

Case-law Citations:

to be applied in Case #: 131799; State-Ex-Rel: Johnston Vs Branford.

Uniform conflict of laws limited Act
Definitions for ORS 12.410 to 12.480

As used in ORS 12.410 (Definitions for ORS 12.410 to 12.480) to 12.480 (Short title):

(1) Claim means a right of action that may be asserted in a civil action or proceeding and includes a right of action created by statute.

(2) State means a state, commonwealth, territory or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, a foreign country or a political subdivision of any of them. [1987 c.536 §1]

Note: 12.410 (Definitions for ORS 12.410 to 12.480) to 12.480 (Short title) were enacted into law by the Legislative Assembly but were not added to or made a part of ORS chapter 12 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

"An unconstitutional act is not law; it confers no right; it imposes no duties; affords no protection; it creates no office; it is in legal contemplation, as inoperative as though it had never been passed." Norton vs Shelby County 118 US 425 p.442

"The general rule is that an unconstitutional statute, though having the form and the name of law, is in reality no law, but is wholly void, and ineffective for any purpose; since unconstitutionality dates from the time of its enactment, and not merely from the date of the decision so branding it. No one is bound to obey an unconstitutional law and no courts are bound to enforce it." 16th American Jurisprudence 2d, Section 177, late 2nd, Section 256,,,,,,,Personal liberty, or the Right to enjoyment of life and liberty, is one of the fundamental or natural Rights, which has been protected by its inclusion as a guarantee in the various constitutions, which is not derived from, or dependent on, the U.S. Constitution, which may not be submitted to a vote and may not depend on the outcome of an election. It is one of the most sacred and valuable Rights, as sacred as the Right to private property...and is regarded as UNALIENABLE." 16 C.J.S., Constitutional Law, Sect.202, p.987.

"ALL ARE EQUAL UNDER THE LAW" (God's Law – Moral and Natural Law)
Exodus 21:23-25; Lev 24: 17-21; Deut 1:17, 19:21, Mat. 22:36-40; Luke 10:17; Col 3:25. "NO

"AN UNREBUTTED AFFIDAVIT BECOMES THE JUDGEMENT IN COMMERCE" Heb. 6:16-17. There is nothing left to resolve.

Legal Maxim: "He who does not deny, admits."

Legal Maxim: "A claim not contested, stands true."

Legal Maxim: "A Claim bought in law that is not contested or rebutted, then stands

true. Hence silence to a controversy is considered consent to any judgement." Failure to respond is a violation of Records law as described below, and if no response is made by you, then these conclusions shall be deemed to be admitted by you, and it shall be construed as "bad faith" and fraud as ruled in McNALLY v. UNITED STATES, 483 U.S. 350, 372 (1987), supra, and;

Silence can only be equated with fraud where there is a legal or moral duty to speak, or where an inquiry left unanswered would be intentionally misleading. . Our revenue system is based on the good faith of the voluntary taxpayer and the voluntary taxpayers should be able to expect the same from the government in its enforcement and collection activities. If that is the case we hope our message is clear. This sort of deception will not be tolerated and if this is routine it should be corrected immediately." U.S. v. Tweel, 550 F.2d 297, 299. See also U.S. v. Prudden, 424 F.2d 1021, 1032; Carmine v. Bowen, 64 A. 932.2.7-14
Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any state or territory, subjects or causes to be subjected, any citizen of the United States or other person to the deprivation of any rights, privileges, or immunities secured by the constitution and laws, shall be liable to the party injured in an action at law, equity, or other proper proceeding for redress.(Civil Rights) 42 U.S.C. 1963. http://oregontrackers.com/Civil_Rights.html

Acquiescence: In law, acquiescence occurs when a person knowingly stands by without raising any objection to the infringement of their rights, while someone else unknowingly and without malice aforethought makes a claim on their rights. Consequently, the person whose rights are infringed loses the ability to make a claim against the infringer, or succeed in an injunction suit due to the infringer's conduct. The term is most generally a kind of "permission" given by silence or passiveness.

Presumption: a rule of law which permits a court to assume a fact is true until such time as there is a preponderance (greater weight) of evidence which disproves or outweighs (rebutts) the http://en.wikipedia.org/wiki/Piracy_Act_1837 THAT "Due to sloth, inattention or desire to seize tactical advantage, lawyers [judges, and Executive administrators] have long engaged in dilatory practices... the glacial pace of much litigation breeds frustration with the Federal Courts and ultimately, disrespect for the law." (Roadway Express v. Pipe, 447 U.S. 752 at 757 (1982)), the general misconception among the public being that any exercise of state police, regulatory, or judicial power bearing the appearance of law is in fact in agreement with the law of the land, and is therefore legitimate in its operation as implemented or imposed.

11. THAT The Supreme Court has warned, "Because of what appear to be Lawful commands [Statutory Obligations, Regulations and Restrictions] on the surface, many citizens, because of their respect for what appears to be law, are cunningly coerced into waiving their rights, due to ignorance... [deceptive practices, constructive fraud, conversion, and malicious prosecution in inferior administrative State courts]." (United States v. Minker, 350 U.S. 179, 187, 76 S.Ct. 281, 100 L.Ed. 185 (1956); WHEREAS A 'Statute' is not a "Law," (Flournoy v. First Nat. Bank of Shreveport, 197 La. 1067, 3 So.2d 244, 248), nor is 'Code' "Law" (In Re Self v Rhay, 61 Wn 2d 261), in point of fact in Law, a concurrent or 'joint resolution' of legislature is not "Law," (Koenig v. Flynn, 258 N.Y. 292, 179 N.E. 705, 707; Ward v. State, 176 Okl. 368, 56 P.2d 136, 137; State ex rel. Todd v. Yelle, 7 Wash.2d 443, 110 P.2d 162, 165), as "All codes, rules, and regulations are for government authorities only, not human/Creators in accordance with God's laws. All codes, rules, and regulations are unconstitutional and lacking due process..." (Rodriques v. Ray Donovan, U.S. Department of Labor, 769 F. 2d 1344, 1348 (1985)); being defined by Black's Law Dictionary 5th as rebuttable prima facie, or superficial evidence and a mere presumption AT what may be considered law by some, yet by a degree of separation in the realm of Legality, a

facade of sophistry, and legal fictions applicable only to legal fictions, represented by 'public policy,' being color-able, or 'color of law,' further being counterfeited, feigned, or Defacto as applied to the citizen, as further defined thereby and in scripture as Legalism.

