

DISTRICT COURT OF THE UNITED STATES <sup>1</sup>  
(FOR THE EASTERN DISTRICT OF MICHIGAN, SOUTHERN DIVISION)

David Schied AND Others Similarly Situated,  
*Sui Juris Grievant and Private Attorney General*  
v.  
Karen Khalil, et al

Case No. 2:15-cv-11840

Judge: Avern Cohn

Defendants /

**PRIVATE ATTORNEY GENERALS (“PAGs”) DAVID SCHIED’S  
AND CORNELL SQUIRES’ “WRIT OF ERROR” AND “DEMAND TO FILE”  
ON CLERK DAVID WEAVER’S REFUSAL TO FILE PREVIOUSLY RECEIVED...**

**GRIEVANTS/PRIVATE ATTORNEY GENERALS (“PAGs”)  
DAVID SCHIED’S AND CORNELL SQUIRES’  
“WRIT TO DISQUALIFY MMRMA AND ‘REDFORD’ ATTORNEYS  
JAMES MELLON AND JEFFREY CLARK BASED UPON  
(RESPECTIVELY) ‘FRAUD UPON THE COURT’ AND ‘CONFLICT OF INTEREST’”  
AND  
“REITERATING THE NAMING OF JAMES MELLON AS “DEFENDANT DOE #1”  
AND NOTICE OF NAMING JEFFREY CLAR AS ‘DEFENDANT DOE #2’”**

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<sup>1</sup> "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*

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., 11<sup>th</sup> Floor  
Detroit, Michigan 48226  
313-224-5030

Defendants

**Karen Khalil**  
**Redford Township 17<sup>th</sup> 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 “PAGs Schied and Squires”), being each **of the People**<sup>2</sup>, and having established this case as a *suit of the sovereign*<sup>3</sup>, acting in their own capacity, herein accept for value the oaths<sup>4</sup> and

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<sup>2</sup> 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 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.”

<sup>3</sup> *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.”

<sup>4</sup> 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

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 States as a *court of record*<sup>5</sup>, *PAG Schied* and *PAG Squires* hereby proceed according to the course of Common Law<sup>6</sup>.

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.”**

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*of the several States, shall be bound by oath or affirmation to support this Constitution."*

<sup>5</sup> "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].

<sup>6</sup> 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.]

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

## **CONTROLLING AUTHORITY**

The controlling authority for this action is twofold: First Grievants/Private Attorney Generals maintain the unalienable First Amendment “Right to Redress” of all previous actions occurring in this case, to include the right to a redress of the criminal behaviors that have already been reported to the federal court as having occurred at the hands of the “Clerk of the Court” David Weaver, in Detroit.

The second controlling authority being herein applied against the criminal actions of the public functionary David Weaver, acting in his private and individual capacity to commit these crimes, falls under the category of federal crimes: 18 U.S.C. §2076; 18 U.S.C. §1512; and 18 U.S.C. §2071.

## **FACTUAL BASIS OF THIS INSTANT WRIT OF ERROR**

On 5/19/16, the Clerk of the Court David Weaver, and his agents, acting unlawfully, under color of law, and in his or her private capacity, did willingly and maliciously refuse to file the document provided herein as found embedded below and captioned as found on the cover of this instant “*Writ of Error*” filing. Notably, Weaver and his agents returned the document with no cover letter of explanation, and only a “*Notice Regarding Discovery Rules*”, which have nothing whatsoever to do with the filing of Grievants/PAGs’ “*Writ to Disqualify ‘MMRMA’ and ‘Redford’ Attorneys...and...*” naming Mellon and Clark as DOES #1 and #2.

RECEIVED  
MAY 20 2016  
MAY 19 2016  
CLERK'S OFFICE U.S. DISTRICT COURT  
DETROIT

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Defendants

PRIVATE ATTORNEY GENERALS DAVID SCHIED'S  
AND CORNELL SQUIRES' "RESPONSE" AND "OBJECTIONS"

TO CO-DEFENDANTS "MMRMA'S" AND "REDFORD'S"  
RESPECTIVE "OBJECTIONS" AND "RESPONSE" TO  
GRIEVANTS' "FIRST INTERROGATORIES"

AND

GRIEVANTS' WRIT TO DISQUALIFY MMRMA AND "REDFORD" ATTORNEYS  
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Additionally, the document time-stamped as shown above, as "filed" on 5/19/16 and then time-stamped a second time the next day as "Received" demonstrates that the document was initially filed and then deceptively stolen from the official court record and stamped a second time as "received" AFTERWARD, and before then placing the document into an envelope and returned to Grievants/PAGs at the post office box being serviced for David Schied, without any proper authority, without any court order, and in FRAUD.

**ARGUMENT FOR MANDATORY “*FILING ON DEMAND*”**

Based upon the above set of facts the determination has been made that another crime has been committed by the Clerk of the Court David Weaver. This follows the initial crimes having already been reported and with nothing yet done about two previous reports of crimes by the Clerk of the Court David Weaver and his aids and assistants:

- 1) That at the time this instant case initially filed by Grievant David Schied, David Weaver and his agents had stolen one of the previously depicted number of case filings titled as a “Complaint and Claim of Damages” and forwarded it to the named co-Defendants PRIOR TO the return of these documents with a judge’s signature on an Order acknowledging “forma pauperis” and granting waiver of fees and costs on all court filings. That filing wound up in the hands of James Mellon who then committed FRAUD upon the Court when acknowledging that he had telephone Grievant prior to the co-Defendants being formally “served” with Summons, and while also lying to the court about whom actually had forwarded the documents that had been stolen with the assistance of David Weaver.
- 2) That at the time that he filed this instant case and submitted handwritten Summons for signature by the Clerk of the Court David Weaver prior to issuance by the undersigned, Clerk David Weaver did FRAUDULENTLY retype those Summons to eliminate part of each Defendant captioning so to deprive each of the Summons of notice that each of the co-Defendants were being named in their individual and private capacities, and not as “officials” acting in the capacity of public functionaries.

Therefore, in the past there have been many previous reports about the above two crimes being committed. The failure to act in each case are crimes in and of themselves, as defined by



18 U.S.C. §4 (“*Misprision of Felony*”). This comes now as the third separate example of criminal behavior being perpetrated by the court clerk, David Weaver, and his agents, acting in their individual capacities.

This Article III Court of Record hereby recognizes that in 2015 a notice of criminal information pertaining to the proper filing of documents in all of the District Courts of this nation. This 15-page document, captioned “File on Demand” put the U.S. District Court for the Eastern District of Michigan on clear previous notice that any acts to refrain from filing documents would be construed as intentional criminal behavior, prosecutable under common law by grand jury presentment, including by the common law grand jury seated here in the republic of Michigan. (See “Exhibit A”)

**CONCLUSION, WRIT OF ERROR AND DEMAND TO FILE**

For the above-stated reasons, Grievants/PAGs David Schied and Cornell Squires issue this instant “*Writ of Error*” and “*Demand to File.*” Attached to this filing is a copy of the document sent back without filing. This Article III Court of Record recognizes the egregious nature of the claims stated above and therefore, it is ORDERED that the clerk file the document as attached in copy of the original filing unlawfully returned.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "David Schied".

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