

DISTRICT COURT OF THE UNITED STATES ¹
(FOR THE EASTERN DISTRICT OF MICHIGAN, SOUTHERN DIVISION)

David Schied and Cornell Squires

Case No. 2:15-cv-11840

Sui Juris Grievants/Private Attorney Generals
and Next Friend to James Wesley Hall “*Enjoined*” as
Crime Victims / Common Law Grievants / Claimants,

Judge: Avern Cohn

v.

In their Individual Capacities:

Karen Khalil, Cathleen Dunn, Joseph Bommarito; James Turner; David Holt,;
Jonathan Strong; "Police Officer" Butler,; John Schipani; Tracey Schultz-Kobylarz
and

Redford Township Police Department; Redford Township 17th District Court;
Charter Township of Redford; Charter County of Wayne Michigan; Municipal
Risk Management Authority ("MMRMA"); The Insurance Company of the State
of Pennsylvania (“ICSOP”); American International Group, Inc. ("AIG"); DOES 1-10;

Defendants /

CRIME VICTIM AND COMMON LAW GRIEVANT JAMES WESLEY HALL

“AFFIDAVIT OF FACTS”

IN SUPPORT OF

“JOINDER” CLAIMS OF CONSTITUTIONAL TORTS

BASED ON

THE FIRST AMENDMENT PETITION CLAUSE

AND

EVIDENCE OF DOMESTIC TERRORISM

¹ "The term 'District Courts of the United States,' as used in the rules, without an addition expressing a wider connotation, has its historic significance. It describes the constitutional courts created under article 3 of the Constitution. Courts of the Territories are legislative courts, properly speaking, and are not District Courts of the United States. We have often held that vesting a territorial court with jurisdiction similar to that vested in the District Courts of the United States does not make it a 'District Court of the United States.'" *Mookini v. United States*, 303 U.S. 201 (1938) citing from *Reynolds v. United States*, 98 U.S. 145 , 154; *The City of Panama*, 101 U.S. 453 , 460; *In re Mills*, 135 U.S. 263, 268 , 10 S.Ct. 762; *McAllister v. United States*, 141 U.S. 174, 182 , 183 S., 11 S.Ct. 949; *Stephens v. Cherokee Nation*, 174 U.S. 445, 476 , 477 S., 19 S.Ct. 722; *Summers v. United States*, 231 U.S. 92, 101 , 102 S., 34 S.Ct. 38; *United States v. Burroughs*, 289 U.S. 159, 163 , 53 S. Ct. 574.

*Sui Juris Grievants / Next Friends and
Co-Private Attorney Generals
David Schied and Cornell Squires
and James Wesley Hall*

P.O. Box 1378
Novi, Michigan 48376
248-974-7703

Defendants

**The Insurance Company of the
State of Pennsylvania**

AND

American International Group, Inc.

Plunkett Cooney
Charles Browning
Warren White
38505 Woodward Ave., Suite 2000
Bloomfield Hills, Michigan 48304
248-901-4000

Defendants

Michigan Municipal Risk

Management Authority

James T. Mellon
Mellon Pries, P.C.
2150 Butterfield Dr., Ste. 100
Troy, Michigan 48084-3427
248-649-1330

Defendant

Charter County of Wayne

Davidde A. Stella
Zenna Elhasan
Wayne County Corporation Counsel
500 Griswold St., 11th Floor
Detroit, Michigan 48226
313-224-5030

Defendants

**Karen Khalil
Redford Township 17th District Court
Cathleen Dunn
John Schipani
Redford Township Police Department
Joseph Bommarito
James Turner
David Holt
Jonathan Strong
"Police Officer" Butler
Tracey Schultz-Kobylarz
Charter Township of Redford
DOES 1-10**

Jeffrey Clark, attorney
Cummings, McClorey, Davis & Acho, P.L.C.
33900 Schoolcraft Rd.
Livonia, Michigan 48150
734-261-2400

David Schied and Cornell Squires (hereinafter "*PGAs Schied and Squires*"),
being each **of the People**², and having established this case as a *suit of the*

² PEOPLE. "*People are supreme, not the state.*" [*Waring vs. the Mayor of Savannah*, 60 Georgia at 93]; "*The state cannot diminish rights of the people.*" [*Hertado v. California*, 100 US 516]; Preamble to the US and Michigan

sovereign³, acting in their own capacity, herein accept for value the oaths⁴ and bonds of all the officers of this court, including attorneys. Having already presented the initial causes of action to this Article III District Court of the United

