

Common Law

agency

123. “The same person cannot be both agent and patient (i.e., the doer and person to whom the thing is done).”

149. “In civil matters, agency (or service) excuses, but not so in criminal matters.”

299. “No one can do through another what he cannot do by himself.”

607. “A person who acts through another acts himself. The acts of an agent are considered the acts of the principal.” [Cases: Master and Servant 300; Principal and Agent 92. C.J.S. Agency 145, 361; Employer – Employee Relationship 181-184, 188-193, 203.]

663. “What I cannot do in person, I also cannot do through the agency of another.”

706. “Every one is the manager and disposer of his own matters.”

Note: The proper method of managing one’s matters is in a court of proper jurisdiction.

absurdity

272. “It is much more useful to pour forth a few suitable things than to burden mankind of many useless things.”

administrative-law judge

200. “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.”

201. “The judge ought to give judgment according to the allegations and the proofs.”

202. “The judge is the speaking law.”

203. “A judge should have two salts; the salt of wisdom, lest he be foolish; and the salt of conscience, lest he be devilish.”

204. "A judge cannot be a witness in his own cause."
205. "A judge cannot punish a wrong done to himself."
207. "Judges are not bound to explain the reason of their judgment."
213. "A judge who exceeds his office (or jurisdiction) is not obeyed."
214. "It is punishment enough for a judge that he has God to take vengeance on him."
215. "It is proper role of a judge in rendering his decision to follow the rule, when the exception has not been proved."
216. "It is the proper role of a judge to decide according to the allegations and proofs."
217. "It is proper role of a judge to state the right, not to endow it. Generally interpreted, it is the duty of the judge to administer justice and not make law."
218. "It is the duty of a judge to finish the work of each day within that day."
219. "It is the duty of a judge to inquire into the timing of events as much as the matters themselves; by inquiring into time, you will be safe."
292. "No one can contradict his own deed."
293. "No one does damage except the person who did what he has no right to do."
300. "No one can do indirectly what he cannot do directly."
301. "No one can change his purpose to the injury of another."
302. "No one is able to do a thing unless he can do it lawfully."
310. "No one who is ignorant of a thing is bound to give information of it, but everyone is bound to know what he gives information of."
349. "The intention amounts to nothing unless some effect follows."

Note: Judges good intentions amounts to nothing if no justice follows.

350. “There will not be one law at Rome, another at Athens; one law now, another hereafter; but one eternal immortal law shall bind together all nations throughout all time.”

Note: Immortal law is divine law. God’s law.

353. “It is unreasonable that the cognizance of an accessory matter should be impeded in an ecclesiastical court, when the cognizance of the principal cause is admitted to appertain to an ecclesiastical court.”

378. “It matters not what is known to the judge if it is not known to him judicially.”

459. “It is the best law that leaves the least to the discretion of the judge; the best judge is he who leaves least to himself.”

470. “Contracts that have been entered neither illegally nor with fraud must in all respects be observed.”

526. “The practice of the judges is the interpreter of the laws.”

550. “An institution void in the beginning cannot acquire validity by a subsequent act.”

551. “Things invalid from the beginning cannot be made valid by a subsequent act.”

552. “When the principal is extinguished, those things that are accessory to it are also extinguished. Dig. 33. 8. 2.”

553. “What speaks to one purpose ought not be twisted to another.

Note: 18 U.S.C. 3231 speaks to the purpose of granting jurisdiction to the “District Courts of the United States” it has been manipulated to mean “UNITED STATES DISTRICT COURTS” fraudulently claim jurisdiction under its authority.

554. “Things that belong to the person cannot be separated from the person.”

555. “(Statutes) that derogate from the common law should be strictly construed.”

563. “Things that ought not to be done are held valid when they have been done.”

Note: “A presumption yields to the truth.” (519)

565. “What is done contrary to the custom and usage of our ancestors neither pleases nor is considered right.”

Note: Our forefathers, loved the law, and created “Equity” to reason in a “Chancery Court” to establish “Justice”. The law must apply to all or it is no law at all.

573. “A quality that ought to be inherent is easily presumed.”

Note: We the people presume all judges are honorable, but the truth of their deeds say different.

574. “How long a time should be “reasonable” the law does not define; it depends on the discretion of the judges.”

Note: Currently the “State of Missouri” is allowing a “fraudulent Court” of no jurisdiction to operate within the boundaries of the state. The “agents”, of the “State of Missouri” are responsible for dispensing justice and punishing those who have violated the law.

576. “Although in itself a thing may not be bad, yet if it serves as a bad example, it is not to be done.

Note: Forestalling is a bad example of dispensing justice.

604. “What constitutes right, and wherein lies the injury, it is the function of the law to declare.”

607. “A person who acts through another acts himself. The acts of an agent are considered the acts of the principal.” [Cases: Master and Servant 300; Principal and Agent 92. C.J.S. Agency 145, 361; Employer – Employee Relationship 181-184, 188-193, 203.]

Note: The “agents” Marco A. Roldan and Eric Schmitt are acting on behalf of the “Principal” the “State of Missouri”.

608. “One who has jurisdiction for dissolving (an obligation) has jurisdiction to bind.”

632. “A person who is once bad is always presumed to be bad in the same kind of affair.”

Note: This applies to all “Principals” of treason in the UNITED STATES DISTRICT COURTS, who utilize fraud, intimidation, sedition, conspiracy, coercion and terrorism against the American People under the color of law.

659. “What appears not does not exist, and nothing appears judicially before judgment.”

Note: To date no law giving UNITED STATES DISTRICT COURTS jurisdiction exists. “A person who flees justice confesses guilt.” (99) Plaintiff believes this applies to both the Defendant and judges, the Defendant evades trial, the judges evade issuance of judgment. Both are “Willful neglect of duty”.

665. “What the people have last enacted, let that be the established law.”

Note: That would be the “Constitution of the United States of America” established as the “supreme law of the land” that binds all judges by their “oath of office” in Article VI, Clause 2.

696. “One departs from settled rules of law, rather than let crimes and wrongs remain unpunished.”

757. “To know a thing and to be bound to know it are regarded in law as equivalent.”

881. “Where the law compels someone to show cause, it is necessary that the cause be just and legal.”

888. “Where there is not direct law, one must rely on the judgment of the judge or refer to similar cases.”

Note: “A judge who exceeds his office (or jurisdiction) is not obeyed.”(213)

ambiguity

127. “It is the same thing to say nothing and not to say enough. To say a thing in an insufficient manner is the same as not to say it at all. Applied to the plea of a prisoner.”

148. “In an ambiguous expression of the law, the meaning will be preferred that is free of defect, especially when the intent of the law can be gathered from it.”

684. “Whenever in stipulations the expression is ambiguous, it is most proper to give it that interpretation by which the subject matter may be in safety.”

685. “Whenever there is no ambiguity in the words, then no exposition contrary to the words is to be made.

953. “One must abide by the words where there is no ambiguity.” [Cases: Statutes 190. C.J.S. Statutes 321.]

Note: ambiguity. “An uncertainty of meaning or intention, as in a contractual term or statutory provision.” Cf. MEANING. [Cases Contracts 143(2); Statutes 190. C.J.S. Contracts 303-305; Statutes 321.] Black’s Law Dictionary, 8th Edition, page 88.

calculated ambiguity

private bank

470. “Contracts that have been entered neither illegally nor with fraud must in all respects be observed.”

471. “Agreements give law to the contract.”

472. “Private contracts cannot restrict (or take away from) public law.”

475. “There is no derogation from public law by private contracts.”

476. “By agreement (or contract) something is permitted that, without agreement, is not allowed. Coke continues, “but not in violation of public law.” Co. litt. 166.”

535. “A privilege is a benefit *belonging* to a person, and it dies with the person.”

536. “A privilege is, as it were, a private law.”

703. “Reputation is a common opinion where there is no certain knowledge.”

Note: Plaintiff’s reputation among BAR members is he is crazy. Plaintiff asks, “What if I am right?” truth is to be established.

711. “A thing done between two parties does not damage other parties; a matter transacted between parties; a matter transacted between parties (e.g. to a contract) does not prejudice nonparties.” [Cases; Evidence 130; Judgment 665. C.J.S. Evidence 760-761; Judgments 828, 831, 842.]

712. “Things done between others ought not to injure an outsider (not party to them).” [Cases: Evidence 130; Judgment 665. C.J.S. Evidence 760-761; Judgments 828, 831, 842.]

Bills of Attainder

209. “Let judgments in the king’s court not be invalidated but remain in force until annulled by error or attain. 2 Inst. 360.

412. “No one shall have error or attain unless there has been damage.”

569. “To investigate is the way to know what things are truly lawful.”

593. “A person who takes away the means destroys the end.”

Note: The fate of law is in the hands of Marco A. Roldan. Either law lives or the law is dead.

chose

chose in action

412. “No one shall have error or attainit unless there has been damage.”

439. “All things are presumed to be done legitimately until the contrary is proved.”

440. “All things are presumed to be done in proper and regular form; all things are presumed to have been rightly and regularly done.”

441. “All things are presumed to have been done regularly and with due formality until the contrary is proved.” [Cases: Taxation 319(2), C.J.S. Taxation 472.]

444. “All things are presumed to have been done in due form.” [Cases: Evidence 82, 83. C.J.S. Evidence 151, 158-162.]

445. “Every action is a complaint.”

467. “When order of pleadings has been preserved, the law is also presesved.”

507. Postliminy (restoration of rights) imagines that a person who has been captured has never left the state. A person captured by the enemy, who later returns, is restored to all his former rights. Just. Inst. 1. 12. 5.”

Note: Plaintiff is a Missouri born living soul, taken under a “Bill of Attainder”, held hostage by a “Foreign State”, who is entitled to “Restoration of right to give evidence” in this “Chancery Court” of “Complete Jurisdiction”.

.554. “Things that belong to the person cannot be separated from the person.”

556. “Things introduced contrary to the reason of the law ought not to be drawn into precedents. “We do find divers precedents... which are utterly against law and reason and for that void.””

564. “Things that may not avail individually have effect when united.”

571. “Things that are of no advantage individually are helpful when taken together.”

581. “When anything is prohibited directly, it is also prohibited indirectly.”

587. “When the law is special, but its reason is general, the law is to be understood generally.”

Note: The missing 13th Amendment of the Constitution of the United States of America is general.

591. “Let the one who accuses be of honest reputation and not implicated in a crime.”

Note: A “crime” requires a “Complaint” signed by an “injured party”, to date no complaint has been produced, though repeatedly requested.

592. “A person who acquires for himself acquires for his heirs.”

Note: “We, the people of the United States,... do ordain and establish this Constitution for the United States of America.”

593. “A person who takes away the means destroys the end.”

Note: The fate of law is in the hands of Marco A. Roldan. Either law lives or the law is dead.

595. “One who questions well teaches well.”

Note: Proverbs 4:7. “Wisdom is the principal thing; therefore get wisdom; and with all thy getting get understanding.”

598. “A person who shows contempt for the precept shows contempt for the author (or advocate) of it.”

601. “Whatever is done in excess is prohibited by law.”

606 “One who overthrows the cause overthrows its effects.”