"A state may impose an excise upon the franchise of corporations engaging in a business which every private Citizen has a right to engage in freely. The privilege taxed is the right to engage in such business with the special advantages which are incident to corporate existence." California Bank v. San Francisco, 142 Cal. 276, 75 Pac. 832, 100 A.S.R. 130, 64 L.R.A. 918.

RIGHTS OF NATURAL PERSONS UNIMPAIRED BY OBLIGATIONS OR RESTRICTIONS APPLICABLE TO CORPORATE PERSONS AND CREATURES OF STATUTES ENFORCED UPON THEM KNOWINGLY AND INTENTIONALLY BY GOVERNMENT ACTORS WITH CRIMINAL INTENT TO CIRCUMVENT AND DEPRIVE THE SAME OF UNALIENABLE NATURAL LIBERTY RIGHTS FOR THE PURPOSE OF ECONOMIC EXPLOITATION

THAT "The natural body or such as is formed by the laws of God, [is] as distinguished from an artificial body or such as is devised by human laws. "(1 Bl. Com. 467). " Thus, in law, a body is considered a natural person formed by the laws of God... as distinguished from an 'artificial body,' or 'corporate person,' specifying that an artificial body is devised, and regulated by human laws. And, as such, An artificial body can do only what is authorized by its charter or by law... a natural person or body, whatever is not forbidden by law." (Paul v. Virginia, 8 Wall. 177 (1868.))

State statutes and regulatory rules such as TRCP RULE 52, under such sub headings as 'ALLEGING A CORPORATION,' state: "In any proceeding before the court, it shall not be necessary to prove the incorporation of any corporation mentioned in the complaint; thus, the Corporate existence of any individual entering the court is presumed by the court unless an affidavit specifically denying the existence of such corporation is present;" However, in Downes vs Bidwell, 182 U.S. 244, 319 (1901), the supreme court ruled that "incorporation is not to be assumed without express declaration, or an implication so strong as to exclude any other view." The natural person as defined in section 342.31 (1) of the "Handbook for Special Agents" is constitutionally protected, whereas the created corporate body or tax payer as defined by IRS Code is not." All court officers are revenue agents (citation Needed). The legal industrial complex profits primarily on duping first class natural persons into serving as 2nd class corporate persons subject to regulations and fines only the latter are subject to. "A state may impose an excise upon the franchise of corporations engaging in a business which every private Citizen has a right to engage in freely. The privilege taxed is the right to engage in such business with the special advantages which are incident to corporate existence." California Bank v. San Francisco, 142 Cal. 276, 75 Pac. 832, 100 A.S.R. 130, 64 L.R.A. 918.

THAT "The misnomer of the defendant may be pleaded in abatement." (Com. Dig. Abatement, F 18 ; Lutw. 36; 1 Chit. PI. 440; Arch. Civ. PI. 312. See form of a plea in abatement for a misnomer of the defendant in 3 Saund. 209, b., and see further, 1Show. 394; Carth. 307 ; Comb. 188 ; 1 Lutw. 10 ; 5 T. R. 487), when designated or misnamed as a creature of statute, yet State statutes and rules of civil procedure make no provision for such relief when natural persons are mistakenly or intentionally named as corporate fictions and creatures of statute, and despite the fact that all rights not explicitly granted or conferred to government are reserved to the people, the clever deprivation of remedy, by saying it is no longer provided for in the construction of civil or commercial rules of procedure is often claimed by judicial officers to warrant the entrapment, depriving remedy in this respect, to circumvent the natural rights of persons

summons to appear before them under threat of default or arrest, to further deprive them from any accessing any remedy or means of relieving themselves of an erroneous corporate designation devoid of natural rights. Protections and immunities.

THAT in numerous instances The United States Supreme Court has reluctantly concurred with inferior state supreme courts that the "... word 'person' as used and employed in most statutory language [and civil law] is ordinarily construed to exclude the [citizen or] sovereign, and that for one as such to be bound by statute, they must be 'specifically' named." (Will v. Michigan state Police 491 U.S. 58, 105 L.Ed.2nd 45 (1989); "...the tenderness of the law for the rights of individuals' entitles each person, regardless of economic or social status, to an unequivocal warning from the legislature as to whether he is within the class of persons subject to vicarious liability. Congress cannot be deemed to have intended to punish anyone who is not 'plainly and unmistakably' within the confines of the statute." (United States v. Lacher, 134 U.S. 624, 628, 10; S.Ct. 625, 626, 33 L.Ed. 1080; United States v. Gradwell, 243 U.S. 476,485, 37 S.Ct. 407, 61 L.Ed. 857. FN1 United States v. Wiltberger, 5 Wheat. 76, 95, 5 L.Ed. 37)).