Constitutions – “*We the people ... do ordain and establish this Constitution...;*”
“*...at the Revolution, the sovereignty devolved on the people; and they are truly the sovereigns of the country, but they are sovereigns without subjects...with none to govern but themselves...*” [*Chisholm v. Georgia* (US) 2 Dall 419, 454, 1 L Ed 440, 455, 2 Dall (1793) pp471-472]: “*The people of this State, as the successors of its former sovereign, are entitled to all the rights which formerly belonged to the King by his prerogative.*” [*Lansing v. Smith*, 4 Wend. 9 (N.Y.) (1829), 21 Am. Dec. 89 10C Const. Law Sec. 298; 18 C Em.Dom. Sec. 3, 228; 37 C Nav.Wat. Sec. 219; Nuls Sec. 167; 48 C Wharves Sec. 3, 7]. See also, *Dred Scott v. Sandford*, 60 U.S. 393 (1856) which states: “*The words 'people of the United States' and 'citizens' are synonymous terms, and mean the same thing. They both describe the political body who, according to our republican institutions, form the sovereignty, and who hold the power and conduct the Government through their representatives. They are what we familiarly call the 'sovereign people', and every citizen is one of this people, and a constituent member of this sovereignty.*”

³ *McCullock v. Maryland*, 4 Wheat 316, 404, 405, states “*In the United States, Sovereignty resides in the people, who act through the organs established by the Constitution,*” and *Colten v. Kentucky* (1972) 407 U.S. 104, 122, 92 S. Ct. 1953 states; “*The constitutional theory is that we the people are the sovereigns, the state and federal officials only our agents.*” See also, *First Trust Co. v. Smith*, 134 Neb.; 277 SW 762, which states in pertinent part, “*The theory of the American political system is that the ultimate sovereignty is in the people, from whom all legitimate authority springs, and the people collectively, acting through the medium of constitutions, create such governmental agencies, endow them with such powers, and subject them to such limitations as in their wisdom will best promote the common good.*”

⁴ OATHS. Article VI: “*This Constitution, and the laws of the United States... shall be the supreme law of the land; and the judges in every State shall be bound thereby; anything in the Constitution or laws of any State to the contrary notwithstanding... All executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation to support this Constitution.*”

States as a *court of record*⁵, *PGA Schied* and *PGA Squires* hereby proceed according to the course of Common Law⁶.

This court and the opposing parties should all take notice **WE DO NOT CONSENT to the reference of parties named as “grievants” and/or as Private Attorney Generals as otherwise being corporate fictions in ALL CAPS of lettering as “plaintiff”** (e.g., “DAVID SCHIED, plaintiff”). **Note that all “summons” were issued with notice to all co-Defendants that Grievant David Schied is “sui juris.”**

WE DO NOT CONSENT to the assignment of this case, otherwise attempted to be “*filed*” in Ann Arbor and ultimately filed in Flint, being

⁵ "A Court of Record is a judicial tribunal having attributes and exercising functions independently of the person of the magistrate designated generally to hold it, and proceeding according to the course of common law, its acts and proceedings being enrolled for a perpetual memorial". [*Jones v. Jones*, 188 Mo.App. 220, 175 S.W. 227, 229; *Ex parte Gladhill*, 8 Metc. Mass., 171, per Shaw, C.J. See also, *Ledwith v. Rosalsky*, 244 N.Y. 406, 155 N.E. 688, 689].

⁶ COMMON LAW. – According to *Black’s Law Dictionary* (Abridged Sixth Edition, 1991): “As distinguished from law created by the enactment of legislatures [admiralty], the common law comprises the body of those principles and rules of action, relating to the government and security of persons and property, which derive their authority solely from usages and customs of immemorial antiquity, or from the judgments and decrees of the courts recognizing, affirming, and enforcing such usages and customs.” “[I]n this sense, particularly the ancient unwritten law of England.” [1 Kent, Comm. 492. *State v. Buchanan*, 5 Har. & J. (Md.) 3G5, 9 Am. Dec. 534; *Lux v. Ilaggin*, G9 Cal. 255, 10 Pac. G74; *Western Union Tel. Co. v. Call Pub. Co.*, 21 S.Ct. 561, 181 U.S. 92, 45 L.Ed. 765; *Barry v. Port Jervis*, 72 N.Y.S. 104, 64 App. Div. 268; *U. S. v. Miller*, D.C. Wash., 236 F. 798, 800.]

subsequently sent to Detroit, in the heart of Wayne County, situated in a building believed to be leased by Defendant Charter County of Wayne to the United States District Court with a proven proclivity toward contributing to the *domestic terrorism* being carried out, hand-in-hand with state and county government imposters, as usurpers of *The People's* power and authority.