Note: This cause is to re-establish “Justice” and stop “Despoilers”.

607. “A person who acts through another acts himself. The acts of an agent are considered the acts of the principal.” [Cases: Master and Servant 300; Principal and Agent 92. C.J.S. Agency 145, 361; Employer – Employee Relationship 181-184, 188-193, 203.]

610. “A person who has done anything by order of a judge is not considered to have acted in fraud, because it is necessary to obey.”

Note: This is the question of law in this Chancery Court, Are Article IV judges lawful?. Plaintiff denies there are any lawful judges of the UNITED STATES DISTRICT COURTS. Gary A. Fenner must prove he is a lawful judge, to date he has failed to do so. “Lawful” means “has jurisdiction”.

611. “Anyone may renounce a right introduced for his own benefit.”

Note: Plaintiff renounces the “Not Guilty Plea” entered on his behalf by Magistrate Robert E. Larsen. Now Magistrate Larsen must prove he had authority to act on behalf of Defendant (now Plaintiff). He acted with malice, intent and knowledge knowing he lacked jurisdiction.

613. “A person who commands (a thing to be done) is considered to have done it himself.”

Note: Magistrate Robert E. Larsen put me in solitary confinement for 7 months without jurisdiction or authority of law. Plaintiff was held against his will without

visits, without mail, without phone and without commissary, to stop him from challenging the authority of the UNITED STATES DISTRICT COURT. The challenges continued. These “challenges” were made under the authority of the “Federal Rules of Criminal Procedure” all were denied by Magistrate Larsen and District Judge Fernando J. Gaitan, Jr. in direct defiance of law governing their conduct. The public record establishes this fact.

614. “A party who gives better proof has the better (right). Often rendered, “He who proves more recovers more.”

Note: While Plaintiff seeks “justice” and will accept no compensation for himself, he will present injuries of others for just compensation.

648. “When in doubt, do not do it.”

Note: “It seems to be a law of nature, inflexible and inexorable, that those who will not risk cannot win.” *John Paul Jones* “Change is the law of life. And those who look only to the past or present are certain to miss the future.” *John F. Kennedy*

689. “Reason is the source and formal cause of custom.”

699. “We must have recourse to what is extraordinary when what is ordinary fails.”

Note: The safe guards of public safety failed in a court of no jurisdiction where treason was conducted under color of law.

700. “The rule is that ignorance of the law is harmful (or prejudicial) to anyone, but ignorance of a fact is not. Ignorance of a fact may excuse a party from the legal consequences of his conduct, but not ignorance of the law.”

706. “Every one is the manager and disposer of his own matters.”

Note: The proper method of managing one’s matters is in a court of proper jurisdiction.

766. “Business entrusted to several people is done more reliably, and (several) eyes see more than (one) eye does.”

Note: This is the reason for the three judge panel, God’s law says, “And the judges shall make diligent inquisition;...” Deuteronomy 19:18 (Remonstrance, page 8)

802. “If anyone sues for a part when he should have sued for the whole, the judgment should constitute res judicata (against other suit).” [Cases: Judgment 592. C.J.S. Judgments 761-762, 765.]

Note: Plaintiff has brought suit against the whole in the interest of “Public Safety”.

The interest of public safety makes justice a necessity.

803. “If a guardian commits fraud against his ward, he is to be removed from the guardianship.”

Note: This case will determine if the State of Missouri provides protection of its wards (all Missouri State Citizens) commonly known as taxpayers. “Laws were made lest the stronger should have unlimited power.”(153)

810. “A party forcibly deprived of possession ought first of all to have restitution.”

Note: Plaintiff seeks “justice” and will not accept restitution in exchange. But others have suffered greatly because of the wrongful deeds of “Agents” of the UNITED STATES, INC. for which they should be compensated. These will be discussed at trial.

827. “The highest reason is that which acts in favor of religion. Also found in indirect form, *Summam esse rationem quae pro religion facit.*”

Deuteronomy 19:18 “And the judges shall make diligent inquisition; and behold if the witness be a false witness,...” Reason dictates a liar must be cross examined

under oath to establish truth. “Judges” is plural thus the request for a three judge panel.

873. “Where damages are awarded, the party that did not succeed ought to pay expenses for the party that prevailed.”

878. “Where there is no fact, there are no strong points.”

Note: This is to be determined at trial, the notes of these “Legal Maxims” are facts and strong points of this cause of action.

900. “Let the evidence of one witness not be heard at all.”

Note: There are 11 named witnesses to be subpoenaed, there are many others expected to testify to treason of these fraudulent courts.

918. “Vain is that power that never comes into action.”

Note: vain. “2. without force or effect; futile, fruitless, unprofitable, unavailing, etc: as a vain endeavor. “ [Webster’s Dictionary]

This is the foundation of treason, those who have violated the “Public’s Trust” ban together in our courts against the “Sovereign American” to violate his/her rights knowing they will not be held accountable. All efforts to hold them accountable have become “vain endeavors”, thus allowing the treason to continue. Now that treason has been established, all those who allow it to continue are “Principals of Treason”. “Justice” in this cause of action will not be a “vain endeavor”.

chancery

49. “The court of chancery is the workshop of justice.”

410. “Let no one depart from the court of chancery without a remedy.”

668. “There are privileges that are really detrimental to the state, but that have a more colorful appearance and show of public good than good and lawful concessions. But the unlawful should not be accepted as valid on the ground of a showing of legality.

Note: “The court of chancery is the workshop of justice.”(49)

citizen

270. “Many men know many things; no one knows everything.”

468. “It is manifest that no one by his own will can be stripped of his origin (or be banished from his place of origin).”

469. “The origin of a thing ought to be regarded.”

767. “Once a citizen, always a citizen.”

Note: Plaintiff is a “Missouri State Citizen” not a “UNITED STATES CITIZEN”.

Citizenship Clause

270. “Many men know many things; no one knows everything.”

468. “It is manifest that no one by his own will can be stripped of his origin (or be banished from his place of origin).”

469. “The origin of a thing ought to be regarded.”

compact

725. “Compacts usually take their clothing from the thing itself, from words, from writings, from consent, from delivery, from the joining together.”

Note: BAR Associations are “compacts” of “treason”.

family compact (note)

266. “Many things have been introduced into the common law, with a view to the public good, that are contrary to logical reasoning. Co. Litt. 70b.”

725. “Compacts usually take their clothing from the thing itself, from words, from writings, from consent, from delivery, from the joining together.”

Note: BAR Associations are “compacts” of “treason”.

746. “Where there are many counselors, there is safety.”

Proviso: Provided that the counselors follow the first principles and Constitution as the supreme law of the land, BAR members do not.

759. “To know properly is to know a thing in its reason and by its cause.”

conspiracy

619. “A person who does not prevent what he can prevent is considered to act.”

Note: Plaintiff, as a Defendant in the UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MISSOURI, challenged jurisdiction to the following:

Magistrate Robert E. Larsen

Chief Judge Fernando J. Gaitan, Jr.

District Judge Gary A. Fenner

District Judge David Gregory Kays

District Judge Ortie D. Smith

District Judge Howard F. Sachs

U.S. Attorney Brian P. Casey

U.S. Attorney Patrick Daily

FBI Agent Nathan Holmes Van Sickle

All the above had the authority and responsibility to prevent injuries to Plaintiff, all allowed fraudulent prosecution to continue, in treason to the “Constitution of the United States of America”. They are all “Principals of Treason”.

chain conspiracy (note)

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definitions

332. “A name is, as it were, the distinctive sign (or signifier) of a thing.”

333. “If you do not know the names of things, the knowledge of things themselves perishes.”

334. “If you do not know the names of things, the knowledge of things themselves perishes; and, if you lose the names, the distinction of the things is certainly lost.”

335. “Names are mutable, but things immutable.”

336. “Names are the marks of things.”

337. “Names are the symbols of things.”

452. “Every interpretation of instruments is to be made, if it can be, so that all contradictions may be removed.”

453. “Every interpretation explains, or extends, or restricts.”

delict

47. “When an action is purely criminal, it can be instituted from the beginning either criminally or civilly.”

97. “The capability of offering proofs is not to be narrowed.”

169. “The servant’s wrongdoing reaches the master. The master is liable for injury done by his servant.”

172. “In delict (or tort), ratification is equivalent to authorization.”

597. “A person who confirms gives nothing.”

600. “Whatever is against the rule of right is a wrong.”

628. “Who first offends causes the quarrel.”

Note: The first act was the FBI, exercising a fraudulent search warrant without probable cause, through Kansas City S.W.A.T. In violation of Article XI, Section 3 of the “Constitution State of Missouri” and the 4th Amendment of the “Constitution of the United States of America”. All evidence of trial was “fruit of a poisonous tree” as challenged. Today that evidence is presented as “fruits of a crime”.

872. “Where ever there is a legal wrong, there damage follows.”

quasi delict

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872. “Where ever there is a legal wrong, there damage follows.”

design

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632. “A person who is once bad is always presumed to be bad in the same kind of affair.”

Note: This applies to all “Principals” of treason in the UNITED STATES DISTRICT COURTS, who utilize fraud, intimidation, sedition, conspiracy, coercion and terrorism against the American People under the color of law.

635. “A person who is silent does not indeed confess, but yet it is true he does not deny.

Note: This is the current position of Gary A. Fenner who is lawfully required to answer the “Bill of Equity by Affidavit” that has gone unanswered to date. Fenner was “Summoned” and “evaded justice” by “constructive seizure” of Plaintiff’s cause of action. {See 618.}

despoil

175. “Everything is presumed to the prejudice of the despoiler.”

Note: despoil, “To deprive (a person) of possessions illegally by violence or clandestine means; to rob.”

438. “All presumptions are against one who wrongfully dispossesses another (a despoiler).” [Cases: Evidence 78. C.J.S. Evidence 163-165, 167-168.]

Note: despoil - 175 of these maxims.

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was “Summoned” and “evaded justice” by “constructive seizure” of Plaintiff’s cause of action. {See 618.}

740. “A sacrilegious person surpasses the greed and wickedness of all other robbers.”

Note: This applies to all dispoilers.

despot,

despotism

detainer

detention

investigative detention

pretrial detention

preventive detention

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All the above had the authority and responsibility to prevent injuries to Plaintiff, all allowed fraudulent prosecution to continue, in treason to the “Constitution of the United States of America”. They are all “Principals of Treason”.

620. “A person who does not forbid when he can forbid commands.”

621. “A person who does not forbid what he can forbid is considered to assent.”

622. “A person who does not repel an injury when he can brings it on.”

623. “A person who says all excludes nothing.”

624. “A person who spares the guilty punishes the innocent.”

625. “A person who does anything through another is considered as doing it himself.”

Note: This applies to the State of Missouri as an “artificial person”.

626. “A person who acts fraudulently acts in vain.”

627. “A person who can and ought to forbid a thing (as much as) orders it, if he keeps silent.” [Cases: Estoppel 70. C.J.S. Estoppel 100, 167.]

Note: This can apply to many.

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was “Summoned” and “evaded justice” by “constructive seizure” of Plaintiff’s cause of action. {See 618.}

618. “A person who does not deny admits.”