"Government admits that often the word 'person' is used in such a sense as not to include the sovereign [or citizen] but urges that... the term should be held to embrace government [and creatures of statute]." (United States v. Cooper Corp., 318 US 600 (1941); United States v. Fox 94 US 315; United States v. Mine Workers 330 US 258 (1947); "Particularly is true where the statute imposes a burden or limitation, as distinguished from conferring a benefit or advantage." (United States v. Knight 14 pet. 301, 315 (1840); Wilson v. Omaha Indian Tribe 442 US 653 (1979); Chisolm v Georgia, 2 Dall 419; Penhallen v Doane v Administration, 3 Dall 54; McCullogh v Maryland, 4 Wheat 316; Hauenstein v Lynharm, 100 US 483 (1879); Yick Wo v Hopkins and Woo Loo v Hopkins, 188 US 356 (1886))

THUS The term 'Person' as employed in statutory language may extend and be applied to bodies corporate and creatures of statute, created by government, but does Not include, extend, or apply to the natural 'citizen,' while any law or presumed obligation that in any manner affects a right by converting the same into a privilege, or deprives a citizen of a right without consent, or by deception, is unconstitutional, and DOES NOT apply to the citizen, the duty of the citizen being to ignore (16 Am Jur, 2nd) such regulation or constraint intended for corperate fictions and creatures of statute, which are entities of form without substance, a commercial second class. Article I Section 1 Section 9 provides, No bill of attainder or ex post facto Law' shall be employed to usurp one's rights and remedies that were once allowed and for all time secured to the people. In other words, codes, rules, regulations, etc., and the lack there of, written after the constitution, only apply to government authorities, their officers and agents. No sane person, and yet only the deceived, would consent to being treated as a corpse or slave devoid of natural liberty rights.

LAW AS DISTINGUISHED FROM LEGALITY

"As of the time of the writing of the Constitution, there were two great systems of law in the world—the Civil Law... ..and the Common Law. ... the basic concept of these two systems was as opposite as the poles—in the Civil Law the source of all law is the personal ruler; . . . he [the ruler] is sovereign. In the Common Law, . . . the source of all law is the people; they, as a whole, are sovereign. During the centuries, these two systems have had an almost deadly rivalry for the control of society, the Civil Law and its fundamental concepts being the instrument through which ambitious men of genius and selfishness have set up and maintained despotisms; the Common Law, with its basic principles, being the instrument through which men of equal genius, but with the love of mankind burning in their souls, have established and preserved liberty and free institutions. . .

The Civil Law was developed by Rome. . . The people under this system have those rights, powers, and privileges, and those only which the sovereign considers are for their good or for his advantage. He adds or takes away as suits his royal pleasure. All the residuum of power is in the Emperor. Under this system, the people look into the law to see what they may do. They may only do what the Emperor has declared they may do. . . Under our common law system, we look into the law to see what we may not do, for we may do everything we are not forbidden to do. This civil law concept explains why, over the centuries, it has been possible for the head of a state, operating under this concept, to establish with comparative ease a dictatorship. We must always remember that despotism and tyranny, with all their attendant tragedies to the people, as in Russia today, come to nations because one man, or a small group of men, seize and exercise by themselves the three great divisions of government—the legislative, the executive, and the judicial. . . When the [Civil Law] concept has been operative, [peoples] have suffered the resulting tragedies—[such as] loss of liberty, oppression, great poverty among the masses, insecurity, [and] wanton disregard of human life." - J. Reuben Clark, former US Under Secretary of State and Ambassador to Mexico.

THAT Negative laws, such as generally found in statutory constructions, policy statutes, codes, regulations and rules as stated above, are created and written by and for the regulation of corporate persons devoid of natural rights and representatives of government for the regulation of government offices and the functions of their officers who administratively and ministerially commonly miss apply designations, classifications and rules intended for 'corporate persons' upon 'natural persons,' knowingly and intentionally with the intent to circumvent, abrogate and deprive those same natural persons of natural rights, rights by such commercial usage and imposition of civil law circumvented and abrogated for the purposes of economic exploitation and profit. "The common law is the real law, the Supreme Law of the land, the code, rules, regulations, policy and statutes are "not the law." (Self v. Rhay, 61 Wn 2d 261)

Not only do Judges, or executive administrators, bound to know the law, in their private capacity willful and intentional deprivation of, or conspiracy against Constitutionally protected natural liberty rights by the imposition of a corporate status upon natural persons, but the State legislature colludes in this activity, such crimes being predicated upon mail and wire fraud and abuse of office in the intentional misapplication of designations, classifications, and applications with menace to forethought in the regulation of natural persons and sovereign citizens as corporate citizens and creatures of statute devoid of natural rights, for the purpose of state sanctioned economic exploitation, profit and ill gotten gain through deceptive practices imposed in commerce upon those entitled to honest services and full disclosure of all terms and conditions regarding contracts and nature and cause regarding civil and criminal charges or indictments, that when they respond to most common complaints, suites and summons, they are presumed by the state and judicial officer to be dead to natural rights in commerce.

THAT " [J]udges who become involved in enforcement of mere statutes, act as mere "clerks" of the involved agency..." (K.C. Davis., ADMIN. LAW, Ch. 1 CTP. West's (1965)) "...their supposed "courts" becoming thus a court of "limited jurisdiction" as a mere extension of the involved agency for mere superior reviewing purposes." (K.C. Davis, ADMIN. LAW., P. 95, CTP, 6 Ed. West's (1977)); (FRC v. G.E., 281 U.S. 464; Keller v. P.E.P., 261 U.S. 428)); whereas "Judges do not enforce statutes and codes... Executive Administrators [in their private person with no Immunity for their non judicial ministerial or administrative functions] enforce statutes and codes [erroneously, and intentionally often on private citizens for the purpose of economic exploitation]. (FRC vs. GE 281 U.S. 464; Keller vs. PE 261 U.S. 428, 1 Stat. 138-178); In the case of Murray's Lessee v. Hoboken Land & Improvement Co. 59 U.S. 272 (1855), the Supreme Court ruled that cases involving "a suit at the

common law, or in equity, or admiralty inherently involve judicial determination and must come before an Article III court." Only Article III courts are invested with judicial power. "Wicked men, ambitious of power, with hatred of liberty and contempt of law, may fill the place once occupied by Washington and Lincoln... our fathers... For this, and other equally weighty reasons... secured the inheritance they had fought to maintain, by incorporating in a written constitution the safeguards which time had proved were essential to its preservation. Not one of these safeguards can the President, or Congress, or the Judiciary disturb." (Ex parte Milligan, 71 U.S. 2, 125 (1866))

Perhaps sovereignty before II should be here and then with the doctrine?