“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. . .” 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

CONCISE STATEMENT OF ISSUE PRESENTED

The organic Constitution created and ordained by and for the People of the united States of America is the Supreme Law of the Land, and the First Amendment *Petition Clause* guarantees the People the right to redress. The U.S. Supreme Court has determined that such a right is *fundamental*, “*important*,” and thus, inviolable in an Article III Court of Record, such as in this instant ongoing case initially filed by *sui juris* Grievant David Schied.

The Supreme Court has also recognized that certain conditions that concern the *public interest* warrant occasions where the filing and litigation of the public’s interest by Private Attorney Generals is justified for proper “*standing*.” In this case, numerous additional co-Grievants have established “*joinder*” claims against the co-Defendants listed in this case and, having been so enjoined, now speak through the collective advocacy of their fellow claimants as “*Private Attorney Generals*,” being David Schied and Cornell Squires.

At issue in the claims, individually and collectively, is that agents of the co-Defendants – acting under *color of law*, *simulating legal process*, conducting *legal acts in illegal manners*, while unlawfully *usurping* their unconstitutional exercise of power and authority – are, by formal definition of their acts, *domestic terrorists*. Their claims all have in common First Amendment *Petition Clause* violations. All of these “*backward-looking access-to-court*” claims involve both *predicate* and *secondary* level offenses that have resulted from multi-tiered denials of due process by *judicial usurpers* and others who hold membership in a thoroughly corrupted State BAR of Michigan.

This instant filing presents the proper facts supporting the basis for enjoining the Affiant, who has similar claims against the co-Defendants and their corporately contracted “*errors and omissions*” excess insurance policy and its accompanying \$100 Billion “*domestic terrorism*” coverage.

claim; c) by denying me due process of proceedings, by unfair and/or discriminatory treatment as a poor litigant or a litigant without an attorney or through attorney threats or extortion; and/or d) through other means of preventing and/or undermining the litigation of my initial claims of wrongdoing.

8. I also assert that the above denials of my rights constituted intentional, shocking and egregious wrongdoings of malice, tort, humiliation, embarrassment, and the institution of “*state created dangers*” against me, such that I became so restrained in my rights of liberty that I was rendered unable to care for myself. What I mean is that the agents of the Charter County of Wayne acted affirmatively and in a *secondary-level* of conspiracy with others to create certain such dangers against me, and/or to render me more vulnerable to such dangers to my inviolable rights.
9. I am aware that the Supreme Court of New York has established a proper definition of “*dangerous to human life*” by way of ruling in *Cochran v. Sess*, 168 NY 372, 61 N.E. 639 where Judge O’Brien essentially defined such danger as being “*so threatening as to constitute an impending danger to persons in the enjoyment of their legitimate rights.*”
10. These wrongful actions of *terrorists*, as agents of the Charter County of Wayne who have and continue to be acting additionally on their own behalves, have forced me into a position of having dignitary and reputational as well as financial injuries, emotional and mental harm; and ultimately, have led to my loss of positive standing in my community, and have forced grave emotional suffering onto my family.
11. These wrongful actions referenced herein constitute “*compensable injuries*” against me as a real party of interest, and “*damages*” for which I am entitled to just compensation by this instant First Amendment redress.
12. I, like many others I know, have placed a certain degree of trust in our government bodies, expecting individual state actors to implement rules and regulations, to provide services, create order, mete out justice, and in general, to safeguard societal interests. Such trust is compelled in part by the government’s monopoly on police power and rule-creation, which creates an unavoidable dependency of the public upon government officers’ *faithful performance* of

their duties of office and within the bounds of the state and federal constitutions, statutes, and rules. I realize that their refusal to follow these guidelines creates a power imbalance and makes the citizenry particularly vulnerable to government *coercion*. In all, these factors align to give government *usurpers* a unique ability not only to harm me but to harm the greater number of people around me, with even greater ramifications for our society.