Note: Since summons was issued in July of 2019, Gary A. Fenner has not denied the allegations, the Plaintiff’s offer of proofs establish truth, admitted by Defendant.

destructibility,

44. “When the reason of the law ceases, the law itself also ceases.”

55. “To destroy that which was previously built and made is utterly to overturn and wreck it; to destroy is to overturn and demolish what was built and done before. This is the maxim cited against any type of revolutionary action.”

153. “Laws were made lest the stronger should have unlimited power.”

428. “An office ought to be injurious to no one.”

619. “A person who does not prevent what he can prevent is considered to act.”

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U.S. Attorney Patrick Daily

FBI Agent Nathan Holmes Van Sickle

All the above had the authority and responsibility to prevent injuries to Plaintiff, all allowed fraudulent prosecution to continue, in treason to the “Constitution of the United States of America”. They are all “Principals of Treason”.

823. “When the foundation has been removed (or demolished), the structure collapses.”
[Cases: Principal and Surety 112. C.J.S. Principal and Surety 113-114, 116.]

Note: The foundation of every court is its “jurisdiction”, with the jurisdiction of the UNITED STATES DISTRICT COURTS being removed there is no legal reason to stop its collapse. To continue to operate without jurisdiction is treason to the Constitution by all conducting court without jurisdiction. All cases must cease in the UNITED STATES DISTRICT COURTS.

deterrence

general deterrence

special deterrence

516. “Prevention is better than cure.”

545. “Protection brings submission; submission (brings) protection.”

916. “So that punishment afflict few, (and) fear affect all. Blackstone cites Circero (pro Cluentio 46) emphasizing deterrence. 4 Bl. Com. 11.”

Note: Every case in the UNITED STATES DISTRICT COURTS must cease immediately, and to proceed with any case is an act of treason by the imposter judge. All prisoners without an injured party must be released. Those who have injured another must be delivered to state court for trial. All federal law enforcement agencies have no authority to arrest or detain any “American Born Citizen” all “police powers” are reserved to the “States” under the 10th

Amendment. While these entities have no power over “American Born Citizens” they do have power over “illegals” and should work to remove the 11 million illegals in the United States of America. This will allow a transition period for Congress to restore the lawful “District Courts of the United States” back under the authority of the “United States Supreme Court” whose job it is to enforce the Constitution in every court of this land. Article III courts must be restored in the interest of “Public Safety”.

drafter

882. “Where the law is deficient, the praetor supplies the deficiency.”

Note: praetor. “The magistrate responsible for identifying and framing the legal issue in a case and for ordering a lay judge (judex) to hear evidence and decide the case in accordance with the formula.” [Black’s Law Dictionary, Eighth Edition, page 1213.] The drafter of this treason is magistrate Robert E. Larsen who created the “Bill of Attainder”.

equity

6. “Equity acts on the person.”

7. Equity is a sort of perfect reason that interprets and amends written law; comprehended in no written text, but consisting of reason alone.”

8. “Equity is as it were equality.”

9. “Equity assists ignorance but not complacency (or carelessness).”

10. “Equity does not create a right, but aids the right.”

15. “Equity never contravenes the laws.”

16. "Equity never contravenes the laws."

17. "What is equitable and good is the law of laws."

692. "Reason in law is perfect equity."

693. "The reason of the law is the soul of the law." [Cases: Statutes 184. C.J.S. Statutes 316.]

694. "Reason is not confined to any place."

695. "A reason can be adduced when the law is defective, but it must be a true and legal reason, and not specious (or apparent)."

Note: 18 U.S.C. 3231 is defective in giving jurisdiction to the UNITED STATES DISTRICT COURTS.

826. "The highest reason is the one that acts on behalf of religion."

Note: Plaintiff's "Remonstrance" is an act of religion, by trust in God His judges will provide "Just Judgment".

870. "When a common remedy ceases to be of service, recourse is had to an extraordinary one."

874. "Where there is the same reason, there is the same law. Also rendered *Ubi eadem est ratio, ibi idem est jus.*"

875. "Where there is the same reason, there is the same law; and the same judgment should be rendered on comparable facts."

evil

252. “Evil deeds ought not to remain unpunished, and impunity affords continual incitement to wrongdoing. 4 Coke 45”

253. “An evil custom ought to be abolished; a bad usage should be abolished.”

254. “An evil custom is to be abolished, because, in customs, not length of time, but solidity of reason, is to be considered.”

exception

449. “Every exception is itself also a rule.”

455. “Every rule of law allows its own exceptions.”

855. “Every exception not watched tends to assume the place of the principle.”

fact

267. “You will perceive many things much more easily by practice than by rules.”

268. “The law does not forbid many things that yet it has silently condemned.”

381. “An exception based on the very matter of which the determination is sought is not valid.”

715. “A matter adjudged is taken for truth.”

Note: “Fiction yields to truth; where the truth appears, there is no fiction of law.” (103)

adjudicative fact

alienative fact

ancient fact

752. “It is better to seek the sources than to follow tributaries.”

Note: ancient fact. “A fact about a person, thing, or event that existed or occurred a very long time ago, and about which no living person has firsthand knowledge. – Also termed *fact in pais*.” [Black’s Law Dictionary, 8th Edition, page 628.]

collateral fact

dispositive fact

121. “That is certain which can be made certain.”

122. “That is certain which can be made certain, but that is more certain which is certain of itself.”

538. “Proofs ought to be evident, (that is) clear and easily understood.”

539. “When the extremes have been proved, the intermediate proceedings are presumed.”

613. “A person who commands (a thing to be done) is considered to have done it himself.”

Note: Magistrate Robert E. Larsen put me in solitary confinement for 7 months without jurisdiction or authority of law. Plaintiff was held against his will without visits, without mail, without phone and without commissary, to stop him from challenging the authority of the UNITED STATES DISTRICT COURT. The challenges continued. These “challenges” were made under the authority of the “Federal Rules of Criminal Procedure” all were denied by Magistrate Larsen and District Judge Fernando J. Gaitan, Jr. in direct defiance of law governing their conduct. The public record establishes this fact.

619. “A person who does not prevent what he can prevent is considered to act.”

Note: Plaintiff, as a Defendant in the UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MISSOURI, challenged jurisdiction to the following:

Magistrate Robert E. Larsen
Chief Judge Fernando J. Gaitan, Jr.
District Judge Gary A. Fenner
District Judge David Gregory Kays
District Judge Ortie D. Smith
District Judge Howard F. Sachs
U.S. Attorney Brian P. Casey
U.S. Attorney Patrick Daily
FBI Agent Nathan Holmes Van Sickle

All the above had the authority and responsibility to prevent injuries to Plaintiff, all allowed fraudulent prosecution to continue, in treason to the “Constitution of the United States of America”. They are all “Principals of Treason”.

645. “What is done contrary to the law is considered as not done.”

Note: “What is done cannot be undone.” (68) “Deeds (or facts) are more powerful than words.”(66)

715. “A matter adjudged is taken for truth.”

Note: “Fiction yields to truth; where the truth appears, there is no fiction of law.” (103)

751. “It is the mark of a wise judge to suppose that he is permitted only so much as has been committed and entrusted to him.”

Note: It is a “dispositive fact” that the “UNITED STATES DISTRICT COURTS” have no jurisdiction, the law says so.

dispositive fact – “2. A fact that is decisive of a legal matter; evidence that definitively resolves a legal issue or controversy.” [Black’s Law Dictionary, 8th Edition, page 628.]

evaluative fact

evidentiary fact

fabricated fact

fact in evidence

fact in issue

immaterial fact

impositive fact

inferential fact

investitive fact

judicial fact

613. “A person who commands (a thing to be done) is considered to have done it himself.”

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defiance of law governing their conduct. The public record establishes this fact.

jurisdictional fact

613. “A person who commands (a thing to be done) is considered to have done it himself.”

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legal fact

355. “It is not an innovation to adapt earlier laws to later ones. Dig. 1.3.26.”

legislative fact

material fact

minor fact

operative fact

physical fact

predicate fact

primary fact

principal fact

613. “A person who commands (a thing to be done) is considered to have done it himself.”

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private fact

probative fact

psychological fact

public fact

613. “A person who commands (a thing to be done) is considered to have done it himself.”

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defiance of law governing their conduct. The public record establishes this fact.

relative fact

613. “A person who commands (a thing to be done) is considered to have done it himself.”

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simulated fact

613. “A person who commands (a thing to be done) is considered to have done it himself.”

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defiance of law governing their conduct. The public record establishes this fact.

translative fact

transvestitive fact

ultimate fact

613. “A person who commands (a thing to be done) is considered to have done it himself.”

Note: Magistrate Robert E. Larsen put me in solitary confinement for 7 months without jurisdiction or authority of law. Plaintiff was held against his will without visits, without mail, without phone and without commissary, to stop him from challenging the authority of the UNITED STATES DISTRICT COURT. The challenges continued. These “challenges” were made under the authority of the “Federal Rules of Criminal Procedure” all were denied by Magistrate Larsen and District Judge Fernando J. Gaitan, Jr. in direct defiance of law governing their conduct. The public record establishes this fact.

undisputed fact

613. “A person who commands (a thing to be done) is considered to have done it himself.”

Note: Magistrate Robert E. Larsen put me in solitary confinement for 7 months without jurisdiction or authority of law. Plaintiff was held against his will without visits, without mail, without phone and without commissary, to stop him from challenging the authority of the UNITED STATES DISTRICT COURT. The challenges continued. These “challenges” were made under the authority of the “Federal Rules of Criminal Procedure” all were denied by

Magistrate Larsen and District Judge Fernando J. Gaitan, Jr. in direct defiance of law governing their conduct. The public record establishes this fact.

vestitive fact

fact finder (common knowledge)

fact finding (common knowledge)

faction

factor

factoring

factorizing process

factor's act

805. "No one is understood to be in a state of solvency except the one who can pay all that he owes."

Note: Plaintiff is not solvent, and neither is any other American, BAR Associations have created "Debt" that we are all required to pay. The worst of these are in prison under fraudulent claims of BAR members that they owe a "debt to society". Over 95% have no complaint signed against them or injured party.

failure

186. "In the delivery of writings (deeds), not what is said but what is done is to be considered."

failure of good behavior

186. "In the delivery of writings (deeds), not what is said but what is done is to be considered."

562. “Things bad in the commencement seldom end well.”

Note: Magistrate Robert E, Larsen issued a search warrant without probable cause in violation of the 4th Amendment to commence this cause of action exercised by the FBI and KC S.W.A.T. on November 4, 2008.

failure of justice

186. “In the delivery of writings (deeds), not what is said but what is done is to be considered.”

562. “Things bad in the commencement seldom end well.”

Note: Magistrate Robert E, Larsen issued a search warrant without probable cause in violation of the 4th Amendment to commence this cause of action exercised by the FBI and KC S.W.A.T. on November 4, 2008.

failure of proof

failure to state a claim

186. “In the delivery of writings (deeds), not what is said but what is done is to be considered.”

failure to testify

186. “In the delivery of writings (deeds), not what is said but what is done is to be considered.”

false imprisonment

98. “False in one thing, false in everything.”

