Ronald J. Schafer, Sui Juris Statement of Account

Montcalm County Circuit Court ` Invoice No. 7590

639 N. State St.

Stanton, Michigan 48888

Date: 06/12/2017

**NOTICE OF PENDING**

**CRIMINAL CHARGES**

1st. Request for Admissions Propounded

to Ronald J. Schafer, Sui Juris

By Affidavit

Ronald J. Schafer

In the matter of your continued effort not to allow the undersigned the right in having a ‘trial by jury’ which is guaranteed by the 7th. Amendment, I am giving you the opportunity to ‘Admit’ to or explain your disagreement with the following points of FACTS justifying how you came to the decision you did regarding Case No. 17-S-22652-CK, 16-H-22059-CK and 16-H-21067-CK. This request comes by Affidavit in seeking the truth and must be responded to by Affidavit with FACTS. Silence from you in regards to this request and ‘Statement of Account’ will confirm that you are in agreement with the COST FOR DAMAGES, the FACTS and the LAWS which supports that your conduct and conclusions in the above Cases states, come within the definition of one or more of the following; ‘MALFEASANCE’, ‘NONFEASANCE’ and ‘MISFEASANCE’ of office.

**THE MAXIMS OF COMMERCE:**

1. Truth is expressed by means of an affidavit.

2. And unrebutted affidavit stands as the truth in Commerce.

3. An unrebutted affidavit becomes the judgment in Commerce.

**INSTRUCTIONS:**

If there is an objection to this request, the reasons therefore shall be stated. The answer shall specifically deny the matter or set forth in detail the reasons why the answering party cannot truthfully admit or deny the matter. A denial shall fairly meet the substance of the requested admission, and when good faith requires that a party qualify an answer or deny only part of the answer, an admission is requested. Such party shall specify so much of it true and qualify or deny the remainder. If answers require the input of a professional, it is the responsibility of the answering party to obtain such professional.

State the name, address, telephone number, and title of each and every person answering this Request For Admissions or providing information for the answers to this Request For Admissions and identify each Request For Admissions answered or in which information was provided by each person.

**ANSWER:**

**REQUEST FOR ADMISSIONS as to the following:**

1.] Admit to the fact that, Michigan’s Constitution Article 9, Sec. 5 states in pertinent part, “. . . The rate of taxation on such property shall be the average rate levied upon other **commercial, industrial, and utility property** in this state under the **general ad valorem** tax law . . .”

As noted, private property is not included within the ‘general ad valorem’ tax law.

ANSWER:

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2.] Admit to the fact that, the United States Constitution states in Article 1, Sec. 8, Cl. 4 states that, “No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or enumeration herein before directed to be taken.”

As noted, a direct tax on private real property is not allowed, unless in Proportion to the Census or enumeration herein before directed to be taken, as such my private property is exempt.

ANSWER:

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3.] Admit to the fact that, the bills that I am in receipt of from the Reynolds Township do not conform to the requirements of ‘bills of exchange’ as such are fraudulent as defined under UCC 3-401, Section 3.104 and as defined in Black’s Law Dictionary 4th. - the need for a signature for validation is absent.

**UCC 3-401**, (a) A person is not liable on an instrument unless (i) the person signed the instrument.

**UCC Section 3-104, ‘Official Comment’** – “. . . Thus, the term “negotiable instrument” is limited to a **signed** writing that orders or promises payment of money.

[BLD 4th.] **‘BILL OF EXCHANGE’**, “An unconditional order in writing addressed by one person to another, signed by the person giving it, requiring the person to whom it is addressed to pay on demand or at a fixed or determinable future time as sum certain in money to order or to bearer.”

[BLD 4th.] **SIGNATURE**, “The act of putting down **a man’s name at the end of an instrument** to attest its validity, the name thus written. A “signature” may be written by hand, printed, stamped, typewritten, engraved, photographed, or cut from one instrument and attached to another, and a signature lithographed on an instrument by a party is sufficient for the purpose of signing it; it being immaterial with what kind of instrument a signature is made.

ANSWER:

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4.] Admit to the fact that, Article 1, Sec. 10, Cl. 1 states in pertinent part, “No State . . . shall make any Thing but gold and silver Coin a Tender in Payment of Debts. . .”