IMMUNITY FOR WANT OF CONTRACT

THAT "The Doctrine of Sovereign Immunity is one of the Common-Law immunities and defenses that are available to the Sovereign..." (Citizen of Minnesota. Will v. Michigan Dept. of State Police 491 U.S. 58, 105 L.Ed. 2d. 45, 109 S.Ct. 2304 (1988)); "The state citizen is immune from any and all government attacks and procedure, absent contract." (Dred Scott vs. Sanford, 60 U.S. 19 How. 393 (1856)); "To presume that a sovereign forever waives the right to exercise one of its powers unless it expressly reserves the right to exercise that power in a commercial agreement turns the concept of sovereignty on its head." -- Merrion et al., DBA MERRION & BAYLESS, ET AL. v. Jicarilla Apache Tribe et al., 1982 Sct. 394, 455 U.S. 130, 102 Sct. 894, 71 LEd2d 21, 50 U.S.L.W. 4169 pp. 144-148

Brady v. U.S., 397 U.S. 742, 748: "Waivers of Constitutional Rights, not only must they be voluntary, they must be knowingly intelligent acts done with sufficient awareness."

"If men, through fear, fraud, or mistake, should in terms renounce or give up any natural right, the eternal law of reason and the grand end of society would absolutely vacate such renunciation. The right to freedom being a gift of ALMIGHTY GOD, it is not in the power of man to alienate this gift and voluntarily become a slave." -Samuel Adams, 1772

"Party cannot be bound by contract [for statutory obligations] that he has not made or authorized. Free consent is an indispensable element in making valid contracts." Alexander v. Bothsworth (1915)). "Waivers of Constitutional Rights, not only must they be voluntary, they must be knowingly intelligent acts done with sufficient awareness." (Brady v. U.S. 397 U.S. 742, 748 (1970)) "A waiver of constitutional rights in any context must, at the very least, be clear; contractual language relied upon must on its face amount to a waiver." (Fuentes v. Shevin , 407 US 67 (1972)) "Every consent involves a submission, but it by no means follows that a mere submission involves consent." (Regina v. Day, 9 Car. & P. 722)).

Any statute, ordinance or regulation which compels performance in a specified manner must, of necessity, involve a contract of some kind: be it written, oral or implied, and State Statutes or City Ordinances that compel performance on a contractual obligation must be considered "Civil" Statutes or "Civil" ordinances to be enforceable in an Equity Jurisdiction, and Article III, Sec. 2, Clause 2 of the U.S. Constitution states that any Civil controversy in which a State is a party, cannot be tried in a State Court, but that the Federal Courts exercise original jurisdiction in such cases pursuant to 28 USCS § 1333, which states: "A district court shall have original jurisdiction, exclusive of the courts of the states, of any civil case of admiralty or maritime jurisdiction, saving to suitors in all cases all other remedies to which they are otherwise entitled."(In re Falcon Inland, 2 F. Supp. 2d 835 (D. La. 1998).

While the power to contract is unlimited, no person may be compelled to enter into or accept a commercial contract, to be bound by obligations or receive the benefits thereof, unless first having volunteered with full knowledge and disclosure of the terms of said contract. "In our country the people are sovereign and the government [subject to the people] cannot sever its relationship to the people [and the supreme law of the land by taking away their citizenship by equating them with corporations and corporations with persons, through adhesion contracts]." (Richards vs. Sec. of State, 752 F2d at 1418) "Adhesion contracts do not bind the citizen to a commercial contract." (PL#95-147, 91 Stat. 1227 (Oct. 28, 1977) "Party cannot be bound by contract that he has not made or authorized. Free consent is an indispensable element in making valid contracts." (Alexander v. Bothsworth (1915)). "A contract which rests on an unconstitutional statute creates no obligation to be impaired by subsequent legislation. (Norton v Shelby County 118 US 425) An unconstitutional act or statute whether federal or state, though having the form and name of law is in reality no law; but is wholly void and ineffective for any purpose." (16 Am Jur Vol. 2, sec 177, 256) "No legislature can bargain away the public health or the public morals. The people themselves cannot do it. much less their servants." (Orleans Gas Co v. Louisiana Light Co ,115 U.S. 650 (1885)). NO legislature has authority to add on to any Constitution in such a way that would take away, infringe upon or regulate rights previously guaranteed. - Amendment 9.

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CONGRESS DECLARES BIBLE "THE WORD OF GOD, Public Law 97-280, 96 stat 1211"  
Oct 4 1982 & Executive Order 6100 of Sept 22 1990. this is violating the god given right to my god given responsibility and in conflict with biblical principles as relating to law. Including U.S. Constitution - Article 1 Section 10

Personal liberty, or the Right to enjoyment of life and liberty, is one of the fundamental or natural Rights, which has been protected by its inclusion as a guarantee in the various constitutions, which is not derived from, or dependent on, the U.S. Constitution, which may not be submitted to a vote and may not depend on the outcome of an election. It is one of the most sacred and valuable Rights, as sacred as the Right to private property...and is regarded as UNALIENABLE." 16 C.J.S., Constitutional Law, Sect.202, p.987.

Lawful,,Due proses is Constitutional the private American side 1866 civil rights act to protect lawful Americans from there Elected and public Employees,,Judicial proses Fraud and treasonous Fraud appone the Court, Constitutional lawfulness court proceeding of a jury of 12, jury nullification,,,, Judicial proses Democracy Courts is the defato of 1871,

Many of our people seem to believe that their state government has jurisdiction to stop the common law Grand Juries. However, the state government only has authority over statutory (ie. State) law, not common law. The common law of England was used to establish the U.S. Constitution, so it existed before it and, thus, it is superior to it. The common law is time immemorial.