186. “In the delivery of writings (deeds), not what is said but what is done is to be considered.”

562. “Things bad in the commencement seldom end well.”

Note: Magistrate Robert E, Larsen issued a search warrant without probable cause in violation of the 4th Amendment to commence this cause of action exercised by the FBI and KC S.W.A.T. on November 4, 2008.

false judgment

false report

falsify

falsifying a record

98. "False in one thing, false in everything."

186. "In the delivery of writings (deeds), not what is said but what is done is to be considered."

fault

contractual fault

delictual fault (note)

125. "It is the same thing to commit an act and not to prohibit it when you can; and he who does not prohibit when he can prohibit is at fault (or does the same as ordering it to be done)."

495. "The instigator of a crime is a worst offender than the perpetrator."

Note: The instigator of all crimes of this cause of action was the FBI.

674. "What is without remedy is by that very fact valid if there is no fault."

Note: There is "fault" in every "principal" named in this cause of action.

fault. "2. Civil law. The intentional or negligent failure to maintain some standard of conduct when that failure results in harm to another person."

795. "Silence in the senate is a fault."

Note: There are many BAR members at fault by “Contractual Fault” and “Delictual Fault”. Proof has established this fact.

978. “It is a fault that ought to be avoided, that if you do not discover the reason, you quickly exclaim that the law has no reason.”

Note: fault. “1. An error or defect of judgment or of conduct; any deviation from prudence or duty resulting from inattention, incapacity, perversity, bad faith, or mismanagement. See NEGLIGENCE. Cf. LIABILITY. 2. Civil Law. The intentional or negligent failure to maintain some standard of conduct when that failure results in harm to another person.”

Contractual fault. “Civil Law. Fault resulting from the intentional or negligent failure to perform an enforceable obligation in a contract.”

Contract: Constitution State of Missouri

Enforceable Obligation: Article I, Section 14 Open Courts – certain remedies – justice without sale, denial or delay. The STATE OF MISSOURI has failed to provide open courts.

Delictual fault. “Civil law. Fault resulting from intentional or negligent misconduct that violates a legal duty.”

Marco A. Roldan has failed to provide justice, remedy and accountability for criminal conduct.

In this cause of action Gary A. Fenner failed his legal duty to enforce Constitutional Rights.

Federal Tort Claims Act (note)

feigned

felonious restraint

felony

101. “Felony, by force of the term, signifies any capital crime perpetrated with a malicious intent.

102. “Felony is implied in every treason.”

felony-murder rule (note)

fetter

fiduciary

912. “Use is a fiduciary ownership.”

Note: UNITED STATES DISTRICT COURTS fraudulently claim ownership of the American People to do with as they please regardless of what the law says. All these “imposter judges” have corrupted the fiduciary obligation requiring them to act in good faith, trust, confidence and candor. “Fiduciary” is a position of “Public Trust” and no “Foreign Agent” of a “Foreign State” should hold that position over one of the “Sovereign American People”.

fiduciary-shield doctrine

first-to-file rule (note)

forcible

314. “Nothing is so opposite to consent as force and fear.”

388. “A person is not judged to use force who exercises his own right and proceeds by ordinary action.”

forcible entry and detainer

840. “There is only prescription insofar as there has been possession.”

Note: prescription. “1. The act of establishing authoritative rules.” Robert E. Larsen took possession of Plaintiff’s person on May 10, 2010 and established the prescription Plaintiff (then defendant) had no rights, no right to bail, no right to challenge jurisdiction and no right to challenge him personally for conflict of interest. This “Bill of Attainder” has been “honored” in all courts to date. Under its doctrines “Plaintiff is dead in law.” This presumption is defeated by this writing which is proof Plaintiff lives.

forestall

107. “A forestaller is an oppressor of the poor, and a public enemy of the whole community and the country.”

263. “Delay is disapproved of in law.”

841. “For time is a means of destroying obligations and actions, because time run against those who are inactive and show little respect for their own rights.”

Note: By forestalling defendants hope this cause of action will just go away. “The court of chancery is the workshop of justice.”(49) If Plaintiff is forced to withdraw his cause of action without justice, without relief, without equity or remedy, then Plaintiff claims the right to declare man’s law is dead in the United States of America. Either, the law lives for all or it is dead to all. If Plaintiff declares the law dead, thus all jurisdiction ceases, because jurisdiction comes from the law. All judges must be fired because there is no longer law to adjudicate. All law enforcement must be fired because there is no longer law to enforce. There is no longer law to violate so no need for lawyers. Law can no longer be made so there is no need for politicians. This nation then falls back to God’s Law, where peace officers keep the peace. This is an option to Plaintiff if the traditional methods of law enforcement should

fail to provide justice as prescribed by law. Plaintiff stands with God against a mountain of corruption with the faith of a mustard seed “Justice” will be done.

869. “When anything is impeded by reason of one thing, when that is removed, the impediment is removed.”

Note: This cause of action is impeded by forestalling, suppression and oppression, by the judge (Marco A. Roldan), of a “Court of Chancery”.

955. “The verb in the imperfect tense indicates a matter as yet incomplete.”

Note: “Justice” is “forestalled” in this cause of action.

forfeiture

civil forfeiture

criminal forfeiture

180. “In whatever matter one offends, in that the person is rightful to be punished. Coke refs to forfeiture of the office abused. Co. Litt. 233b.”

fraud

110. “It is fraud to conceal a fraud.”

111. “Fraud is odious and not to be presumed.”

112. “Fraud and deceit should excuse no one.”

113. “Fraud and justice never dwell together.”

114. “Fraud lies hidden in general expressions.”

115. “Fraud deserves fraud.”

182. "A concealed intention is an evil one."

839. "A legal fiction operates to the same extent and effect in the supposed case as the truth does in a real case."

Note: legal fiction. "An assumption that something is true even though it may be untrue, made esp. in judicial reasoning to alter how a legal rule operates."

The challenge of "standing" requires the plaintiff to prove the court has jurisdiction to hear his cause of action. This rule was ignored and a fraudulent prosecution proceeded unimpeded to persecute Plaintiff. In this real case legal formalism is exercised as to the law as a set of rules and principles independent of other political and social institutions. The law condemns the UNITED STATES DISTRICT COURTS and the "judges" must follow the law. In this cause of action there is no discretion of judges, Plaintiff has sought to remove all discretion from this case and require the enforcement of law.

actual fraud

bank fraud

fraud on the court

421. "A reasonable custom is to be obeyed like law."

intrinsic fraud

free adj.

158. "All presumptions are in favor of life, liberty and innocence."

free vb.

free and equal

682. "Whenever there is an interpretation doubtful as to liberty (or slavery), the decision must be in favor of liberty."

freedom

682. “Whenever there is an interpretation doubtful as to liberty (or slavery), the decision must be in favor of liberty.”

836. “Things are worth as much as they can be sold for.”

Note: Plaintiff wonders how much it cost the king of England to have the “original 13th Amendment” removed from the Constitution. Its removal establishes the conspiracy, of british loyalist, against the Constitution of the United States of America by fraudulently declaring the current 13th Amendment is the only one. This is “ancient fact”, established by the “Constitution State of Missouri”, 1820 Version, where the original 13th Amendment was published.

freedom of choice

419. “Not sharing a bed but consent makes the marriage.”

443. “All things that are the wife’s belong to her husband.”

freedom of contract

356. “There should be no departure from a common observance.”

freedom of religion

231. “To swear is to call God to witness, and is an act of religion.

235. “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.”.

311. “No one was ever a great man without some divine inspiration.”

350. "There will not be one law at Rome, another at Athens; one law now, another hereafter; but one eternal immortal law shall bind together all nations throughout all time."

Note: Immortal law is divine law. God's law.

418. "Human affairs never prosper when divine one are neglected."

freedom of speech

freedom of the seas

free law

freeman

fruit-of-the-poisonous-tree doctrine

628. "Who first offends causes the quarrel."

Note: The first act was the FBI, exercising a fraudulent search warrant without probable cause, through Kansas City S.W.A.T. In violation of Article XI, Section 3 of the "Constitution State of Missouri" and the 4th Amendment of the "Constitution of the United States of America". All evidence of trial was "fruit of a poisonous tree" as challenged. Today that evidence is presented as "fruits of a crime".

fruits of a crime

628. "Who first offends causes the quarrel."

Note: The first act was the FBI, exercising a fraudulent search warrant without probable cause, through Kansas City S.W.A.T. In violation of Article XI, Section 3 of the "Constitution State of Missouri" and the 4th Amendment of the "Constitution of the United States of America". All evidence of trial was

“fruit of a poisonous tree” as challenged. Today that evidence is presented as “fruits of a crime”.

full faith and credit

Full Faith and Credit Act

Full Faith and Credit Clause

662. “What touches (or concerns) all ought to be supported by all.”

Note: All those who love the law support this cause of action and all those who hate justice despise it. The truth does not mind being questioned. A lie hates to be challenged.

fundamental-fairness doctrine

fundamental right

889. “Where there is not law, there is not transgression, as far as this world is concerned.”

Proviso. Provided that where there is no law giving jurisdiction all acts are deemed transgressions.

God

231. “To swear is to call God to witness, and is an act of religion.

Note: In all filings of “The Chancery Court of Jackson County Missouri” a “Court of Record” Plaintiff has sworn an oath as to their truth.

232. “In judgment credit is given to the swearer.”

233. “In judgment a person who has sworn an oath is believed.”

234. "It is not consonant to justice that any accessory should be convicted in the king's court before anyone has been attainted 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."

Note: Gary A. Fenner is the "Principal" of this cause of action. The "Accessories" are "UNITED STATES DISTRICT COURTS" and all "B.A.R. Associations" within the United States of America. Plaintiff seeks the "Death Penalty" of the "Accessories" of this cause of action. Plaintiff seeks no punishment of the "Principal" in accordance with "Legal Maxim"(214).

235. "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."

957. "Truth, by whomsoever pronounced, is from God."

Note: In order to speak truth it is necessary to have understanding, God tells us, "Proverbs 4:7 Wisdom is the principle thing; therefore get wisdom; and with all thy getting get understanding." Plaintiff has done his due diligence in search of wisdom and has been blessed with understanding.

959. "Truth is the mother of justice."

Note: What is justice is for the "Three Judge Panel" to decide by "just judgment", Plaintiff has provided them with the law that establishes the truth of this cause of action. Plaintiff believes to restore the law in the United States it is going to take brave men willing to make the hard decisions in support of truth. Plaintiff is the messenger, the truth is from God.

961. "Truth fears nothing but to be hidden."

Note: Truth of the “District Courts of the United States” has been hidden from the American People for far too long, by those who profit from the corruption of the UNITED STATES DISTRICT COURTS.

962. “By too much quarreling the truth is lost.”

Note: The American People have been quarreling with the UNITED STATES DISTRICT COURTS over jurisdiction for decades with all the effort of a vain endeavor. These “Legal Maxims” prove the truth of this cause of action and judgment is required to protect “Public Safety”. It is time the candle of the wicked was put out, and the light of truth shines bright.

963. “The truth of the name takes away the error of description.”

