

CRIMINAL

COMPLAINT

Affidavit and

Brief of Information

18 U.S.C. §§ 241 and 242

42 U.S.C. §§ 1983 and 1985



The United States of America

**Citation, Complaint, Affidavit, Brief of Information
and
Claim in Commerce for Damages**

David Schied

Party / Grievant / Claimant / Crime Victim / Accuser

VS.

UNITED STATES

Counter-Party / Defendant / Debtor/ Accused

AND ANY UNKNOWN OTHERS

The above named person is accused by this instrument of the offense or violation of the herein listed and marked parts of the U.S. Constitution - the ORIGINAL and SUPREME LAW of the Land.

Said Counter-Party / Defendant / Debtor / Accused, between May 2015 and September 2016, acting in Genessee and Counties of the State of Michigan did unlawfully commit the numerous crimes and Constitutional violations as detailed in the following pages, as well in the attached "*Writ of Error Coram Nobis / Order of Contempt of Court*".

NOTICE TO CREDIT AND BONDING COMPANIES - This Complaint/Claim for Damages is an "Affidavit of Obligation" in the normal commercial sense; and as such, is a Security representing "Accounts Receivable" and is a "Lien" upon the real and movable property, malpractice insurance and performance bonds of the above-cited "counter-party" or "counter-parties" as named defendants, debtors, and the criminally "accused."

The civil value of this Complaint/Claim for Damages is calculated as follows: (number of) "counts" at \$10,000 per count times (x) the number of total lien debtors.

18 U.S. Code § 225 - Continuing financial crimes enterprise

(a) Whoever—

- (1)** organizes, manages, or supervises a continuing financial crimes enterprise; and
 - (2)** receives \$5,000,000 or more in gross receipts from such enterprise during any 24-month period,
- shall be fined not more than \$10,000,000 if an individual, or \$20,000,000 if an organization, and imprisoned for a term of not less than 10 years and which may be life.

(b) For purposes of subsection (a), the term "continuing financial crimes enterprise" means a series of violations under section 215, 656, 657, 1005, 1006, 1007, 1014, 1032, or 1344 of this title, or section 1341 or 1343 affecting a financial institution, committed by at least 4 persons acting in concert.

18 U.S. Code § 3571 - Sentence of fine

(a) IN GENERAL.—

A defendant who has been found guilty of an offense may be sentenced to pay a fine.

(b) FINES FOR INDIVIDUALS.—Except as provided in subsection (e) of this section, an individual who has been found guilty of an offense may be fined not more than the greatest of—

- (1)** the amount specified in the law setting forth the offense;
- (2)** the applicable amount under subsection (d) of this section;
- (3)** for a felony, not more than \$250,000;
- (4)** for a misdemeanor resulting in death, not more than \$250,000;
- (5)** for a Class A misdemeanor that does not result in death, not more than \$100,000;
- (6)** for a Class B or C misdemeanor that does not result in death, not more than \$5,000; or
- (7)** for an infraction, not more than \$5,000.

(c) FINES FOR ORGANIZATIONS.—Except as provided in subsection (e) of this section, an organization that has been found guilty of an offense may be fined not more than the greatest of—

- (1)** the amount specified in the law setting forth the offense;
- (2)** the applicable amount under subsection (d) of this section;
- (3)** for a felony, not more than \$500,000;
- (4)** for a misdemeanor resulting in death, not more than \$500,000;
- (5)** for a Class A misdemeanor that does not result in death, not more than \$200,000;
- (6)** for a Class B or C misdemeanor that does not result in death, not more than \$10,000; and
- (7)** for an infraction, not more than \$10,000.

(d) ALTERNATIVE FINE BASED ON GAIN OR LOSS.—

If any person derives pecuniary gain from the offense, or if the offense results in pecuniary loss to a person other than the defendant, the defendant may be fined not more than the greater of twice the gross gain or twice the gross loss, unless imposition of a fine under this subsection would unduly complicate or prolong the sentencing process.