The state government did not create the common law, so it has no authority to abolish it or control it, unless we allow ourselves to be tricked to putting common law under statutory law, where it's "their house, their rules." However, if we operate outside the statutory rules by invoking common law, no state government has the authority or jurisdiction to dictate, control or abolish what we do. They only have authority to enforce our decisions for their employment.

If the U.S. Supreme Court acknowledged the authority of the common law Grand Jury

(U.S. v. Williams), why would the state have authority to counter that opinion? The common law is superior to all statutory law, and we must only invoke it in the right way to have superior standing. We need to stop putting the common law and the Grand Juries underneath their inferior statutory laws. The people (singular AND plural) have the ultimate authority!

Includes all Agency's , Elected and public employees Non-for profits, foreign agents, Churches As well

By the great weight of authority it is acknowledged that generally "public officials" are not immune from suit when they allegedly violate the civil rights of citizens, and that a "public official's" defense of immunity is to be sparingly applied in these kinds of cases. James v. Ogilvie, 1970, DC Ill., 310 F. Sup. 661, 663. Title 18 241-242 .Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any state or territory, subjects or causes to be subjected, any citizen of the United States or other person to the deprivation of any rights, privileges, or immunities secured by the constitution and laws, shall be liable to the party injured in an action at law, equity, or other proper proceeding for redress. (Civil Rights) 42 U.S.C. 1963.  
AS Result of any Commune law violations.

45-5-202. Aggravated assault. (1) A person commits the offense of aggravated assault if the person purposely or knowingly causes serious bodily injury to another or purposely or knowingly, with the use of physical force or contact, causes reasonable apprehension of serious bodily injury or death in another.

(2) A person convicted of aggravated assault shall be imprisoned in the state prison for a term not to exceed 20 years and may be fined not more than \$50,000, except as provided in 46-18-219 and 46-18-222, This includes conspiring with an agency ,

That an officer or employee of a state or one of its subdivisions is deemed to be acting under "color of law" as to those deprivations of right committed in the fulfillment of the tasks and obligations assigned to him. Monroe v. Pape, 1961, 365 U.S. 167. (Civil Rights)

45-5-213. Assault with weapon. (1) A person commits the offense of assault with a weapon if the person purposely or knowingly causes:

(a) bodily injury to another with a weapon; or

(b) reasonable apprehension of serious bodily injury in another by use of a weapon or what reasonably appears to be a weapon.

(2) (a) Subject to the provisions of subsection (2)(b), a person convicted of assault with a weapon shall be imprisoned in the state prison for a term not to exceed 20 years or be fined not more than \$50,000, or both.

45-5-208. Negligent endangerment – penalty. (1) A person who negligently engages in conduct that creates a substantial risk of death or serious bodily injury to another commits the offense of negligent endangerment.

(2) A person convicted of the offense of negligent endangerment shall be fined an amount not to exceed \$1,000 or imprisoned in the county jail for a term not to exceed 1 year, or both.

45-5-203. Intimidation. (1) A person commits the offense of intimidation when, with the purpose to cause another to perform or to omit the performance of any act, the person communicates to another, under circumstances that reasonably tend to produce a fear that it will be carried out, a threat to perform without lawful authority any of the following acts:

(a) inflict physical harm on the person threatened or any other person;

(b) subject any person to physical confinement or restraint; or

(c) commit any felony.

(2) A person commits the offense of intimidation if the person knowingly communicates a threat or false report of a pending fire, explosion, or disaster that would endanger life or property.

(3) A person convicted of the offense of intimidation shall be imprisoned in the state prison for any term not to exceed 10 years or be fined an amount not to exceed \$50,000, or both.

Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any state or territory, subjects or causes to be subjected, any citizen of the United States or other person to the deprivation of any rights, privileges, or immunities secured by the constitution and laws, shall be liable to the party injured in an action at law, equity, or other proper proceeding for redress. (Civil Rights) 42 U.S.C. 1963.

Title 42, Section 1983 has been held to provide a civil action to protect persons against misuse of power possessed by virtue of state law. "Was clothed with the authority of the state." Davis v. Johnson, 1955 DC Ill. 138 F.Supp., 572; Jobson v. Henne, 1966 Ca. 2 NY 355 F. 2d 139.

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Marbury v. Madison, 5 US 137: "The Constitution of these United States is the supreme law of the land. Any law that is repugnant to the Constitution is null and void of law."

Murdock v. Penn., 319 US 105: "No state shall convert a liberty into a privilege, license it, and attach a fee to it."

Shuttlesworth v. Birmingham, 373 US 262: "If the state converts a liberty into a privilege, the citizen can engage in the right with impunity."

U.S. v. Bishop, 412 US 346: If you have relied on prior decisions of the supreme Court, you have the perfect defense for willfulness.

Owen v. Independence, 100 S.C.T. 1398, 445 US 622: "Officers of the court have no immunity, when violating a Constitutional right, from liability. For they are deemed to know the law."

Scheuer v. Rhodes, 416 U.S. 232, 1974: Expounds upon Owen Byers v. U.S., 273 U.S. 28 Unlawful search and seizure. Your rights must be interpreted in favor of the citizen.

Boyd v. U.S., 116 U.S. 616: "The court is to protect against any encroachment of Constitutionally secured liberties."

Miranda v. Arizona, 384 U.S. 436: "Where rights secured by the Constitution are involved, there can be no rule making or legislation, which would abrogate them."

Norton v. Shelby County, 118 U.S. 425: "An unconstitutional act is not law; it confers no rights; it imposes no duties; affords no protection; it creates no office; it is in legal contemplation, as inoperative as though it had never been passed."

Miller v. U.S., 230 F.2d. 486, 489: "The claim and exercise of a Constitutional right cannot be converted into a crime."