Note: The “Public” has been deceived to believe the UNITED STATES DISTRICT COURTS are the same as the “District Courts of the United States”. With this filing the deception ends.

964. “One who does not speak truth freely is a traitor of the truth.”

966. “The beaten road is the safest.”

967. “The beaten way is the safe way.”

991. “Common opinion is double; that proceeding from grave and discreet men, which has much truth in it, and that proceeding from foolish vulgar men, without any semblance of truth in it.”

Note: Plaintiff has written the truth in this cause of action supported by God’s Law, the Constitutions and now the “Traditional Principles of Law” in these “Legal Maxims”. The reason of law is “Public Safety” by providing protection of rights, privileges and immunities as the law requires. There is no law when

the law is not enforced. To date Gary A. Fenner has been allowed to evade justice and his treason allowed to continue. Plaintiff stands on these truths and seeks justice. “Hear the other side. No one should be condemned unheard.”(41)

golden rule

good behavior

good faith

good-faith exception

good moral character

government

323. “We have no power against truth.”

324. “Nothing that is against reason is lawful.”

325. “Nothing that is improper is lawful.”

326. “Nothing that is lawful is improper.”

327. “Nothing is so becoming to authority as to live according to the law.”

451. “Every innovation disturbs by its novelty more than it benefits by its usefulness.”

de facto government

628. “Who first offends causes the quarrel.”

Note: The first act was the FBI, exercising a fraudulent search warrant without probable cause, through Kansas City S.W.A.T. In violation of Article XI, Section 3 of the “Constitution State of Missouri” and the 4th Amendment of the “Constitution of the United States of America”. All evidence of trial was

“fruit of a poisonous tree” as challenged. Today that evidence is presented as “fruits of a crime”.

972. “It is lawful to repel force by force; but let it be done with self –control of blameless defense C not to take revenge, but to repel injury.”

mixed government

republican government

government of laws

723. “The defendant by a plea (or exception) becomes plaintiff.”

grand jury

Grand Jury Clause (Proviso)

Habeas Corpus Act

immunity

judicial immunity

prosecutorial immunity

qualified immunity

impunity

146. “Impunity invites (an offender) to even worse offenses.”

inadequate remedy at law

inadmissible

incapacitated person

703. “Reputation is a common opinion where there is no certain knowledge.”

Note: Plaintiff’s reputation among BAR members is he is crazy. Plaintiff asks, “What if I am right?” truth is to be established.

incapacitation (note)

703. "Reputation is a common opinion where there is no certain knowledge."

Note: Plaintiff's reputation among BAR members is he is crazy. Plaintiff asks, "What if I am right?" truth is to be established.

incarceration

individual

ineligible

in equity

160. "In a legal fiction equity always abides (or prevails)."

527. "The first part of equity is equality."

Note: Public Safety requires all who break the law to be held equally accountable, for equality to exist in America. One standard for all.

875. "Where there is the same reason, there is the same law; and the same judgment should be rendered on comparable facts."

inequity

intent

369. "The intention is not an offense unless an effect follows. But in the most atrocious crimes the intention is punished, although no effect follow.

429. "Every act is to be judged by the intention of the doer."

constructive intent

criminal intent

150. "In criminal cases, the proofs ought to be clearer than light."

151. "In criminal cases, a general wickedness of intention is sufficient if combined with an act of equal or corresponding degree."

152. In criminal matters, the intent will be reckoned as the deed. In criminal attempts or conspiracy, the intention is considered in place of the act."

403. "No crime is greater than disobedience."

intent to kill

manifest intent

predatory intent

specific intent (note)

interpreter

462. "The best interpreter of a statute is (when all the separate parts of it have been considered) the statute itself."

463. "Usage is the best interpreter of things."

464. "The best mode of interpreting laws is to make laws agree with laws."

465. "He is the best judge who (leaves) the least to his own discretion."

466. "Custom is the best interpreter of laws."

526. "The practice of the judges is the interpreter of the laws."

682. "Whenever there is an interpretation doubtful as to liberty (or slavery), the decision must be in favor of liberty."

719. "The value of a thing is estimated by its worth in money, and the value of money is not estimated by reference to things."

Note: “For the love of money is the root of all evil; which while some coveted after, they have erred from the faith, and pierced themselves through with many sorrows.” I Timothy 6:10

791. “Such an interpretation is to be made that the words may be taken with effect.”

834. “Interpretation is always to be made in such a manner that what is absurd and improper is avoided, and so that the judgment is not a mockery.”

Note: The argument of BAR members is, “Everybody knows the UNITED STATES DISTRICT COURTS have jurisdiction therefore this cause of action is absurd.” But is it? Throughout the persecution of Plaintiff he repeatedly challenged jurisdiction and was denied by the imposter judges. In every challenge jurisdiction was not stated. To date no law is on the record that gives them jurisdiction. Plaintiff has proved it does not exist. Of course these BAR members are “Principals of treason” by operating these “fraudulent courts”. Let them come forward, be sworn and heard at trial.

835. “Such is not “the same”, for nothing similar is the same thing.”

Note: BAR members claim the UNITED STATES DISTRICT COURTS and the District Courts of the United States are the same. But they are not. District Courts of the United States are Article III courts of the Constitution of the United States of America, with jurisdiction of judicial power under the United States Supreme Court. UNITED STATES DISTRICT COURTS are Article IV courts under the Executive Branch, controlled by the Legislative Branch. They have no jurisdiction of judicial power, because that is reserved by the Constitution to the “Judicial Branch”.

irreparable-injury rule

judex

200. “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.”

201. “The judge ought to give judgment according to the allegations and the proofs.”

202. “The judge is the speaking law.”

203. “A judge should have two salts; the salt of wisdom, lest he be foolish; and the salt of conscience, lest he be devilish.”

204. “A judge cannot be a witness in his own cause.”

205. “A judge cannot punish a wrong done to himself.”

206. “Judgment must be given by laws, not examples.”

207. “Judges are not bound to explain the reason of their judgment.”

208. “Judgment often ripen in the course of deliberation, never in hurried proceeding. 2 Inst. 210.”

214. “It is punishment enough for a judge that he has God to take vengeance on him.”

215. “It is proper role of a judge in rendering his decision to follow the rule, when the exception has not been proved.”

216. “It is the proper role of a judge to decide according to the allegations and proofs.”

217. “It is proper role of a judge to state the right, not to endow it. Generally interpreted, it is the duty of the judge to administer justice and not make law.”

218. “It is the duty of a judge to finish the work of each day within that day.”

219. “It is the duty of a judge to inquire into the timing of events as much as the matters themselves; by inquiring into time, you will be safe.”

767. “Once a citizen, always a citizen.”

Note: Plaintiff is a “Missouri State Citizen” not a “UNITED STATES CITIZEN”.

794. “If you judge, understand.”

800. “Each individual is bound for the whole.”

806. “It is released by the bond with which it is bound.”

Note: “Justice” requires a review of every prisoner’s case of the Federal Bureau of Prisons (AKA Federal Prisons Industries, Inc.) and the release of all who have no injured party or complaint signed against them. This is the “lawful obligation” of the one who entered judgment against them in fraud and treason without jurisdiction.

809. “The hope of impunity supplies a constant inclination to wrongdoing.”

Note: “Hope” is a presumption that is lost with the fact “judicial Immunity” does not exist because it is only applied to “lawful judges”. The “imposter judges” of the UNITED STATES DISTRICT COURTS have no impunity for their treason. Gary A. Fenner has been served summons and to date evaded justice from this Chancery Court of complete jurisdiction.

822. “When respect for magistrates has been destroyed, the commonwealth perishes.”

Note: “Whoever is once bad is presumed to be so always in the same kind of affair.”(767) This applies to magistrate Robert E. Larsen.

833. “Certain things though unexpressed are consider as expressed.”

Note: The legal question is, “Is the “Bill of Attainder” honored in this court against the Constitution of the United States of America, Article I, Section 9, “No Bill of Attainder or ex post facto Law shall be passed.”? Either Plaintiff lives and the law lives or Plaintiff is dead and the law is dead. The fate of man’s law is in the hands of God’s Judges.

judgment

206. “Judgment must be given by laws, not examples.”

208. “Judgment often ripen in the course of deliberation, never in hurried proceeding. 2 Inst. 210.”

209. “Let judgments in the king’s court not be invalidated but remain in force until annulled by error or attain. 2 Inst. 360.

211. “Judgments are, as it were, the dicta (or saying) of the law, are received as truth.”

220. “A judgment given by a person who is not its proper judge (not in the proper jurisdiction) is of no consequence. 10 Coke 76.”

221. “Judgment is, as it were, a pronouncement of the right (or a saying of the law).”

222. “A judgment ought not to be illusory (or deceptive); it ought to have its proper effect. 2 Co. Inst. 341.”

223. “In presumption of law, a judgment is given against one’s will.”

224. “A judgment is always taken for truth.”

232. “In judgment credit is given to the swearer.”

360. “Not by examples but by the laws must judgment be made.”

390. “A new judgment does not make a new right, but declares the old.”

391. “A new judgment does not make a new right, but declares the old; because adjudication is the declaration of a right, and by adjudication the right is newly revealed which has long been hidden. 10 Coke 42.”

446. “Every conclusion of a good and true judgment follows from good and true premises and the verdicts of jurors.”

480. “It is not enough that judgment has been given if it is not committed to execution.”

774. “A presumption is always in favor of the one who denies.”

Note: Plaintiff denies the jurisdiction of the UNITED STATES DISTRICT COURTS the “Judgment” is “proof” Gary A. Fenner fraudulent claimed to have jurisdiction without authority of law.

781. “A judgment pronounced by one who is not a judge should harm no one.”

Note: The judgment of Gary A. Fenner took 13 years of my life, liberty and happiness to put me in harm’s way without authority of law.

783. “The judgment creates the right, and what is adjudicated is taken for truth.”

Note: This presumption yields to truth. Without injured party, without signed complaint, without jurisdiction, without authority of law, and without regard for Plaintiff’s life, liberty or freedom, Gary A. Fenner acted in treason to act without jurisdiction under the color of law.

784. “Judgment is not given on matters that are not clear.”

Note: Judgment was given by Gary A. Fenner when the matter of jurisdiction was not resolved. It has not been resolved to date. It is the “Dispositive Fact” of this cause of action. [dispositive fact Note 750]

858. “It passes into a judgment.” [Cases: Judgment 582. C.J.S. Judgments 704.]

863. “It is always safer to err in acquitting than in punishing, (and) on the side of mercy than of justice.”

Personal Note: Believe me when I say, I will conduct business the way I was taught. In good business everyone prospers, if one suffers because of the business, it is bad business. I have already suffered the business methods of these fraudulent courts. And in the interest of “Public Safety” I will stop them. The only question is, “Will the law survive?” The best protection for the army of judges is the law.

956. “A verdict is, as it were, the saying of the truth, in the same manner a judgment is the saying of the law (or right).”

Note: The law condemns the UNITED STATES DISTRICT COURTS but the law has no force until it is honored in the judgment of an honorable judge acting within his jurisdiction.

declaratory judgment (note)

juridical

jurisdiction

51. “The appointment of justices is by the king, but their ordinary jurisdiction is by the law.”