13. I am aware of the United States' formal definition of "*domestic terrorism*" as depicted by 18 U.S.C. § 2331 as also published on the FBI's official website found at: <https://www.fbi.gov/about-us/investigate/terrorism/terrorism-definition>.
14. Based on the above definition, I hereby declare that I am both *witness* and *victim* of "*acts dangerous to my life*" and to my inviolable constitutionally-guaranteed rights; and declare that I am both *witness* and *victim* to the *coercion*" and/or to the "*kidnapping*" of the local population, and the *coercion of the government* otherwise instituted by *We, The People*, which altogether constitutes "*domestic terrorism*" by that above definition.
15. I am aware that to prevent a collapse of American freedom and social order, the community as a whole must take steps to ensure that the legitimate "*empowering function*" of government prevails, and that we must each see personally that the constitutional guarantees for *We, The People* are effectively enforced at both the state and the federal levels.
16. Based on the above stated facts and my being *a real party of interest* without the competence to litigate this complex case myself, I have asked Grievant David Schied to enjoin my First Amendment denial-of-access claim with his own ongoing case against the Charter County of Wayne; and while adding my claims against the charter county's insurance contract on an "*errors and omissions*" policy which, according to information and belief, also covers acts of *domestic terrorism* as defined above.
17. Because I am unskilled in litigating my own interests in this type of matter, I rely upon my common law right to appoint David Schied and Cornell Squires as my "*next friend*." I neither wish to be represented by an attorney nor can I afford one financially. I understand that the Federal Rules of Civil Procedure

Rule 17 allow for my appointment of a “*next friend*,” and Rule 18 allows for this enjoinder of my case to the pre-existing case holding similar claims against common co-Defendants.

18. I am aware that the legal advocacy of Private Attorney Generals David Schied and Cornell Squires, in enjoining my legal claims with those of the existing claimant or claimants similarly situated in the case referenced on page 1 of this document, is legitimate. They each and together have both my permission and my confidence in advocating on my behalf even as I maintain full responsibility for my private interests through them in this matter as fellow sovereigns, and by me being like them, as another of *We, The People* having been personally damaged and retaining all rights to redress and compensation for my injuries.
19. I am incorporating within this “*Sworn and Notarized Affidavit...*” the accompanying “*Exhibit A*” as my “*Concise Statement of Specific Facts*” relating to the backward-looking *predicate* case to which I was denied access to the court through *secondary* violations of my First Amendment rights.

EXHIBIT A – “CONCISE STATEMENT OF SPECIFIC FACTS”

- A. My ordeal began around 2011 and resulted in the theft of my two homes, both located in Taylor, Michigan within the territorial boundaries of what is known as the Charter County of Wayne.
- B. I was victimized by a combination of factors and a series of actions by numerous people acting under color of law and fraudulent conveyances to take my two homes located at:
- 1) 15230 Allen Rd. Taylor, Michigan
 - 2) 11741 Morton View Dr. Taylor, Michigan
- C. Upon information and belief, the Trott & Trott law firm and the Orleans and Associates law firm carried out their respective foreclosure processes against me in defective fashion. They conspired with Bank of America, Wells Fargo and with the Wayne County Sheriff and Wayne County Treasurer to violate my rights to loan modification, to proper notice, and to due process of law, being carried out by fraudulent conveyance (MCLA 566.34).

D. Felicia Mack and Ralph Leggat were the individuals that conducted unlawful "sheriff's" sales of my two homes when neither one of them were sheriffs, under-sheriffs, nor deputies. Upon information and belief, Mack was a clerical worker and Leggat was an accountant.

E. I was never given a day in court with regard to my being intimidated, threatened, and coerced from my home by the Trott and Trott law firm with regard to the Allen Road house.

F. In the case of my second house on Morton View, I paid an attorney \$3000 to represent my interests in the 23rd District Court during the eviction process. He did not represent my interests in the brief eviction proceeding however, and even though he did ask for the original "wet ink" promissory note as is required by law, the judge disregard the law and carried out the eviction of the Orlans and Associates law firm.

Further, Affiant sayeth not.

James Wesley Hall
James Wesley Hall, Affiant

March 20th, 2016

Date



STATE OF MICHIGAN)

) SS

WAYNE COUNTY)

On this 20 day of March, 2016, before me appeared James Wesley Hall to me known or identified to me to be the person described in and who executed the forgoing instrument.

[Signature]
NOTARY PUBLIC

APRIL 01, 2016
MY COMMISSION EXPIRES

(notary stamp and/or seal)