The "Supreme Law" of the U.S. Constitution has been simplified and coded

101/OC -- Obligation of Contracts

Clause 1
Section 10
Article 1

AM14.1/EP -- Equal Protection Clause
Section 1
Amendment 14

| REF. # | TITLE | REF. # | TITLE |
|--------|--------------------------------------|--------|---|
| SP | Separation of Powers | JUP | Judicial power U.S. (a) party |
| STI | Senate Tries Impeachment | SCA | Supreme Court Appeal |
| SCI | Senate Convict Impeachment | TIS | Trial in State |
| JI | Judgment Impeachment | TAU | Treason Against U.S. |
| LSL | Liable; Subject to Law | TC | Treason Conviction |
| HJP | House Journal Proceedings | TP | Treason Punishment |
| CM | Coin Money | ARP | Acts, Records, & Proceedings |
| VM | Value Money | CPE | Congress Prescribes Effects of acts, records & proceedings |
| PC | Punish Counterfeiting | UP | Uniform Privileges |
| CT | Constitute Tribunals | UI | Uniform Immunities |
| HC | Habeas Corpus | NNS | No New State |
| BA | Bill of Attainder | GRG | Guarantee republican gov'n't |
| XL | Ex-post facto Law | PAI | Protection Against Invasion |
| TAC | Treaties; Alliance; Confederation | PADV | Protection Against Domestic Violence |
| LMR | Letters of Marque & Reprisal | SL | Supreme Law of the Land |
| EBC | Emit Bills of Credit | JB | Judges Bound by Oath |
| GS | Gold and Silver | BO | All Bound by Oath |
| TD | Tender in payments of Debts | FR | Freedom of Religion |
| OC | Obligation of Contracts | FREB | Freedom of religion to establish basis |
| TN | Title of Nobility | FREI | Freedom of Religion to Establish Institute |
| CS | Compensation of Service | FRX | Freedom of Religion- Exercise |
| Oath | Oath of president | FS | Freedom of Speech |
| ROW | Require Opinion in Writing | FP | Freedom of Press |
| GRP | Grant Reprieves and Pardons | PA | Peaceful Assembly |
| AJ | Appoint Judges | RG | Redress of Grievances |
| AO | Appoint Officers | KBA | Keep and Bear Arms |
| AOL | Appoint Officers by Law | QS | Quartering Soldiers |
| AV | Appointment Vested | FS | People Secure |
| GX | Guarantee execution | WNT | Warrant |
| CO | Commission officers | PC | Probable Cause |
| IMP | Impeachment | IND | Indictment |
| GB | Good Behavior | | |
| JUC | Judicial power U.S. Constitution | | |

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| REF. # | TITLE | REF. # | TITLE |
|--------|---------------------------------|--------|-------|
| DJ | Double Jeopardy | | |
| WAH | Witness Against Himself | | |
| DP | Due Process | | |
| JC | Just Compensation | | |
| ST | Speedy Trial | | |
| PT | Public Trial | | |
| IJT | Impartial Jury Trial | | |
| TWC | Trial Wherein Committed | | |
| DPA | District previously ascertained | | |
| INFO | Information | | |
| WA | Witness Against | | |
| WF | Witness in Favor | | |
| AC | Assistance of Counsel | | |
| JT | Jury Trial | | |
| FX | Facts Examined | | |
| EB | Excessive Bail | | |
| EF | Excessive Fine | | |
| CP | Cruel Punishment | | |
| UP | Unusual Punishment | | |
| ER | Enumeration of Rights | | |
| PR | Powers Reserved | | |
| SLV | Slavery | | |
| IS | Involuntary Servitude | | |
| CUS | Citizen of the U.S. | | |
| CP | Citizens Privileges | | |
| CI | Citizens Immunities | | |
| EP | Equal Protection | | |
| HO | Hold Office | | |
| IR | Insurrection and Rebellion | | |
| RD | Remove Disability | | |
| PDQ | Public Debt Questioned | | |
| OC | Obligation of Contracts | | |
| CV | Claims Void | | |
| TX | Tax | | |
| VPT | Vote - pay tax | | |

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I. PROTECTIONS OF YOUR BASIC RIGHTS

- AM1/FR - No law shall be made limiting my freedom of religion and how I apply it to my life (consciously)
- AM6/AC - The accused may have the assistance of anyone/anything in the presentation of his defense
- AM6/AC, AM1/FR - It is up to me to choose and have as counsel whoever can best understand and represent my conscience (what I think is right or wrong)
- AM13.1/S, IS - No law-abiding person shall be forced to do anything he does not want to do.
- OTHER - Creating a "state created danger" by publicly labeling, without warrant or due process, as a "paper terrorist" and/or as "convicted,"

