

In The Chancery Court For Jackson County, Missouri

denny ray hardin] Mass Action
and the People of the]
United States of America]
Plaintiff]
vs] Case Number: 1916CV05668
]
Gary A. Fenner, Judge]
and All B.A.R. Associations]
Within the United States of America]
Defendants.]

FILED - CIRCUIT COURT
 JACKSON CO. MO-1
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JUDICIAL COGNIZANCE OF FORSTALLING

COMES NOW, denny ray hardin, a man of morals, ethics and principles. Plaintiff believes “Morals” are established by the “Bible” as God’s word to His people. “Ethics” come from the “Constitution of the United States of America” establishing what can and cannot be done. “Principles” are established as the “Legal Maxims” all judges are deemed to know these and are accountable to them. The legal maxims combine the first two as follows:

Le ley Dieu et ley de terre sont tout un, et l'un et l'autre et favour le comm. et publique bien del terre.

“The law of God and the law of the land are all one; and both promote and favor the common and public good of the land.” [Page 1729 Black’s Law Dictionary, Eighth Edition.]

On the record, for the record: The “Bible”, “Constitution of the United States of America” and “Legal Maxims” are entered in evidence as legal authorities of this cause of action.

Note: From this point on no Latin will be given all legal maxims will be in English. Legal maxims will be in bold type.

“The safety of the people is the highest law.” (236) This maxim establishes my purpose in this cause of action. Reason dictates that every “American Born Citizen” is entitled to “due process of law” administered by an “impartial judge” who provides “just judgment”. **“The court of chancery is the workshop of justice.”**(49) Plaintiff seeks “Justice” to protect the “Rights” of all Americans who are being persecuted and harmed by “Despoilers” who rob them of their life, liberty and pursuit of happiness without authority of law. The purpose of this cause of action is to stop the fraudulent Article IV “UNITED STATES DISTRICT COURTS” and re-establish the Constitutionally chartered Article III, “District

Courts of the United States”. Reason dictates that only Article III Courts have “Judges” and Article IV courts have “Administrators”. Plaintiff’s purpose is to achieve justice by giving the American People back their lawful “Judges”. **“To accept anything for doing justice is rather extorting than accepting.”(2) “No benefit is given to the unwilling. No one is obliged to accept a benefit against his consent. Dig. 50. 17. 69.”(192)** I accept nothing. I expect everything.

This cause of action was filed in the “Chancery Court of Jackson County Missouri” by “Bill of Equity by Affidavit” beginning this cause of action in “Equity”. **“Equity is sort of perfect reason that interprets and amends written law; comprehended in no written text, but consisting of reason alone.”(7) “Equity follows the law.”(16) “What is equitable and good is the law of laws.”(17) “In all affairs indeed, but especially in those that concern the administration of justice, equity should be regarded.”(177)** Where Marco A. Roldan scheduled a hearing in this “Common Law Court of Record”. The UNITED STATES DISTRICT COURT unlawfully seized the “Common law Jurisdiction” from a judge of proper jurisdiction and threatened Plaintiff with 54 years in prison if he filed anything else in any court. This established “Treason” to the Constitution by denial of the 1st Amendment Right to petition government for redress of grievances. The deed established evidence of “Conspiracy against rights” 18 USC 241 and “Deprivation of rights under color of law” 18 USC 242 by

Ortie Smith, Gary A. Fenner and David Gregory Kays to deny justice. Plaintiff took the threat serious and completed the unlawful sentence imposed without authority of law.

Intent: It was the intent of these judges to scare Plaintiff into compliance with their fraudulent authority. This has been the intention of all actors of this cause of action since its conception. Reason dictates that all illegal deeds were done to further the conspiracy to operate fraudulent courts and deny rights. **“A concealed intention is an evil one.”(182) “The intention ought to be subject to the laws, not the laws to the intention.”(183)**

When the sentence was completed, Plaintiff filed “Remonstrance” and elevated the “Chancery Court” from “Equity” into its “Ecclesiastical Jurisdiction” to conduct “Inquisition” of “False Witnesses”. The “deeds” of these witnesses were provided under oath of truth in my own words in “My Story”. To prove these unchallenged allegations Plaintiff sought “Public Records” with their custodians. **“Ecclesiastical laws are limited within separate bounds.”(226) “To swear is to call God to witness, and is an act of religion.”(231)** In all filings, in the Chancery Court of Jackson County Missouri, Plaintiff has sworn an oath as to their truth. **“In judgment a person who has sworn an oath is believed.”(233)** In this cause of action, Gary A. Fenner issued a “Bill of Attainder” in a form of a “Judgment”

fraudulently “affirming” the authority to sign such document. **“The person who affirms must prove.”(22) “The proof is incumbent on the one who affirms, not the one who denies.”(21) “Acting and consenting parties will be subject to the same punishment.” (23)**