82. “From nothing nothing comes.”

92. “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.”

93. “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.”

128. “It is the same thing not to be as not to appear. What does not appear on the record is considered nonexistent.”

129. “It is the same thing not to be proved and not to exist; the law is not deficient but the proof.”

213. “A judge who exceeds his office (or jurisdiction) is not obeyed.”

261. “Customary form and the agreement of the parties overcome law. This is one of the first principles relative to the law of contract. 2 Coke 73”

318. “The court has nothing to do with what is not before it.”

477. “An equal has no power over an equal.”

479. “When any essential part has been removed, the whole is removed (or destroyed).”

505. “One of two positions having been affirmed, the other is denied.”

Note: It has been affirmed, that the UNITED STATES DISTRICT COURTS have no jurisdiction, therefore the fraudulent claim they do have jurisdiction is denied.

507. Postliminy (restoration of rights) imagines that a person who has been captured has never left the state. A person captured by the enemy, who later returns, is restored to all his former rights. Just. Inst. 1. 12. 5.”

Note: Plaintiff is a Missouri born living soul, taken under a “Bill of Attainder”, held hostage by a “Foreign State”, who is entitled to “Restoration of right to give evidence” in this “Chancery Court” of “Complete Jurisdiction”.

525. “What is illegal ought not to be admitted us pretext of legality.”

529. “Oppose beginnings. Oppose a thing in its inception in order to have any success against it.”

Note: Jurisdiction was first challenged, at my first appearance in the UNITED STATES DISTRICT COURT, before Magistrate Robert E. Larsen on May 10th 2010. To date jurisdiction has not been stated on the record.

561. “Every jurisdiction has its boundaries.”

Note: “Complete Jurisdiction” includes but is not limited to: “Equity” that requires following the law; “Ecclesiastical” requires diligent inquisition of false witnesses, followed by “just judgment”; “Common law” requires remedy

for every injury; “Civil Law” delict establishes right to seek compensation (Tort); and “Criminal Law” that is aimed at punishing the wrongdoer. “We [Judges] have no more right to decline the exercise of jurisdiction which is given, than to usurp that which is not given. The one or the other would be treason to the Constitution.” U.S. v. Will, 449 U.S. 200, 216, 101 S.Ct. 471, 66L.Ed.2d, 392, 406 (1980); COHENS v. VIRGINIA 19 U.S. 264,404, 5L.Ed. 257, 6 Wheat, 264 (1821).

570. “What is prohibited by the nature of things can be confirmed by no law.”

Note: Article IV Courts have no jurisdiction and no law can give them jurisdiction.

577. “Although a law speaks generally, it must bear some restriction, since the law ceases (or loses effect) when the reason ceases.”

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

589. “When the words of a statute are special, but the reason for it general, the statute is to be construed generally.”

Note: Statutes giving court jurisdiction are specific, but BAR members have made them general with the presumption all courts have jurisdiction. Proofs show some courts have no jurisdiction.

616. “Who has not gives not.”

Note: Gary A. Fenner has no proof of his jurisdiction, therefore he offers none.

619. “A person who does not prevent what he can prevent is considered to act.”

Note: Plaintiff, as a Defendant in the UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MISSOURI, challenged jurisdiction to the following:

Magistrate Robert E. Larsen
Chief Judge Fernando J. Gaitan, Jr.
District Judge Gary A. Fenner
District Judge David Gregory Kays
District Judge Ortie D. Smith
District Judge Howard F. Sachs
U.S. Attorney Brian P. Casey
U.S. Attorney Patrick Daily
FBI Agent Nathan Holmes Van Sickle

All the above had the authority and responsibility to prevent injuries to Plaintiff, all allowed fraudulent prosecution to continue, in treason to the “Constitution of the United States of America”. They are all “Principals of Treason”.

620. “A person who does not forbid when he can forbid commands.”

621. “A person who does not forbid what he can forbid is considered to assent.”

622. “A person who does not repel an injury when he can brings it on.”

623. “A person who says all excludes nothing.”

624. “A person who spares the guilty punishes the innocent.”

625. “A person who does anything through another is considered as doing it himself.”

Note: This applies to the State of Missouri as an “artificial person”.

626. “A person who acts fraudulently acts in vain.”

627. “A person who can and ought to forbid a thing (as much as) orders it, if he keeps silent.” [Cases: Estoppel 70. C.J.S. Estoppel 100, 167.]

Note: This can apply to many.

632. “A person who is once bad is always presumed to be bad in the same kind of affair.”

Note: This applies to all “Principals” of treason in the UNITED STATES DISTRICT COURTS, who utilize fraud, intimidation, sedition, conspiracy, coercion and terrorism against the American People under the color of law.

659. “What appears not does not exist, and nothing appears judicially before judgment.”

Note: To date no law giving UNITED STATES DISTRICT COURTS jurisdiction exists. “A person who flees justice confesses guilt.” (99) Plaintiff believes this applies to both the Defendant and judges, the Defendant evades trial, the judges evade issuance of judgment. Both are “Willful neglect of duty”.

691. “Reason and authority are the two brightest lights in the world.”

704. “The order of things is confounded if the proper jurisdiction of each is not maintained.”

Note: The law determines jurisdiction, it is the Judges’ duty to follow the law.

755. “A wrong is not done to one who knows and assents to it.”

Note: Plaintiff never assented to jurisdiction he objected at every opportunity as the transcript and records prove.

757. “To know a thing and to be bound to know it are regarded in law as equivalent.”

764. “A suit that relies on a writing ought not to vary from the writing.”

Note: Plaintiff stayed the course of challenging the jurisdiction of Gary A. Fenner. To date no jurisdiction has been established. The records and transcript establish proof of this “dispositive fact”.

769. “Always in doubtful cases that is to be done by which a bona fide contract may be in the safest condition, except when it has been drawn up clearly contrary to law.”

Note: All “Appointment Affidavits” (form 61) to “Judge” of the UNITED STATES DISTRICT COURTS were contrary to law. The court has no jurisdiction so there are no lawful Judges and none can be lawfully appointed.

787. “The custom of the place where the action is brought is to be observed.”

Note: 92. *Crimen trahit personam.*

“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.”

Fact: The treason was committed within the jurisdiction of Jackson County, Missouri. Reason dictates Jackson County, Missouri has jurisdiction to convene a “Chancery Court” of “Complete Jurisdiction” to administer justice. “The court of chancery is the workshop of justice.” (49)

817. “Statutes are confined to their own territory and have no extra territorial effect.”

Note: Just like those who fraudulently claim to be multi-jurisdictional.

886. “Where there is no rule of law, everything must be held, as it were, suspect.”

Note: There is no rule of law that gives UNITED STATES DISTRICT COURTS jurisdiction, thus they are all suspect.

888. “Where there is not direct law, one must rely on the judgment of the judge or refer to similar cases.”

Note: “A judge who exceeds his office (or jurisdiction) is not obeyed.”(213)

899. “What is beyond possibility cannot exist, and the reverse (what cannot exist is not possible).”

Note: No Article IV Court (UNITED STATES DISTRICT COURTS) can be given “Judicial Powers” of Article III courts.

904. “When one absurdity has been allowed, an infinity follows.”

Note: The absurdity of this cause of action is the presumption UNITED STATES DISTRICT COURTS have “jurisdiction”.

979. “Scarcely any law can be made that is advantageous to all; but if it benefits the majority, it is useful.”

Note: The law of “jurisdiction” is advantageous to most because all are entitled to a lawful judge acting within his/her authority. There are no lawful judges of the UNITED STATES DISTRICT COURTS and no jurisdiction can

be given to any of them. Article IV courts have no “Judicial Power” reserved to Article III courts.

complete jurisdiction

561. “Every jurisdiction has its boundaries.”

Note: “Complete Jurisdiction” includes but is not limited to: “Equity” that requires following the law; “Ecclesiastical” requires diligent inquisition of false witnesses, followed by “just judgment”; “Common law” requires remedy for every injury; “Civil Law” delict establishes right to seek compensation (Tort); and “Criminal Law” that is aimed at punishing the wrongdoer. “We [Judges] have no more right to decline the exercise of jurisdiction which is given, than to usurp that which is not given. The one or the other would be treason to the Constitution.” U.S. v. Will, 449 U.S. 200, 216, 101 S.Ct. 471, 66L.Ed.2d, 392, 406 (1980); COHENS v. VIRGINIA 19 U.S. 264,404, 5L.Ed. 257, 6 Wheat, 264 (1821).

contentious jurisdiction

criminal jurisdiction

561. “Every jurisdiction has its boundaries.”

Note: “Complete Jurisdiction” includes but is not limited to: “Equity” that requires following the law; “Ecclesiastical” requires diligent inquisition of false witnesses, followed by “just judgment”; “Common law” requires remedy for every injury; “Civil Law” delict establishes right to seek compensation (Tort); and “Criminal Law” that is aimed at punishing the wrongdoer. “We [Judges] have no more right to decline the exercise of jurisdiction which is given, than to usurp that which is not given. The one or the other would be treason to the Constitution.” U.S. v. Will, 449 U.S. 200, 216, 101 S.Ct. 471,

66L.Ed.2d, 392, 406 (1980); COHENS v. VIRGINIA 19 U.S. 264,404, 5L.Ed. 257, 6 Wheat, 264 (1821).

equity jurisdiction

177. “In all affairs indeed, but especially in those that concern the administration of justice, equity should be regarded.”

197. Let the relation be so made that the disposition may stand.”

198. “A judge ought always to regard equity.”

199. “A judge ought always to have equity before his eyes.”

federal jurisdiction

577. “Although a law speaks generally, it must bear some restriction, since the law ceases (or loses effect) when the reason ceases.”

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

general jurisdiction

561. “Every jurisdiction has its boundaries.”

Note: “Complete Jurisdiction” includes but is not limited to: “Equity” that requires following the law; “Ecclesiastical” requires diligent inquisition of false witnesses, followed by “just judgment”; “Common law” requires remedy for every injury; “Civil Law” delict establishes right to seek compensation (Tort); and “Criminal Law” that is aimed at punishing the wrongdoer. “We [Judges] have no more right to decline the exercise of jurisdiction which is given, than to usurp that which is not given. The one or the other would be treason to the Constitution.” U.S. v. Will, 449 U.S. 200, 216, 101 S.Ct. 471,

66L.Ed.2d, 392, 406 (1980); COHENS v. VIRGINIA 19 U.S. 264,404, 5L.Ed. 257, 6 Wheat, 264 (1821).

judicial jurisdiction

561. "Every jurisdiction has its boundaries."

Note: "Complete Jurisdiction" includes but is not limited to: "Equity" that requires following the law; "Ecclesiastical" requires diligent inquisition of false witnesses, followed by "just judgment"; "Common law" requires remedy for every injury; "Civil Law" delict establishes right to seek compensation (Tort); and "Criminal Law" that is aimed at punishing the wrongdoer. "We [Judges] have no more right to decline the exercise of jurisdiction which is given, than to usurp that which is not given. The one or the other would be treason to the Constitution." U.S. v. Will, 449 U.S. 200, 216, 101 S.Ct. 471, 66L.Ed.2d, 392, 406 (1980); COHENS v. VIRGINIA 19 U.S. 264,404, 5L.Ed. 257, 6 Wheat, 264 (1821).

original jurisdiction

561. "Every jurisdiction has its boundaries."