II. GUARANTEES OF AN HONEST GOVERNMENT THAT GIVES FAIR AND EQUAL PROTECTION TO ALL

- AM1/FS - No law shall limit my freedom of speech. I can say whatever I believe, especially if required (when someone requires me to tell the Truth, the whole Truth, and nothing but the Truth...)
- AM1/FP - No law shall limit freedom of the press, or my freedom to express my ideas in writing or printing
- AM6/INFO - The accused must be informed why he is on trial (and the nature and cause of the complaint)
- AM6/WA - The accused must be confronted by all witnesses against him
- AM6/WF - The accused has the right to compulsory process to get all people or materials in his favor
- AM6/PT - In all trials involving the threat of jail, the accused shall have a public trial (including friends)
- AM5/IND - No person shall be held to answer for any serious crime without a Grand Jury indictment
- AM14.1/CUS - All persons born or naturalized in the U.S. are citizens and protected by the U.S. Constitution
- AM14.1/EP - All persons shall be equally protected and restricted by the law
- 421/UP, UI - People of each state can do anything that is allowed in any other state
- 411/ARP - No state shall refuse to acknowledge the actions and records of other states
- AM14.1/CP, CI - No state shall make or enforce any law limiting rights guaranteed in the U.S. Constitution
- OTHER - "Aiding and Abetting" in the carrying out of felonies, in "Misprision of Felony," in "Domestic Terrorism," in "Treason," and in "Misprision of Treason" as violations of the public's rights in addition to litigant rights.

III. GUARANTEES OF REASONABLE ENFORCEMENT OF YOUR RIGHTS

- AM4/PS - I am safe from unwarranted searches/seizures of myself, or anything mine (or of my responsibility)
- AM4/WAR, PC - Any action taken against me must be fully described to me in writing, issued by a court of law (not an agency-like IRS), signed by a judge (not like an agent-like IRS), and sworn on oath
- 101/OC - No state shall pass any law impairing the obligation of contracts
- OTHER - Violating the Michigan Constitution (Art. 1, § 24) governing the Rights of Crime Victims, as well as federal Victims' Rights laws, by failure to protect the alleged crime victims from further damages by "the accused"; and by their instead taking actions to preclude these crime victims from further "redress" of their "complaints" and "claims of damages" against "the accused" as their alleged perpetrators

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IV. GUARANTEES OF DUE PROCESS (ACTION/REACTION PROCESS THAT PROVIDES JUSTICE FOR ALL)

- AM5/DP - No person shall be deprived of anything without a fair trial based on Constitutional law
- AM14/DP - No State shall deprive anyone of anything without a fair trial based on Constitutional law.
- 192/HC - I have a right to further court process if I have been unlawfully confined (Writ of Habeas Corpus)
- 322/SCA - I have a right to appeal my case to a higher court
- OTHER - Using "color of law" and acting in a "conspiracy" with others to deprive Grievants/Claimants of their rights to due process as American nationals and as reported "crime victims,"

V. PROTECTIONS AGAINST UNREASONABLE GOVERNMENT BEHAVIOR (OVER-CONTROLLING YOUR LIFE)

- 193/XL - No law shall be passed today that can punish me for something I did yesterday (no retroactive laws)
- 101/XL - No state shall pass any law today that can punish me for something I did yesterday (ex post facto)
- 411/CPE - Congress determines the effect of state legal processes
- AM5/DJ - No person shall suffer more than once for the same offense
- 101/LMR - No state shall declare war on a person (resort to force) in violation of the Constitution
- AM8/XB - No excessive bail shall be required - bail shall be proportional to crime
- AM8/XF - No excessive fines shall be imposed - fines shall be proportional to crime
- AM8/CP - No cruel punishment (torture) shall be inflicted on anyone
- AM8/UP - No unusual punishment shall be inflicted - there shall be equal suffering for equal crimes
- OTHER

VI. PROTECTIONS AGAINST GOVERNMENT SECRECY - WHICH FORCES GOVERNMENT TO BE HONEST

- AM6/INFO; AM14.1/EP - I may require as much in writing as is required of me
- 311/GB - All judges may only hold their office during good behavior (lawful, patient, dignified, courteous)
- AM5/JC - No one shall give up or lost anything (taxes) for public gain without fair compensation.
- AM7/JT - All trials not involving the threat of jail, and involving over \$20 shall be tried by jury
- AM6/ST, PT - All trials involving the threat of jail shall be speedy and public
- 323/JT - All trials involving the threat of jail shall be by jury
- 323/TIS - Trial must be in the state where the crime was committed