Plaintiff then provided the “Chancery Court” with “proof of claims” by filing “Complaint for Indictment” outlining Rules, cases, codes and regulations supporting the allegation that the UNITED STATES DISTRICT COURTS have no jurisdiction to conduct judicial process. This presented the history of corruption that has created the corruption of the courts of the American People. **“Judges, and not jurors, answer questions of law.”(13) “False in one thing, false in everything.” (98)“In court no one is trusted except those sworn.”(165) “A judge is condemned when the guilty party is acquitted.”(201B) “The appointment of justices is by the king, but their ordinary jurisdiction is by the law.”(51) “When an action is purely criminal, it can be instituted from the beginning either criminally or civilly.”(47)**

In all these filings the acquiescence implies consent to the facts, law and evidence presented under oath of truth. Reason dictates that if there is no opposing law that gives the Principal jurisdiction, the law presented stands as truth in this cause of action. **“In the presence of the superior, the power of the inferior**

ceases. This maxim is sometimes written in the presents of the superior power, the minor power ceases.”(179) In this “Chancery Court” of “Complete Jurisdiction” the power of the UNITED STATES DISTRICT COURTS of “no jurisdiction” ceases. As a victim of the persecution I have the right to seek the death penalty against the Principal of this cause of action. But God won’t let me. **“It is punishment enough for a judge that he has God to take vengeance on him.”(214)** So I am perplexed because this problem is a threat to “Public Safety” and cannot go on. **“It is not consonant to justice that any accessory should be convicted in the king’s court before anyone has been attained of the fact (i.e., under sentence of attainder for committing the act). The accessory should not be convicted before the principal is proved guilty.2 Co. Inst. 183.”(234)** The fate of the UNITED STATES DISTRICT COURTS is up to the highest court of this land a “Chancery Court” of “Complete Jurisdiction”. **“The burden of proof rests on the plaintiff.”(12) “If the plaintiff does not prove his case, the defendant is acquitted.”(11) “Hear the other side. No one should be condemned unheard.”(41) “In things preparatory to trial, the plaintiff is favored.”(178) “The capabilities of offering proofs is not to be narrowed.”(97)** Marco A. Roldan is forstalling his lawful obligations. **“In all obligations, when no date is fixed (for performance), the thing is due the same day.”(176) “It is the duty of a judge to finish the work of each day within that day.”(218)**

Lawful Obligations:

- Convening a three judge panel on the record for the record.
- Scheduling an Evidentiary Hearing to gather subpoenaed documents.
- Issuing Subpoenas and subpoenas duces tecum as outlined in

“Remonstrance” as follows:

1. FBI Agent Nathan Holmes Van Sickle,

Duces Tecum: Certified Copy of “Complaint” against Denny Ray Hardin.

2. United States Attorney Brian P. Casey,

Duces Tecum: Certified Copy of “Complaint” against Denny Ray Hardin.

3. United States Attorney Patrick Daily

Duces Tecum: Certified Copy of “Complaint” against Denny Ray Hardin.

4. Magistrate Robert E. Larsen, Western District of Missouri

Duces Tecum:

a. Certified Copy of “Complaint” against Denny Ray Hardin.

b. Certified Copy of “Search Warrant” with “probable cause”

(08-SW-00133-REL)

c. Certified Copy of “Arrest Warrant” exercised on May 10, 2010.

d. Certified Copy of transcript of hearing conducted May 10, 2010 where he presided over Denny Ray Hardin.

e. Certified Copy of Case file 4:10-CR-00131-FJG.

5. District Judge Fernando J. Gaitan, Jr. Western District of Missouri

Duces Tecum:

a. Certified Copy of “Complaint” against Denny Ray Hardin.

b. Certified Copy of Case file 4:10-CR-00131-FJG-1.

6. District Judge Gary A. Fenner, Western District of Missouri

Duces Tecum:

a. Certified Copy of “Complaint” against Denny Ray Hardin.

b. Certified Copy of Case file 4:10-CR-00131-GAF-1.

c. Certified Copy of “Judgment” rendered against Denny Ray Hardin.

d. Certified Copy of “Findings of Facts and Conclusions of Law” supporting the “Judgment” entered in the “Bench Trial” of Denny Ray Hardin.

e. Certified Copy of Denny Ray Hardin’s 2255 Appeal Case File

4:13-CV-01014-GAF presided over by him.

7. District Judge David Gregory Kays, Western District of Missouri.

Duces Tecum:

a. Certified Copy of “Complaint” against Denny Ray Hardin.

b. Certified Copy of Case file 4:10-CR-00131-DGK-1.