Note: "Complete Jurisdiction" includes but is not limited to: "Equity" that requires following the law; "Ecclesiastical" requires diligent inquisition of false witnesses, followed by "just judgment"; "Common law" requires remedy for every injury; "Civil Law" delict establishes right to seek compensation (Tort); and "Criminal Law" that is aimed at punishing the wrongdoer. "We [Judges] have no more right to decline the exercise of jurisdiction which is given, than to usurp that which is not given. The one or the other would be treason to the Constitution." U.S. v. Will, 449 U.S. 200, 216, 101 S.Ct. 471,

66L.Ed.2d, 392, 406 (1980); **COHENS v. VIRGINIA** 19 U.S. 264,404, 5L.Ed. 257, 6 Wheat, 264 (1821).

state jurisdiction

561. “Every jurisdiction has its boundaries.”

Note: “Complete Jurisdiction” includes but is not limited to: “Equity” that requires following the law; “Ecclesiastical” requires diligent inquisition of false witnesses, followed by “just judgment”; “Common law” requires remedy for every injury; “Civil Law” delict establishes right to seek compensation (Tort); and “Criminal Law” that is aimed at punishing the wrongdoer. “We [Judges] have no more right to decline the exercise of jurisdiction which is given, than to usurp that which is not given. The one or the other would be treason to the Constitution.” U.S. v. Will, 449 U.S. 200, 216, 101 S.Ct. 471, 66L.Ed.2d, 392, 406 (1980); **COHENS v. VIRGINIA 19 U.S. 264,404, 5L.Ed. 257, 6 Wheat, 264 (1821).**

594. “One who has decided anything without hearing the other party, even though he has said what is right, has done wrong.”

Note: As an “agent” of the “State of Missouri” Marco A. Roldan is allowing a “Fraudulent Court” to operate within the boundaries of Missouri without having to prove its lawful jurisdiction.

subject-matter jurisdiction (note)

213. “A judge who exceeds his office (or jurisdiction) is not obeyed.”

jurisdictional-fact doctrine (note)

jurisdiction clause

justice

193. "In discourse, it is not the point from which but the end to which it is drawn that should be regarded."

256. "Justice that truly prevents a crime is better than that which severely punishes it."

257. "It is better to suffer every wrong than to consent to wrong."

277. "Nor should the court be deficient in showing justice."

285. "Where blood has been spilled the case is unpardonable."

Note: Plaintiff's blood has been spilt.

305. "No one who is wise gives punishment so that past deeds may be revoked, but so that future deeds may be prevented."

493. "Let the parties have full and speedy justice."

Note: Plaintiff has been denied justice to date.

508. "Power ought to follow, not to precede, justice."

568. "Inquire into doubtful points, because through reasoning we arrive at legal reason."

572. "Offenses that are of lesser guilt are of greater infamy."

575. "How reasonable a fine should be is not defined, but depends on the discretion of the judges, after all circumstances have been considered."

594. "One who has decided anything without hearing the other party, even though he has said what is right, has done wrong."

Note: As an “agent” of the “State of Missouri” Marco A. Roldan is allowing a “Fraudulent Court” to operate within the boundaries of Missouri without having to prove its lawful jurisdiction.

596. “One who fails in a syllable fails in his whole cause.”

646. “That which is received against the reason of the law is not to be extended to its logical consequences.”

Note: Plaintiff asks “Why not?” “Isn’t logical consequences justice in that affair?”

653. “What we have done without due consideration we should revoke with better consideration.”

656. “What avails in the less will avail in the greater; and what does not avail in the greater will not avail in the less.”

658. “What is necessarily understood is not lacking.”

699. “We must have recourse to what is extraordinary when what is ordinary fails.”

Note: The safe guards of public safety failed in a court of no jurisdiction where treason was conducted under color of law.

750. “No price in money is to be put on the wisdom of the law.”

Note: In this cause of action money is not a factor for plaintiff.

766. “Business entrusted to several people is done more reliably, and (several) eyes see more than (one) eye does.”

Note: This is the reason for the three judge panel, God's law says, "And the judges shall make diligent inquisition;..." Deuteronomy 19:18 (Remonstrance, page 8)

785. "Power should follow justice, not precede it."

790. "If you can be relieved by accustomed remedies, new ones cannot be tried."

Note: "In a novel case a new legal remedy must be applied."(174) The new legal remedy is justice.

804. "The solemnities of law must be observed."

Note: The formalities of a "Chancery Court" require "justice".

810. "A party forcibly deprived of possession ought first of all to have restitution."

Note: Plaintiff seeks "justice" and will not accept restitution in exchange. But others have suffered greatly because of the wrongful deeds of "Agents" of the UNITED STATES, INC. for which they should be compensated. These will be discussed at trial.

Liability. "The servant's wrongdoing reaches the master, the master is liable for injury done by his servant."(169)

821. "Remove the cause and the effect ceases."

Note: With the removal of the UNITED STATES DISTRICT COURTS the persecution of the American People will cease and Public Safety will be restored.

825. "The greatest charity is to do justice to each individual and at every time when it is necessary."

Note: It is time a little charity was given to the American People and the persecution ceased.

838. “(Precedents) have value in the law to the extent that they represent justice.”

Note: The “Bill of Equity by Affidavit” establishes the “Precedents” of this cause of action. The “United States Supreme Court” established the UNITED STATES DISTRICT COURTS are not Article III courts, thus depriving them of Jurisdiction for all time.

960. “Truth is the desideratum in a jury; justice and judgment in a judge.”

Note: Truth is needed and wanted by the people of the United States of America, we have become tired of all the lies.

positive justice

preventative justice

social justice

substantial justice (note)

king; The king is sovereign, in the United States the people are sovereign.

374. “A king cannot confer a favor that occasions injury and loss to others.”

375. “The king cannot load a subject with impositions against his consent.”

404. “No period of time bars the Crown; no length of time runs against the king.

This maxim expresses the idea that the king is not bound by any statute of limitations.” [Cases: Limitation of actions 11. C.J.S. Limitations of Actions 17.]

Note: The king is sovereign, so are all of the American People. This maxim applies to the people as well.

436. “All subjects are the kings servants.”

560. “Things that are done in the king’s court are presumed to be rightly done.”

Note: Unless proof of wrong is established.

585. “When the right of the sovereign king and the subject run together (or clash), the right of the king ought to be preferred.”

Note: In America there is no king. In America the people are sovereign and therefore ought to be preferred.

726. “The King is the head and safety of the commonwealth.”

727. “The King is (the fount of) both law and policy.”

728. “The king is greater than any single person: less than all.”

729. “The king should not be under the authority of man, but of God and the law.”

730. “The king ought to judge only according to law.”

731. “The king cannot deceive or be deceived.”

732. “The king cannot confer a favor on anyone to the injury and damage of others.”

733. “The king can do no wrong.” [Cases: United States 125(1). C.J.S. United States 217.]

Note: Provided that everything the king does is lawful.

734. “The king never dies.”

735. “The king cannot do what is unjust.”

736. “The king is always presumed to attend to the business of the realm, for the public good.”

Note: I have come to understand, the true leader of this “treason” is the king of England and his “agents” of the “British Accredited Registry”. In America, there is no king, but the “agents” of all “BAR Associations” by acceptance of the “title of nobility” of “Esquire” are “foreign agents” of “King Charles of England”. Every BAR member within the United States of America is guilty of this treason.

737. “The king is not bound by any statute, if he is not expressly named.”

Note: In legal maxims the king is named.

743. “Often it is the new track, not the old one, that deceives the traveler.”

Note: There was a time long ago that judges were respected because they gave the people “just judgment”, but the king of England established a foothold in the United States of America, of BAR Associations to persecute the people to the point that they rebel against government and fall back under the authority of the “king”. It is the king’s intention to re-establish “titles of nobility” as the “ruling class” with the American People as their slaves, servants and pawns. There are no lawful “titles of nobility” within the United States, and the American People retain their “Sovereignty”, they have not pledged it to the “King” and never will. “The king is greater than any single person: less than all.” (727)

777. “Senators are part of the body of the king.”

Note: Because most senators are “foreign agents” of a “foreign state” by their “title of nobility” of “esquire” they are loyal to the king of England, and

holding office in violation of the original 13th Amendment of the “Constitution of the United States of America”.

807. “No summons or citations should be permitted to be served within the king’s palace.”

Note: While we cannot summons king Charles of England we can hold his “agents”, within our jurisdiction, accountable for their treason to our “Constitution of the United States of America”.

law

237. “The law cannot fail in dispensing justice.”

238. “The law always abhors delays.”

239. “Law is the dictate of reason.”

240. “The law is the safest leader of the army of judges.”

241. “Law is the highest reason.”

242. “The law ought not to fail in dispensing justice to those with a grievance.”

243. “The law does not fail in showing justice.”

244. “The law does not define exactly, but trusts in the judgment of a good man.”

245. “The law does not require that to be proved which is apparent to the court.”

246. “The law is more praised when it is consonant with reason.”

247. “The law always intends what is agreeable to reason.”

540. “The process of the law is heavy hardship; the execution of the law crowns (or rewards) the work.”

792. "Just as nature does nothing with a leap, so neither does the law."

818. "An affirmative statute does not take away from the common law."

Note: By BAR Associations controlling our law, they have created a system of persecution where they make the law, enforce the law, deny a defense and judge their creation. This fraudulent system lacks mens rea requiring criminal intent be present to convict.

legal entity

legal ethics

379. "Not only what is permitted but what is proper is to be considered, because nothing improper is lawful."

380. "Not to believe rashly is the sinew of wisdom."

420. "Obedience is the essence of the law."

690. "Reason is the soul of the law; when the reason of the law has been changed, the law is also changed." [Cases: Common Law 9. C.J.S. Common Law 12, 22-24.]

legal fiction

159. "In a fiction of law there is always equity. A legal fiction is always consistent with equity."

829. "A fiction assumes that the thing feigned is certainly untrue."

Note: The thing feigned in this cause of action is jurisdiction which is clearly "fictitious".

839. “A legal fiction operates to the same extent and effect in the supposed case as the truth does in a real case.”

Note: legal fiction. “An assumption that something is true even though it may be untrue, made esp. in judicial reasoning to alter how a legal rule operates.”

The challenge of “standing” requires the plaintiff to prove the court has jurisdiction to hear his cause of action. This rule was ignored and a fraudulent prosecution proceeded unimpeded to persecute Plaintiff. In this real case legal formalism is exercised as to the law as a set of rules and principles independent of other political and social institutions. The law condemns the UNITED STATES DISTRICT COURTS and the “judges” must follow the law. In this cause of action there is no discretion of judges, Plaintiff has sought to remove all discretion from this case and require the enforcement of law.

859. “Three form a corporation.”

Note: Father, Son and Holy Spirit is the only “Corporation” I trust. All others must prove themselves.

legal formalism

legal-injury rule

legalism

legalist

legally

553. “What speaks to one purpose ought not be twisted to another.