Brady v. U.S., 397 U.S. 742, 748: "Waivers of Constitutional Rights, not only must they be voluntary, they must be knowingly intelligent acts done with sufficient awareness." "If men, through fear, fraud, or mistake, should in terms renounce or

give up any natural right, the eternal law of reason and the grand end of society would absolutely vacate such renunciation. The right to freedom being a gift of ALMIGHTY GOD, it is not in the power of man to alienate this gift and voluntarily become a slave." –Samuel Adams, 1772

United States v. Sandford, Fed. Case No.16, 221 (C.Ct.D.C. 1806): "In the early days of our Republic, 'prosecutor' was simply anyone who voluntarily went before the grand Jury with a complaint."

Cooper v. Aaron, 358 U.S. 1, 78 S.Ct. 1401 (1958): "No state legislator or executive or judicial officer can war against the Constitution without violating his undertaking to support it."

The Supreme Court ruled that Municipalities cannot exert any acts of ownership and control over property that is not OWNED by them, see Palazzolo v. Rhode Island 533 US 606, 150 L.Ed. 2d 592, 121 S.Ct. ____ (2001) (no expiration date on the taking clause for City's illegal enforcement of its Codes on the man's private property and restricting the man's business), affirming both Lucas v South Carolina Coastal Council, 505 US 1003, 120 L.Ed. 2d 798 (1992). (butterfly activists and Code Enforcement cannot restrict development of the man's private swampland unless they lawfully acquire the land FIRST, surveying with binoculars constitutes a "takings"), and Monterey v. Del Monte Dunes, 526 US 687 (1999), 143 L.Ed. 2d 882 S.Ct. ____ (1998).

In the Monterey case, the California private property owner was awarded \$8 million for Code Enforcement's illegal trespass and restriction of his business, and another \$1.45 million for the aggravation of a forced sale. No Game Read all an pass on,, Police Departments are registered as NON-PROFIT CORPORATIONS, piracy <<http://occupycorporatism.com/illegal-police-department-activity-threaten-to-bankrupt-counties-nationwide/>>

ENFORCEMENT OF CITY/COUNTY CODES PROHIBITED. California Law prohibits Cities and Counties from enforcing City or County Codes and Ordinances upon property that is not ...

www.usavsus.info/EnforcementNotAllowed.htm

The Sixth Amendment does not require a licensed attorney, but rather a competent advocate sufficiently learned in the law who is able to, and does adequately represent the defendant at trial." Blanton v. U.S., 896 F.Supp. 1451, at 1463 (April 15, 1995) citing Strickland v. Washington, 466 U.S. 668, at 687, 104 S.Ct. At 2064, 80 L.Ed.2d 674 (1984) and United States v. Whitesel, 543 F.2d 1176 (6th Cir. 1976), cert. denied, 431 U.S. 967, 97 S.Ct. 2924, 53 L.Ed.2d 1062 (1977).

Exodus 20:16 "You shall not give false testimony against your neighbor."

However, I am only offering my services as a "legal researcher" and "legal consultant" in a "of counsel" capacity and as a "paralegal."

Everyone has a 6th Amendment Right to Defend in Person and when you are defending yourself in your own case, you are acting as your own attorney and you have a right to hire anyone you want to be your "para-legal" and to provide you the "effective assistance of counsel" as envisioned by the Sixth Amendment.

"Simply disseminating legal information is not the unauthorized practice of law." Oregon State Bar v. Smith, 942 P.2d 793 (Or. Ct. App. 1977).

The Output Conclusion of legislation will be bonded and become a valid and lawful statute thereby, only if the bonding company finds that:

1. the definitions of the terms used in the conclusion are bonded,
2. the principles used in the conclusion are bonded,
3. the logic used in the conclusion is bonded,
4. the conclusion has been presented to the public, has been negatively criticized because of its construction or effect, then, the conclusion has been returned to the analysis and logic stage to test and justify its construction and effect, and
5. the legislated conclusion, after it has been subjected to public scrutiny and further analysis, is economically feasible for a wager on its public application. If it survives this last step, the conclusion is said to be perfected for legislative bonding, and becomes a judiciable statute [FN: "A legislative conclusion becomes a valid and lawful statute only if it is legislatively bonded."]

An official, officer or clerk will not be bonded:

1. if he uses the power of his public office, or his position in that office, or his power of enforcement
 - A. to harass or to oppress a citizen, or
 - B. to create, obstacles to prevent a citizen from exercising his remedies by the due course/due process of law.
2. if he deprives or hinders a citizen in the free exercise of rights guaranteed or of the equal protection of the law guaranteed by the constitution of the state by which the officer is employed, or guaranteed by the National constitution or of the state into which the officer's work takes him.
3. if he interferes in a citizen's U.S. constitutional first (so-called) amendment
 - A. legislative rights of freedom of religion,
 - B. Judicative rights of freedom of speech and freedom of the press (the right to access the court of public opinion), and/or
 - C. Executive rights to peaceably assemble and petition the government for a redress of grievances (i.e., file civil and criminal complaints-especially against malfeasant public officials).
4. FN "If he will not file or receive the filing of a criminal" complaint [no filing fee is required] against a public official. which such is necessary to curb the malfeasance of that official." (See also – Bonding of District Attorneys, infra.)

The bonding of statutes which require natural persons (non-incorporated persons) to purchase insurance, must be very carefully analyzed, and be regarded with the utmost caution. As a general rule, it is against the law for any entity to compel any citizen to pay any wager or premium for the privilege of not being injured or for the privilege of not being threatened with injury (Protection Insurance Racketeering). [Footnote: U.S. R.I.C.O. Laws]

Corporations may be required by the state in which they are incorporated, to purchase public hazard insurance because the corporation, being an artificial/paper person (a legal fiction), is regarded as having no conscience other than the state, making the state as a silent partner of the corporation, financially responsible for the acts of the corporation. (That which the liege-lord giveth, the liege-lord taketh away.) When the benefit which the state gives to the corporation is limited liability, which is a limited commercial responsibility to the commercial public, to a reasonable extent, then the state must protect the commercial public to a reasonable extent from a potential lack of commercial responsibility of the corporation or from a tendency toward a potential lack of commercial responsibility of the corporation, by requiring the corporation to purchase hazard bonding. This requirement protects the public from some losses, and protects the state from some civil liability, by a showing of commercial good faith action. Also states need civil malpractice insurance. This sort of insurance comes from "above", from interstate insurance companies and international maritime insurance companies such as Rothschild, so, some states prostitute their

legislative power as an inducement to get insurance companies to give them a better payment rate for their own malpractice insurance coverage premiums for their own corporate activities, by compelling citizens to purchase motor vehicle insurance.