8. District Judge Ortie D. Smith, Western District of Missouri.

Duces Tecum:

a. Certified Copy of Case File 4:19-CV-00295-ODS

b. Certified Copy of “Docket Entries for Case Number 4:19-CV-00295-ODS”

9. Probation Officer Laura Kline, Western District of Missouri

Duces Tecum: Certified Copy of Probation File of Denny Ray Hardin with all supporting documents.

10. Public Defender Anita Burns, Western District of Missouri

Duces Tecum: Trial Transcript of Denny Ray Hardin.

11. Howard F. Sachs, District Judge

Duces Tecum: Certified copy of “Order” issued August 24, 2022.

Note: Howard F. Sachs, by his deeds, has established himself as a “Principal” of this cause of action.

Note: All Subpoenas and Subpoenas Duces Tecum should be served on the Principal Gary A. Fenner for service on the other “Principals” of this cause of action. **“A person who flees judgment confesses guilt.”(99) “A good judge should do nothing from his own preference or from the prompting of his private desire; but he should pronounce according to law and justice.”(200) “A judge who exceeds his office (or jurisdiction) is not obeyed.” (213)**

Reason for Trial

“When the reason of the law ceases, the law itself ceases.”(44) Exception:

“Things done in one action cannot be taken as evidence in another, unless it is

between the same parties.”(3) “An exception that confirms the law expounds the law.”(70) This cause of action, is the quest to abolish the UNITED STATES DISTRICT COURTS fraudulent exercising jurisdiction they do not have and restore the lawfully established Article III, “District Courts of the United States” under the authority of the United States Supreme Court as created. **“To destroy that which was previously built and made is utterly to overrun and wreck it; to destroy is to overturn and demolish what was built and done before. This maxim cited against any type of revolutionary action.”(55)** “B.A.R. Associations” conspired against the Constitution of the United States of America to destroy the “District Courts of the United States”, as a foreign state, with its foreign agents within our government, to destroy our Republic. For this “Treason” I seek the “Death Penalty” against all “B.A.R. Associations” within the United States of America. **“The crime of treason exceeds all other crimes in its punishment.”(88)“Felony is implied in every treason.”(102) “To be bound to know or to have been able to know is the same as to know.”(130)** Whether Prosecutor, Defense Attorney or Judge you have taken an oath to support the Constitution of the United States of America and the Constitution of Missouri. **“An oath is indivisible; it is not to be accepted as partly true and partly false.”(228)** **“In high treason no one can be an accessory but only a principal.” (147)**

Plaintiff has created the highest court of the land, a Chancery Court with “Complete Jurisdiction” (including Equity, Ecclesiastical, Common Law, Civil and Criminal authority) to render a “Just Judgment” of the allegations and proofs.”**The crime brings with it the person. That is, the commission of a crime gives the courts of the place where it is committed jurisdiction over the person of the offender.**”(92) **“To whom jurisdiction is given, those things also are considered to be granted without which the jurisdiction cannot be exercised. That is the grant of jurisdiction implied the grant of all powers necessary to its exercise.”**(93) Plaintiff has only given this jurisdiction to the “Chancery Court of Jackson County Missouri”. There are no appeals from this “Chancery Court” its decisions are a “Final Decree” in a court of Equity. **“A forestaller is an oppressor of the poor, and a public enemy of the whole community and country.”**(107) **“Ignorance of fact excuses; ignorance of law does not excuse. Every person must be considered cognizant of the law; otherwise, there is no limit to the excuse of ignorance.”**(137) **“That is perfect which is complete in all its parts.”**(132) **“That is perfect which is complete in all its parts; and nothing is perfect while anything remains to be done.”**(133) **“A person who flees justice confesses guilt.”**(99) There is much left to be done in this cause of action. With great power, comes great responsibility, to do good with it. God is the Judge of the conduct of His judges.

Statement of Truth

I, denny ray hardin, do hereby certify that the forgoing is the truth, whole truth, and nothing but the truth to the best of my knowledge and ability. So help me God.

Respectfully Submitted,

denny ray hardin

denny ray hardin, a living man

2450 Elmwood

Kansas City, Missouri 64127

(816)231-2258

Certificate of Service

I, denny ray hardin, do hereby certify a copy of the Foregoing was mailed by certified mail on this 27th day of August, 2022 as follows:

Gary A. Fenner, Judge

C/O UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF MISSOURI

400 East 9th Street

Kansas City, Missouri 64106

Eric Schmitt, Attorney General
C/O Missouri Attorney General's Office
Supreme Court Building
207 W. High St.
P.O. Box 899 Jefferson City, Missouri 65102

Notice to the Principal is notice to the Agent,
Notice to the Agent is notice to the Principal.
All are with knowledge without excuse.

denny ray hardin

denny ray hardin, a living man