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- AM6/IJT - A jury must impartially rule on facts (even when ruling against any law they believe is unfair)
- AM6/TWC - A jury must be of the state and district where the crime was committed
- AM6/DPA - The trial district must be pre-established by law to insure a fair sampling of people in the jury.
- 101/GS - Money is legal tender ONLY if it is made of, or exchangeable at a bank for silver or gold
- 101/GS, TD - No state shall make anything but silver or gold legal tender for payment of debts
- 101/CM - No state is allowed to coin or print money
- 101/EBC - No state is allowed to print anything to be used in the place of money
- 101/OC - No state is allowed to weaken the dollar bill's obligation to be exchangeable for silver or gold
- 185/CM - Only Congress can coin money (not the Federal Reserve, which is an unlawful private corporation)
- 185/VM - Congress has valued money at 412.5 grains of standard silver (or equivalent gold) to the dollar. (Federal Reserve notes don't promise any silver or gold at all! So, they are unlawful and cannot be used in any transactions with the Government (payment of taxes, bail, fees, fines, court costs, etc.)
- 186/PC - Printing money without lawful authorization is counterfeiting; Congress must punish counterfeiters
- 101/TN - No state shall set anyone (including Bar Assoc., Esquire, etc.) above the Common Man
- 101/TAC - No state shall work against the U.S. Constitution with anyone (Bar Assoc., IRS, etc.)
- 431/NNS - No controlling agency (Bar Assoc., IRS) shall be formed (or act) in violation of the U.S. Constitution
- 331/TAU - No controlling agency shall harass a U.S. Citizen (mixed war/treason)
- 111/SP - Only Congress has the power to make laws
- 311/SP - Only impartial courts, judges and juries can decide punishments and rewards with regard to the law
- OTHER

VII. PROTECTIONS AGAINST GOVERNMENT COMPLETELY CONTROLLING YOUR LIFE (DOMINATION)

- AM5/WAH - No person shall be forced to say or do anything that can be used against him later (for any reason)
- AM3/QS - No public servant shall be quartered in a public house unlawfully or without public consent
- 193/BA - No person or group can make a law, judge on it, AND punish under it (i.e., this takes away all rights)
- 101/BA - No state shall allow any person or group to make a law, judge on it, AND punish under it *
- OTHER - Constructing a fraudulent "Bill of Pains and Penalties" (a.k.a., "Bill of Attainder"), effectively working a "corruption of blood" by defending the actions of the co-Defendants in the instant "predicate" case while upholding the resulting unfounded "conviction" obtained by fraud and actions which otherwise "shocked the conscience" of witnesses to the "kidnapping" and "false incarceration" of David Schied; which ultimately resulted in job loss and the deprivation of David Schied being able to support his dependent family for years.

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VIII. GUARANTEES THAT IF SOMETHING IS WRONG, YOUR GOVERNMENT MUST DO SOMETHING

- AM14.1/CUS - All persons born or naturalized in the U.S. are to be protected by the U.S. Constitution
- AM14.4/PDQ - Expenditures of taxes (creating a public debt) spent for unlawful purposes may be questioned
- 197/NUW - No money may be withdrawn from the Public Treasury for unlawful purposes
- AM16/TX - Congress has the power to lay and collect taxes only for lawful purposes
- AM5/JC - No one shall give up or lose anything (taxes) for public gain without fair compensation
- AM1/PA, RG - I may assemble peaceably with others to ask the Government to protect my rights
- AM24/VPT - The right to vote may not be denied to anyone because they fail to pay taxes
- AM9/ER - All rights belong to the people; some being explicitly stated, some being not stated
- AM10/PR - All government power comes from the consent of the people governed
- AM5/DP - No person shall be deprived of anything without a fair trial based on Constitutional law
- AM14/DP - No state shall deprive anyone of anything without a fair trial based on Constitutional law
- 441/GRG - The U.S. guarantees a system of laws to protect the majority AND minority
- 612/SL - "This Constitution is the Supreme Law of the Land"
- 613/BO - All law makers, court officials, and enforcement officers are bound by oath to the U.S. Constitution
- 218/OATH - The President's oath is to "faithfully execute" his office and "defend the U.S. Constitution"
- 231/GX - The President shall "take care that the laws be faithfully executed (enforced)"
- 612/JB - All judges are bound by oath to support the United States Constitution
- 441/PAI - The U.S. will protect every U.S. Citizen against any attack upon themselves or their rights
- 441/PADV - The U.S. will protect every U.S. Citizen against local attack upon themselves or their rights
- AM2/KBA - The right of people to keep and bear arms shall never be limited
- AM14.3/HO, IR - No person shall hold office if he rebels against or violates the U.S. Constitution (treason)
- OTHER