A city, county, state or federal district attorney (including a U.S. district attorney called a "U.S. Attorney") shall lose his bonding and shall not be bonded:

1. if he refuses to properly identify himself to the citizen when asked to do so, including giving the citizen the name and address (or telephone number) of his bonding company and his bond policy number (bond number),
2. if he fails or refuses to receive, for filing, a criminal complaint from a citizen against a citizen or an official,
3. if he refused to mark or stamp the citizen's confirmed (compare with original) copy of the citizen's complaint with any of the following:

A. "Received"

B. name of receiving office

C. date

D. time

E. signature or initial of receiving clerk or official, so that the citizen can have an official receipt for delivery of his complaint;

4. if he fails or refuses to make a reasonably diligent effort to process the citizen's complaint (42 USC 1986),
5. if he fails or refuses to see to it that the citizen's complaint is placed in the right hands for processing and/or answering, (return)
6. if he does not make every effort to make sure that the complaining party knows of the status or location of the complaint in the legal system, and does not give the complainant written notice of the same when it is possible.

A prosecuting attorney shall lose his bonding, shall not be bonded, and shall be deemed unbondable:

1. if he refuses to prosecute a complaint when it is possible to do so, regardless of whom the complaint is against,
2. if he resorts to "selective prosecution," i.e., any excuse of immunity for an official in order to protect a malfeasant official from prosecution,
3. if he resorts to "selective prosecution" i.e., false or malicious prosecution of a citizen, in order to punish or destroy a citizen for attempting to have a malfeasant official prosecuted.

A judge shall lose his bonding, shall not be bonded, and shall be deemed unbondable:

1. if he fails to protect the U.S, national constitutionally guaranteed remedies of due process and the equal protection of the laws of any citizen appearing in his court of law, or of any citizen appearing in any court of the county in which he works whose case may come to his attention.

It is not necessary for a non-incorporated lawyer or amicus curiae (friend of the court) to be bonded. But a lawyer or an amicus curiae, if he chose to be bonded, shall lose his bond and shall not be bonded:

1. if he uses his involuntary intervention to interfere with constitutional due process,
2. if he does not speak and act openly for the best interests of both opposing adverse parties, even if paid by one party and sits as counsel to that party. An amicus curiae may favor the cause of one side of an action, but must serve the due process of both sides of an action in order to be of service to the system of law as a whole. If the judge is acting in insurrection and rebellion against the U.S. Constitution, and the judge shows no signs of amending his ways (correcting his court procedure), it is usually best for the amicus curiae to file a notice of

criminal malpractice (malfeasance) with the court administrator, and with the bonding company in person, by fax, or by telephone to immediately establish reversible error and civil damage in the case.

A government official, officer or clerk shall lose their bond, shall not be bonded, and shall be deemed unbondable:

1. if he fails to answer, or fails to require an answer to, a citizen's complaint, and affidavit of information categorically point for-point, except that, where criminal accusations are made, he shall have the right to remain silent, or allow silence (non-answer) as a protection against selfincrimination. Otherwise, the ordinary rule is, "An affidavit unrebutted stands as the truth."

2. If he knowingly imprisons, or keeps as a prisoner, a citizen in violation of that citizen's U.S. constitutionally secured rights and equal protection of the law. The offense shall repeat the application of pertinent remedy statutes each and every twenty-four(24) hours.

3. if he refuses a prisoner the materials and information necessary for the prisoner to defend, acquit or vindicate himself. The offense shall repeat the application of the pertinent remedy statutes each and every twenty-four (24) hours.

NOTE: If an officer or clerk who has lost his bond, gives aid and comfort to a citizen or to a prisoner deprived as described under this chapter, and shall prove himself genuine, the same shall recover his bondability.

In all complaints of a citizen against a public law enforcement officer, the complaining citizen has the general responsibility of protecting the general enforcement of the laws by giving every opportunity of grace and escape to the officer complained about. The complainant must always remain sensitive to the fact that a law enforcement officer is constantly subject to the most psychologically demanding emergency situations and the most dangerous social combinations, and must be given every benefit of the doubt so that he can survive his daily work

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According to The constitutional law , Declaration of Independence, Bill of rights I am endowed by my Creator with these as "unalienable" rights. In other words, these rights can not be taken away.

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This 7 day notice is to inform the Officers of the Lincoln County Court House, that they are in Violation of the Common-Law Rights of All Oregonians & Lincoln-County People, as recognizable under not only under County & State law, but also under the US-Code, in Title-5, at Sections 2906 3331, & 3333 also a Breach of peace and trespass. Edward Malone Johnston II of the Boyd family-name life, liberty, and pursuit of happiness, in in-violation of 5usc2906-3331-3333 also a Breach of peace and trespass of Born constitutional rights, civil rights 1866 1963 1983, bill of rights , declaration of independence , Oregon constitutional rights.