Payments and Obligations Due to Michigan come under **Act 20 of 1842**, which states, “No receiving officer shall be required to receive **in payment** of any debt, taxes or other obligation collectible or receivable by him any tender other than gold or silver coin of the United States, United States treasury notes, gold certificates, silver certificates **or federal reserve bank notes”**, (FRBN’s).

As such the Township has ‘failed to state a claim in which relief can be granted’, as noted in Rule 12(b). – Accordingly, I am without any means in which to make a payment, which removes any claim for taxes under rule 12(b).

ANSWER:

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5.] Admit to the fact that, any patent executed by the president of the United States is not subject to property taxes as such I have PRE-EMPTION RIGHTS.

**MCL 211.1 Property subject to taxation.** Sec. 1, “that all property, real and personal, within the jurisdiction of this state; not expressly exempted, shall be subject to taxation.”

**MCL 211.135, Recording of conveyances; tax certificate; excepted conveyances; register of deeds; violation; penalty.** (6) This Section **does not apply** to any of the following:

(f) To any **patent** executed by the president of the United States or the governor of this state.

The assigns to PATENTED property which has been removed from PUBLIC DOMAIN are not within the jurisdiction of this State.

- **‘Land patent’** is defined [BLD] as, *“a muniment of title issued by a government or state for the conveyance of some portion of the* ***public domain****.”*

- **‘Letters patent’** is defined [BLD] as *“open letters as distinguished from letters close. An instrument proceeding from the government, and conveying a right, authority, or grant to an individual, as a patent for* ***a tract of land****, or for the* ***exclusive right to*** *make and sell a new invention.”*

The **GRANT OF PRE-EMPTION RIGHTS** in the United States: [BLD 4th.] - “A privilege accorded by the government to the actual settler upon a certain limited portion of the public domain, to purchase such tract at a fixed price to the exclusion of all other applicants”

The **PRE-EMPTION CLAIMANT** [BLD 6th.] is, “one who has settled upon land subject to pre-emption, with the intention to acquire tile to it, and has complied, or is proceeding to comply, in good faith, with the requirements of the law to perfect his right to it”

**COURT CASES:** “A patent is absolute title to land, an exclusive title, or at least a title which excludes all others not compatible with it. A Perfect Title to land cannot exist at the same time in different persons or in different governments, a land patent excludes all others and governments. (BLD 4th) - - See *Bovey-Shute Lumber Co. v. Erickson, 41 N.D. 465, 170, N.W. 628, 630.*

“A patent is the highest evidence of title, and is conclusive against the government and all claiming under junior patents or titles, until it is set, aside or annulled by some judicial tribunal.” - *[(Stone v United States, 2 Wallace (69 U.S.) 765 (1865)]*

ANSWER:

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6.] Admit to the fact that, MCL 750.275 states, - “Use of words **"warranty deed"** or similar words--Any person who shall print, sell or keep for sale any blank forms of deeds containing the words "warranty deed", or "warranty-deed-covenant-own-acts", or any similar words printed or written thereon, unless such deed is in fact an **absolute** **warranty deed**, and any person who shall knowingly use any such deed for the purpose of conveying title unless the same is an absolute warranty deed, shall be guilty of a misdemeanor.”

[BLD 4th.] - “**Absolute** property is where a man hath solely and exclusively the right and also the occupation of movable chattels; distinguished from a qualified property, as that of a bailee.” - “In the law of insurance that is an **absolute** interest in property which is so completely vested in the individual that there could be **no danger of his being deprived of it** without his own consent.”

I have ‘Warranty Deeds’ for these properties, and according **to MCL 750.275,** a ‘warranty deed’ is considered an **‘absolute warranty deed’** having the same status as that of the original ‘PATENT’, having **no danger of his being deprived of it** without my own consent.

ANSWER: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

7.] Admit to the fact that your ruling on the ‘MOTION OF SUMMARY DEPOSITION’ against the undersigned was not supported by any Affidavit with FACTS or evidenced a CONTRACT.