IX. GUARANTEES THAT IF SOMETHING IS WRONG, WHAT THE GOVERNMENT IS REQUIRED TO DO

- 241/IMP - Any government employee (except Army and Navy) may be impeached
- 136/STI - Only the Senate shall try impeachments
- 136/SCI - Only the Senate shall convict in cases of impeachment
- 137/JI - The impeachment bars one from office
- 137/LSL - The impeachment shall be subject to trial and punishment like anyone else

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- 331/TC - It takes at least two witnesses (see below) or a confession in court to convict anyone of treason
- 332/TP - Congress shall decide the punishment for treason
- AM14.3/RD - Congress shall impeach anyone who rebels against or violates the U.S. Constitution
- OTHER - Congress has legislated against "domestic terrorism" (See 18 U.S.C. § 2331; and 31 CFR § 594.311)
- THEREFORE, the Court shall judge according to 16 AM JUR 2D 256, 257

- 321/JUC - The Court's power reaches into all cases involving the U.S. Constitution or any laws made under it
- 321/JUP - The Court's power shall extend to any case involving the United States as a party
- OTHER

TITLE 18 SECTION 241 (18 U.S.C. § 241) - CONSPIRACY AGAINST THE RIGHTS OF CITIZENS

If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; or...If two or more persons go in disguise on the highway, or on the premises of another, with intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured—They shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill, they shall be fined under this title or imprisoned for any term of years or for life, or both, or may be sentenced to death.

TITLE 18 SECTION 242 (18 U.S.C. § 242) - DEPRIVATION OF RIGHTS UNDER COLOR OF LAW

Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such person being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined under this title or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse, or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title, or imprisoned for any term of years or for life, or both, or may be sentenced to death. shall be fined under this title or imprisoned for any term of years or for life, or both, or may be sentenced to death.

- THEREFORE, the Court shall punish according to TITLE 18 SECTIONS 241/242

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X. PUNISHMENTS PROVIDED FOR CORRUPT PEOPLE IN OFFICE, WHO ARE DRAWING PUBLIC FUNDS

- 161/CS - Members of the House and Senate will be paid with public funds for service, not for disservice
- 311/CS - Judges will be paid for their services, but not for their disservice
- 217/CS - The President shall be paid for his service, but not for his disservice
- AM14.4/OC,IR - The United States shall not be bound to finance it's own destruction
- AM14.4/OC, V - The debt incurred by the U.S. to finance it's own destruction is VOID
- 101/OC - No State shall pass any law impairing the obligations of contracts
- 231/GX - The President shall take care that the laws be faithfully executed (enforced)
- 231/CO - The President gives power to the officers he appoints
- OTHER

THEREFORE, the Court shall punish the counter-party/parties/defendants/accused for fraud (drawing a wage for disservice, at minimum) and misprision of felony (misuse of public office or contempt against the U.S. Constitution, the Supreme Law of the Land) and surrender the bonds and/or insurance (including policies covering "terrorism") for their full value on these grounded and itemized claims.

I certify under penalty of perjury that I have grounds to, and do believe that the above accused person committed the above offenses contrary to law and claim the full surrender value of bonds and/or insurance based upon the itemized claims.

Randy R. Smith 10/4/16 (sign & date)

SUBSCRIBED AND SWORN TO BEFORE ME THIS 4th DAY OF OCTOBER, 2016

NOTARY PUBLIC *Cornell E. Squires Sr.*

IN AND FOR THE STATE OF MICHIGAN.

RESIDING AT WAYNE COUNTY.

MY COMMISSION EXPIRES 06-18-21

CORNELL E. SQUIRES SR.
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF WAYNE
My Commission Expires June 18, 2021
Acting in the County of Wayne