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Title 28 USC 47-3402. Signature by representative CAVEAT!!!!!!!!!!!!!! A. If a person acting, or purporting to act, as a representative signs an instrument by signing either the name of the represented person or the name of the signer, the represented person is bound by the signature to the same extent the represented person would be bound if the signature were on a simple contract. If the represented person is bound, the signature of the representative is the "authorized signature of the represented person" and the represented person is liable on the instrument, whether or not identified in the instrument. B. If a representative signs the name of the representative to an instrument and the signature is an authorized signature of the represented person, the following rules apply: 1. If the form of the signature shows unambiguously that the

signature is made on behalf of the represented person who is identified in the instrument, the representative is not liable on the instrument. 2. Subject to subsection C, if the form of the signature does not show unambiguously that the signature is made in a representative capacity or the represented person is not identified in the instrument, the representative is liable on the instrument to a holder in due course that took the instrument without notice that the representative was not intended to be liable on the instrument. With respect to any other person, the representative is liable on the instrument unless the representative proves that the original parties did not intend the representative to be liable on the instrument.

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Right to Travel – Page One - How to Beat a Traffic Ticket ...
ticketslayer.com/ts/rt2travel/ts.right_to_travel_page_1.htm Cached
Right to Travel Information : In Fond Memory of Charlie Sprinkle "The Goatman of Ojai" PAGE 1 OF 7 : For over thirty five years Charlie

~~~~~  
The RICO Act is a federal law that gives extended penalties for organized crime. Under the RICO Act, a person can be charged with...  
www.wisegeek.com/what-is-the-rico-act.htm

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BLACKS LAW 3rd EDITION definition: state, n. 1. The political system of a body of people who are politically organized; the system of rules by which jurisdiction and authority are exercised over such a body of people. 2. An institution of self-government within a larger political entity; esp., nation having a federal government, 3. (often cap.) The people of a state, collectively considered as the party wronged by a criminal deed; esp. the prosecution as the representative of the people.

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**Footnotes:**

Just think of the attorneys that you know, "Do they abide by the letter and spirit of this oath?"

The U.S. Supreme Court has ruled that Municipalities cannot exert any acts of ownership and control over property that is not OWNED by them, see Palazzolo v. Rhode Island 533 US 606, 150 L.Ed. 2d 592, 121 S.Ct. \_ (2001) (no expiration date on the taking clause for City's illegal enforcement of its Codes on the man's private property and restricting the man's business), affirming both Lucas v South Carolina Coastal Council, 505 US 1003, 120 L.Ed. 2d 798 (1992).(butterfly activists and Code Enforcement cannot restrict development of the man's private swampland unless they lawfully acquire the land FIRST, surveying with binoculars constitutes a "takings"), and Monterey v. Del Monte Dunes, 526 US 687 (1999), 143 L.Ed. 2d 882 S.Ct.\_\_\_\_ (1998).

Federal Law also prohibits Cities and Counties from issuing citations against businesses, see Title 18 U.S.C. 891-896, quoting Section 891: "An extortionate means is any means which involves the use, or an express or implicit threat of use, of violence or other criminal means to cause harm to the person, reputation, or property."

In the Monterey case, the California private property owner was awarded \$8 million for Code Enforcement's illegal trespass and restriction of his business, and another \$1.45 million for the aggravation of a forced sale.

<http://occupycorporatism.com/illegal-police-department-activity-threaten-to-bankrupt-counties-nationwide/>

ENFORCEMENT OF CITY/COUNTY CODES PROHIBITED. California Law prohibits Cities and Counties from enforcing City or County Codes and Ordinances upon property that is not Owned by the City or County, even if the property is within City limits.

[www.usavsus.info/EnforcementNotAllowed.htm](http://www.usavsus.info/EnforcementNotAllowed.htm)

“It is not the duty of the police to protect you. Their job is to protect the Corporation, Elected and public employees and arrest code breakers.” (Sapp v. Tallahasee, 348 So. 2nd. 363, Reiff v. City of Philadelphia 477 F.Supp. 1262, Lynch v. N.C. Dept of Justice 376 S. E. 2nd. 247.)

Section 1951 also proscribes conspiracy to commit robbery or extortion without reference to the conspiracy statute at 18 U.S.C. § 371. Although the Hobbs Act was enacted as a statute to combat racketeering in labor-management disputes, the statute is frequently used in connection with cases involving public corruption, commercial disputes, and corruption directed at members of labor unions.

The Hobbs Act criminalizes both robbery and extortion, where:

"robbery" means the unlawful taking or obtaining of personal property from the person or in the presence of another, against his will, and

"extortion" means the obtaining of property from another, with his consent, induced by wrongful use of actual or threatened force, violence, or fear, or under color of official right.

18 USC § 1951 - Interference with commerce by threats or violence,,The Anti-Racketeering Act or Hobbs Act prescribes heavy criminal penalties for acts of robbery or extortion that affect interstate commerce.

9-131.010: Introduction This chapter focuses on the Hobbs Act (18 U.S.C. § 1951) which prohibits actual or attempted robbery or extortion affecting interstate or ...

Criminal Resource Manual 2403 Hobbs Act -- Extortion By Force

a) Whoever in any way or degree obstructs, delays, or affects commerce or the movement of any article or commodity in commerce, by robbery or extortion or attempts or conspires so to do, or commits or threatens physical violence to any person or property in furtherance of a plan or purpose to do anything in violation of this section shall be fined under this title or imprisoned not more than twenty years, or both.

(b) As used in this section—

(1) The term “robbery” means the unlawful taking or obtaining of personal property from the person or in the presence of another, against his will, by means of actual or threatened force, or violence, or fear of injury, immediate or future, to his person or property, or property in his custody or possession, or the person or property of a relative or member of his family or of anyone in his company at the time of the taking or obtaining.

(2) The term “extortion” means the obtaining of property from another, with his consent, induced by wrongful use of actual or threatened force, violence, or fear, or under color of official right.

(3) The term “commerce” means commerce within the District of Columbia, or any Territory or Possession of the United States; all commerce between any point in a State, Territory, Possession, or the District of Columbia and any point outside thereof; all commerce between points within the same State through any place outside such State; and all other commerce over which the United States has jurisdiction.

(c) This section shall not be construed to repeal, modify or affect section 17 of Title 15, sections 52, 101–115, 151–166 of Title 29 or sections 151–188 of Title 45.