ANSWER:

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8.] Admit to the fact that according to **MCL 600. 410, Plan of concurrent jurisdiction; delegation; prohibition,** it states that you do not have delegated authority to act judicial?

ANSWER:

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9.] Admit to the fact that according to **MCL 600. 413,** **Concurrent jurisdiction plans; design; objection to plan,** your judicial authority is limited to decisions that are to the **benefit of the Citizens**?

ANSWER:

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10.] Admit to the fact that BLACK’S LAW DICTIONARY defines **CONCURRENT JURISDICTION** as, “The jurisdiction of several different tribunals, each authorized to deal with the same subject-matter at the choice of the suitor.”

ANSWER:

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11.] Admit to the fact thatI have an agreement with the Clerk of Court who accepted my paperwork which gave notice to that of an Article 3 Common Law **Court of Record** to where it was only a Magistrate, who is independent of the Court was to appear before the Court?

[BLD 4th.] “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.”

ANSWER: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

12.] Admit to the fact that under MCR 6.005 (A)(1) it states that a defendant is only allowed a lawyer’s **assistance** at all subsequent court proceedings which is ‘in law’?

[BLD 4th.] **LAWYER**, “A person learned **‘in the law’**; as an attorney, counsel, or solicitor; a person licensed to practice law.”

This is in agreement with **Article 3, Sec. 2** which states in pertinent part, “The judicial Power shall extend to all Cases, **‘in Law’** and Equity . . .”

This does not include an Attorney ‘at Law’ as a representative.

ANSWER:

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13.] Admit to the fact that private patented property which has been removed from **PUBLIC DOMAIN** is not subject to ‘property taxes’ as noted in MCL 211. 135 (6)(f).

**MCL 211.1 Property subject to taxation.** Sec. 1, “that all property, real and personal, within the jurisdiction of this state; not expressly exempted, shall be subject to taxation.”

**MCL 211.135, Recording of conveyances; tax certificate; excepted conveyances; register of deeds; violation; penalty.** (6) This Section **does not apply** to any of the following:

(f) To any **patent** executed by the president of the United States or the governor of this state.

**COURT CASE:** - “A patent is absolute title to land, an exclusive title, or at least a title which excludes all others not compatible with it. A Perfect Title to land cannot exist at the same time in different persons or in different governments, a land patent excludes all others and governments. (BLD 4th) - - See *Bovey-Shute Lumber Co. v. Erickson, 41 N.D. 465, 170, N.W. 628, 630.*

ANSWER:

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12.] Admit to the fact that according to the United States Constitution, in the 7th. Amendment it states, “In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved. . .”

ANSWER:

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13.] Admit to the fact that MCR 2.508 JURY TRIAL OF RIGHT – (A) Right Preserved, states – “The right of trial by jury as declared by the constitution must be preserved to the parties inviolate.” This Constitutional authority in noted in **MCR 6.001 in ‘1989 Staff Comment’** states, “As with the other Michigan court rules, **constitutional requirements apply independently** of these rules and, in the event of any conflict, prevail over the requirements of these rules.”

ANSWER:

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According to your ANSWERS, you may be engaged in ‘MALFEASANCE’, ‘NONFEASANCE’ and ‘MISFEASANCE’ under the ‘color of law’, in violation of **18 USC, Sec. 242** which states in pertinent part:

“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; . . .”

In addition, **18USC Sec. 241** states in pertinent part that, - “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; . . . They shall be fined under this title or imprisoned not more than ten years, or both.”

According to 42 USC Sec. 1983 – Civil action for deprivation of rights, it states:

Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof 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, suit in equity, or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in such officer’s judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable. For the purposes of this section, any Act of Congress applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia.

This ‘Statement of Account’ covers a period of about 2 years in my effort seeking the ‘due process of law’. Pay upon receipt in the amount of $25,000.00 in FRN’s.

