, processing, and directing Commercial Affidavits of Obligation known as Commercial Liens. (A Common Law Lien is inferior to a Commercial [Law] Lien in that a Common Law Lien does not contain **EXPLICIT LEDGERING**, hence relies upon the discretion of a Jury to decide the obligation.) 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ISSUE NO. 1003

THE UNITED STATES OF AMERICA

ISSUE DATE 6/16/97

<< CAUSE OF ACTION >>

MUST PAY TO THE ORDER OF *J.S.*

DOERNBECHER FOUNDATION (MAY TRUST)
PAYEE/TRUSTEE

« EFFECT OF ACTION »
THIS DEMAND NOTE IS A LAWFUL TENDER AT
ITS FACE VALUE FOR ALL DEBTS, PUBLIC AND
PRIVATE, AND IS REDEEMABLE IN THE ASSETS
OF THE LIEN DEBTORS OR IN LAWFUL MONEY
OR NOTES OF THE UNITED STATES OF
AMERICA AT THE UNITED STATES TREASURY,
OR AT ANY F.O.I.C REGULATED BANK

PAYEE/TITLE
OF THE UNITED STATES CODE NAMELY:
42 USC 1986, 18 USC 4; 18 USC 241, 242;
42 USC 1994, 18 USC 1581
OR AFTER ENDORSEMENT BY THE PAYEE, PAY TO THE BEARER ON DEMAND OR AT ANY F.D.I.C REGULATED BANK
U.S. DOLLARS
ACCOUNT #60,000,000 - Sixty Million and 00/100 ✓
✓ Dr. Deen Hachon Hospital

ISSUED FOR (PUBLIC PURPOSE)

ISSUED FOR (PUBLIC PURPOSE) General Support

THIS DEMAND NOTE IS A LAWFUL TENDER IF THE PAYEE/TRUSTEE OPERATES WITHIN COMMERCIAL LAW FOR THE SPECIFIED BENEFICENT PUBLIC PURPOSE. THIS NOTE IS AN ALTRUISTIC PUBLIC LIEN ASSIGNMENT NOTE WRITTEN IN BEHALF OF THE PUBLIC, AND DRAWN AGAINST THE BANK ACCOUNT OF THE UNITED STATES OF AMERICA, INCORPORATED, AT WASHINGTON, DISTRICT OF COLUMBIA, THE COMMERCIAL SURETY FOR THE U.S. DISTRICT COURT CASE NO. CR96-500C, ONGOING IN THE U.S. COURT AT SEATTLE, WASHINGTON STATE. (DEBTORS: THE GOVT. OF THE UNITED STATES OF AMERICA, JUDGE JOHN C. COUGHENOUR, KATRINA C. PFLAUMER, SUSAN B. DOHRMANN, WILLIAM H. REDKEY, JR., MARK N. BARTLETT, GENE PORTER).

ISSUED AS TRUE, CORRECT, COMPLETE AND NOT MISLEADING BY
THE HARTFORD VAN DYKE PUBLIC WEALTH REBATE BANKTRUST >>>
P.O. Box 3100 Battle Ground, Washington 98604, a Public Escrow Proxy
This bank is established by a three month default matured lien account
THE STATE OF WASHINGTON, KING COUNTY RECORDING OFFICE
RECORDING ACCOUNT NUMBER 970211-0859. ENDORSE

(Lyle) Harford Van Dyke (Jr.)
H.V. - Executive Disbursement Director (a public servant since 75)
NOTICE: THIS INFORMATION IS PUBLIC DOMAIN NOT COPYRIGHTED

H.V. - Executive Disbursement Trustee (a public servant since 1967)
THE FORMAT OF THIS NOTE IS PUBLIC DOMAIN, NOT COPYRIGHTED

ENDORSEMENT OF PAYEE >>>>

THE STATE OF WASHINGTON, KING COUNTY RECORDING OFFICE
RECORDING ACCOUNT NUMBER 970211-0859. ENDORSEMENT OF PAYEE >>>>
All information on this Public Wealth Account is openly available to the public. Tel: (360) 687-5680, or (800) 624-7243, P.I.N. 132-1608, enter your telephone No., follow with "02".

PUBLIC WEALTH REBATE NOTE

ISSUE NO. 1004

THE UNITED STATES OF AMERICA

ISSUE DATE 6/6/97

CAUSE OF ACTION

THIS NOTE IS ISSUED ON THE ASSETS OF THE UNITED STATES OF AMERICA PURSUANT TO THE LAWFUL RESPONSIBILITY, ENFORCEMENT, EVALUATION, AND REMUNERATION MANDATES OF THE UNITED STATES CODE NAMELY: 42 USC 1986, 18 USC 4; 18 USC 241, 242; 42 USC, 1994, 18 USC 1581

MUST PAY TO THE ORDER OF

HEALTH
LEGACY EMANUEL HOSPITAL & CENTER
PAYEE/TRUSTEE via William Sullivan

EFFECT OF ACTION

THIS DEMAND NOTE IS A LAWFUL TENDER AT ITS FACE VALUE FOR ALL DEBTS, PUBLIC AND PRIVATE, AND IS REDEEMABLE IN THE ASSETS OF THE LIEN DEBTORS OR IN LAWFUL MONEY OR NOTES OF THE UNITED STATES OF AMERICA AT THE UNITED STATES TREASURY, OR AT ANY F.D.I.C. REGULATED BANK

OR AFTER ENDORSEMENT BY THE PAYEE. PAY TO THE BEARER ON DEMAND

AMOUNT \$60,000,000 Sixty Million and 00/100 U.S. DOLLARS

ISSUED FOR (PUBLIC PURPOSE) General Support of L.E.H. & H.C.'s Childrens Hospital

THIS DEMAND NOTE IS A LAWFUL TENDER IF THE PAYEE/TRUSTEE OPERATES WITHIN COMMERCIAL LAW FOR THE SPECIFIED BENEFICENT PUBLIC PURPOSE. THIS NOTE IS AN ALTRUISTIC PUBLIC LIEN ASSIGNMENT NOTE WRITTEN IN BEHALF OF THE PUBLIC, AND DRAWN AGAINST THE BANK ACCOUNT OF THE UNITED STATES OF AMERICA, INCORPORATED, AT WASHINGTON, DISTRICT OF COLUMBIA. THE COMMERCIAL SURETY FOR THE U.S. DISTRICT COURT CASE NO. CR95-500C, ONGOING IN THE U.S. COURT AT SEATTLE, WASHINGTON STATE. (DEBTORS: THE GOVT. OF THE UNITED STATES OF AMERICA, JUDGE JOHN C. COUGHENOUR, KATRINA C. PFLAUMER, SUSAN B. DOHRMANN, WILLIAM H. REDKEY JR., MARK N. BARTLETT, GENE PORTER)

ISSUED AS TRUE, CORRECT, COMPLETE AND NOT MISLEADING BY:

THE HARTFORD VAN DYKE PUBLIC WEALTH REBATE BANK/TRUST >>>>

P.O. Box 3100 Battle Ground, Washington 98604, a Public Escrow Proxy

This Bank is established by a three month default matured lien account at

THE STATE OF WASHINGTON, KING COUNTY RECORDING OFFICE

RECORDING ACCOUNT NUMBER 970211-0859.

ENDORSEMENT OF PAYEE >>>>

(Lyle) Hartford Van Dyke (Gr.)
H.V. - Executive Disbursement Trustee (a public servant since 1967)

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All information on this Public Wealth Account is openly available to the public. Tel: (360) 687-5680, or (800) 624-7243, P.L.N. 132-1608, enter your telephone No., follow with "02".