**List of private properties in controversy:**

PARCEL CODE NUMBER: 59-017-008-009-21

POSSIBLE OVERLAP IN DESC--SEE COMMENTS 682-822&695-1271 009-00/1992 009-20/1993PART OF S DES AS COM AT S 1/4 COR OF SEC 8; TH N 89 DEC W 1077.1 FT ALONG S SEC LINE TO POB; TH CONT FT; N 233.35 FT; S 89 DEC E 280 FT; S 233.35 FT TO P OF BEG SEC8 T12N RIO W 1.5 AC M/L 1/2 OF SW ¼ N 89 DEG W 280

PARCEL CODE NUMBER: 59-017-008-009-50

PARCEL B PART OF S 1/2 OF SW 1/4 DBS AS COM AT SW COR OF SEC 8; TH N 01 DEG W 300.02 FT ALONG W SEC LINE TO POB; TH N 85 DEG E 300 FT; N 01 DEG W 346.15 FT; 8 84 DEG W 300.08 FT TO W SEC LINE; S 01 DEG E 344.56 FT TO P OF BEG SEC 8 T12N R10W 2.38 AC *MIL*

PARCEL CODE NUMBER: 59-017-008-009-40

PARCEL A PART OF S 1/2 O F S W 1/4 DES A S C O M AT S W COR OF SEC 8: T H N 01 D E C W 644.58 FT A L O N G W SEC LINE T O ROB; TH N 85 DEC E 300.08 FT; N 01 D E C W 346.15 FT; S 84 DEC W 300.17 FT TO W SEC LINE; S 01 D E C E 344.56 FT TO P OF B E G SEC 8 T 1 2 N R 1 0W 2.38 AC M/L

PARCEL CODE NUMBER: 59-017-008-009-30

773-959 009-11/1996 PART OF SW 1/4 OF SW 1/4 DES AS COM AT SW COR OF SEC 8; TH N 01 DEC W 980.2 FT ALONG W SEC LINE TO POB; TH CONT N 01 DEC W ALONG W SEC LINE 330 FT TO W 1/8 COR OF SW 1/4; N 85 DEG E 660.77 FT ALONG S 1/8 LINE; S 01 DEG E 330 FT; S 85 DEG W 660.77 FT TO P OF BEG SEC 8 T12N R10W 5 AC M/L

PARCEL CODE NUMBER: 59-017-008-010-11

PART OF W 1/2 OF SE 1/4 DES AS COM AT E 1/4 COR OF SEC 8; TH N 89 DEC W 1302.58 FT ALONG E-W 1/4 LINE; S 02 DEG E 33 FT TO FOB; TH CONT S 02 DEG E 512.07 FT; S 87 DEG W 569.14 FT; S 04 DEG E 542.63 FT; S 86 DEG W 177.36 FT; S 04 DEG E 1238.15 FT; N 89 DEG W 637.81 FT TO N-S 1/4 LINE; N 01 DEG W 1704.98 FT; N 84 DEG E 474.69 FT; N 01 DEG W 463.64 FT TO A POINT 33 FT S OF E-W 1/4 LINE; N 83 DEG E 827.46 FT TO P OF BEG SEC 8T12N R10W 35.1 AC M/L

PARCEL CODE NUMBER: 59-017-008-009-13

S **1/2** OF SW **1**/4 EX COM AT S IM COR OF SEC 8; TH N 89 DEC W 1077**.1** FT ALONG S SEC LINE TO POB; TH CONT N 89 DEC W 280 FT; N 233.35 FT; S 89 DEC E 280 FT; S 233.35 FT TO P OF BEG & EX COM AT SW COR OF SEC 8; TH N **01** DEG W 980.2 FT ALONG W SEC LINE TO POB; TH CONT N 01 DEG W ALONG W SEC LINE 330 FT TO W **1**/8 COR OF SW 1/4; N 85 DEG E 660.77 FT ALONG S **1**/8 LINE; S 01 DEG E 330 FT; S 85 DEG W 660.77 FT TO P OF BEG & EX BEG AT SW COR OF SEC 8; TH N 85 DEG E 1307.04 FT ALONG S SEC LINE; TH N 01 DEG W 300 FT; N 85 DEG E 1006.68 FT; N 01 DE

“I declare that the statements above are true to the best of my information, knowledge, and belief.”

- Without Prejudice & Without Recourse -

Prepared by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Auth. Rep. Andrew S. Ouwenga, Sui Juris, Affiant

Address c/o: 10213 Dagget Rd. Howard City, Michigan [49329] Common Law Right

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