Note: 18 U.S.C. 3231 speaks to the purpose of granting jurisdiction to the “District Courts of the United States” it has been manipulated to mean

“UNITED STATES DISTRICT COURTS” fraudulently claim jurisdiction under its authority.

554. “Things that belong to the person cannot be separated from the person.”

555. “(Statutes) that derogate from the common law should be strictly construed.”

556. “Things introduced contrary to the reason of the law ought not to be drawn into precedents. “We do find divers precedents... which are utterly against law and reason and for that void.””

557. “Whatever appears within the reason of the law is considered within the law itself.”

558. “Whatever is inserted for the purpose of removing doubt does not hurt the common law.

559. “What is done in court is presumed to be rightly done.”

Note: “A presumption yields to the truth.” (519)

legally incapacitated person

703. “Reputation is a common opinion where there is no certain knowledge.”

Note: Plaintiff’s reputation among BAR members is he is crazy. Plaintiff asks, “What if I am right?” truth is established by this “Common Law”.

legal moralism

legal order

577. “Although a law speaks generally, it must bear some restriction, since the law ceases (or loses effect) when the reason ceases.”

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

690. “Reason is the soul of the law; when the reason of the law has been changed, the law is also changed.” [Cases: Common Law 9. C.J.S. Common Law 12, 22-24.]

legal paternalism

legal realism

legal tender

legal theory

485. “It is perpetual law that no human or positive law can be perpetual; and a clause in a law that precludes abrogation is void from the outset.”

860. “The part is bad that does not accord with its whole.”

Note: The whole is bad when the common practice is violation of law, rights and liberty.

liberty

144. “A person is to be judged impious and cruel who does not favor liberty.”

Note: impious – not showing respect or reverence, especially for a god.

248. “Liberty is the natural power of doing whatever one please except what is prevented by law or force.”

249. “Liberty is a priceless good.”

250. “Freedom does not admit a valuation.”

251. “Liberty is more favored than all things.”

435. “All have liberty to renounce these things that have been granted in their favor.”

836. “Things are worth as much as they can be sold for.”

Note: Plaintiff wonders how much it cost the king of England to have the “original 13th Amendment” removed from the Constitution. Its removal establishes the conspiracy, of british loyalist, against the Constitution of the United States of America by fraudulently declaring the current 13th Amendment is the only one. This is “ancient fact”, established by the “Constitution State of Missouri”, 1820 Version, where the original 13th Amendment was published.

litigation

544. “Litigation is a heavy hardship, but execution of the law crowns (or rewards) the work.”

magistrate

359. “That is not to be conceded to private persons which can be publicly done by the magistrate, lest it be the occasion of greater tumult.”

Note: tumult a swelling or surging up. [Webster’s Dictionary]

Magna Carta

402. “We shall sell to no one, deny to no one, or delay to no one, equity or justice. This language appeared in Magna Carta.”

409. “Let no free man be taken or imprisoned. This expression derives from Magna Carta, ch. 39.”

911. “Prescription (Roman usucapio) was instituted that there might be some end to lawsuits. Dig. 41. 10. 5.”

Note: Prescription is “authoritative rules” to limit the exercise of the 1st Amendment Right to petition government for the redress of grievances, thus the reason for the “Bill of Rights”, “Magna Carta”, “Petition of Right”, “Habeas Corpus Act” and all other remedies available to the people.

martial law

maxim

194. “The laws themselves desire that they should be governed by right.”

196. “So the law is written.”

273. “Nature aspires to perfection, and so does the law.”

274. “It is natural for a thing to be dissolved in the same way in which it is bound.”

276. “Nature makes no vacuum, and the law nothing purposeless.”

298. “No one is born an expert. Wisdom in the law is acquired only through diligent study. Co. Litt. 97b.”

701. “If the law is inadequate, the maxim serves in its place.”

Note: The law is inadequate to protect public safety and the maxims (traditional legal principles) are the guiding authority of law in this cause of action.

786. “Speech is an index of the mind.”

Fact: This “Common Law” (Definitions supported by Maxims) are one index of my mind. I have many indexes to choose from.

813. “Literally, to stand by previous decisions and not to disturb settled matters. To adhere to precedents, and not to depart from established principles.” [Cases: Courts 89, 90, C.J.S. Courts 139-140, 150, 161-164, 166-167.]

Note: Maxim “A traditional legal principle that has been frozen into a concise expression.” [Black’s Law Dictionary, Eighth Edition, page 1000]

910. “Each and every one of the general principles is its own pledge of trust, and plain truths need not be proved.”

Note: By these “Legal Maxims” Plaintiff’s cause of action is proved, but it means nothing without “Judgment” in support of “Traditional Legal Principles” by lawful judges in a “Court of Record”. “Principles prove, they are not proved.”(528) Punishment to some, dread to all.

Miranda rule

To all BAR Members: You have the right to remain silent, anything you say can and will be used against you in this Chancery Court of Complete jurisdiction. Silence when there is a lawful duty to act constitutes fraud for ignoring the “Oath of the Public Office” which you have contracted to perform. Failure to perform your lawful jurisdiction constitutes treason.

Notice to the agent is notice to the principal.

Notice to the principal is notice to the agent.

All are with knowledge without excuse.

miscarriage of justice

286. “The denial of a conclusion is error in law.”

828. “The highest right is the utmost injury. That is, law to rigidly interpreted produces the greatest injustice.”

Note: The greatest injustice was loss of life, liberty and freedom for 13 years, without due process of law. Plaintiff's estate and his family suffered greatly because of this injustice.

830. "Suppression of the truth (is equivalent to) the expression of what is false."
[Cases: Deeds 70(4); Fraud 16.]

Note: In this cause of action, suppression of treason is evidence of aiding and abetting it.

misconduct

120. "Enemies are those on whom we declare war, or who declare it against us; all others are traitors or pirates."

124. "It is the same thing to commit an act and to refuse to prohibit it when you can."

258. "A person threatens the innocent who spares the guilty."

318. "The court has nothing to do with what is not before it."

702. "There is no mandate for a thing immoral (or illegal). Hence, there is no action for failing to act on such a mandate. Dig. 17. 1. 6. 3."

877. "Where there is misconduct on the part of both giver and receiver, we say the thing cannot be recovered; but as often as the misconduct is on the side of the receiver (alone), it can be recovered."

affirmative misconduct

official misconduct

wanton misconduct

willful and wanton misconduct

misfeasance

130. "To be bound to know or to have been able to know is the same as to know."

135. "Ignorance of those things that anyone is bound to know does not excuse."

136. "Ignorance of fact is excused but not ignorance of law."

137. "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."

138. "The ignorance of the judge is the misfortune of the innocent."

139. "Ignorance of the law does not excuse."

140. "Ignorance of the law, which everyone is bound to know, excuses no one."

141. "Ignorance of one's right does not prejudice the right."

142. "Ignorance is presumed where knowledge is not proved."

143. "To be ignorant of the law is gross neglect of it."

830. "Suppression of the truth (is equivalent to) the expression of what is false."

[Cases: Deeds 70(4); Fraud 16.]

Note: In this cause of action, suppression of treason is evidence of aiding and abetting it.

831. "Suppression of the truth (is equivalent to) the suggestion of what is false."

Note: "The appointment of justices is by the king, but their ordinary jurisdiction is by the law."(51) In this court of record no evidence is present that gives jurisdiction to the UNITED STATES DISTRICT COURTS.

**Therefore, this “Chancery Court” by “forestalling” is suppressing the truth.
This constitutes “Oppression in Office”**

misceasance in public office

830. “Suppression of the truth (is equivalent to) the expression of what is false.”
[Cases: Deeds 70(4); Fraud 16.]

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misprision

586. “When the law gives anything to anyone, it gives tacitly all that is incident to it.”

Note: the law gives the American People rights and the right to challenge those who violate those rights.

664. “What is proved by the record ought not to be denied.”

830. “Suppression of the truth (is equivalent to) the expression of what is false.”
[Cases: Deeds 70(4); Fraud 16.]

Note: In this cause of action, suppression of treason is evidence of aiding and abetting it.

831. "Suppression of the truth (is equivalent to) the suggestion of what is false."

Note: "The appointment of justices is by the king, but their ordinary jurisdiction is by the law."(51) In this court of record no evidence is present that gives jurisdiction to the UNITED STATES DISTRICT COURTS. Therefore, this "Chancery Court" by "forestalling" is suppressing the truth. This constitutes "Oppression in Office"

clerical misprision

misprision of felony

664. "What is proved by the record ought not to be denied."

Note: The "proof" is in the "Public Records" identified and requests for subpoenas have been made in this cause of action.

misprision of treason (note)

664. "What is proved by the record ought not to be denied."

Note: The "proof" is in the "Public Records" identified and requests for subpoenas have been made in this cause of action.

830. "Suppression of the truth (is equivalent to) the expression of what is false."

[Cases: Deeds 70(4); Fraud 16.]

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negative misprision

positive misprision

misprisor

830. “Suppression of the truth (is equivalent to) the expression of what is false.”
[Cases: Deeds 70(4); Fraud 16.]

Note: In this cause of action, suppression of treason is evidence of aiding and abetting it.

831. “Suppression of the truth (is equivalent to) the suggestion of what is false.”

Note: “The appointment of justices is by the king, but their ordinary jurisdiction is by the law.”(51) In this court of record no evidence is present that gives jurisdiction to the UNITED STATES DISTRICT COURTS. Therefore, this “Chancery Court” by “forestalling” is suppressing the truth. This constitutes “Oppression in Office”

misrepresentation

103. “Fiction yields to truth; where the truth appears, there is no fiction of law.”

104. “Where truth is, fiction of law does not exist.”

105. “Fiction of law works unjustly if it works loss or injury to anyone.”

649. “What is unsuitable or contrary to reason is not allowed in law.”

835. “Such is not “the same”, for nothing similar is the same thing.”

Note: BAR members claim the UNITED STATES DISTRICT COURTS and the District Courts of the United States are the same. But they are not. District Courts of the United States are Article III courts of the Constitution of the United States of America, with jurisdiction of judicial power under the United States Supreme Court. UNITED STATES DISTRICT COURTS are Article IV courts under the Executive Branch, controlled by the Legislative Branch. They have no jurisdiction of judicial power, because that is reserved by the Constitution to the “Judicial Branch”.

fraudulent misrepresentation

103. “Fiction yields to truth; where the truth appears, there is no fiction of law.”

104. “Where truth is, fiction of law does not exist.”

105. “Fiction of law works unjustly if it works loss or injury to anyone.”

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material misrepresentation

103. “Fiction yields to truth; where the truth appears, there is no fiction of law.”

104. "Where truth is, fiction of law does not exist."

105. "Fiction of law works unjustly if it works loss or injury to anyone."

835. "Such is not "the same", for nothing similar is the same thing."

Note: BAR members claim the UNITED STATES DISTRICT COURTS and the District Courts of the United States are the same. But they are not. District Courts of the United States are Article III courts of the Constitution of the United States of America, with jurisdiction of judicial power under the United States Supreme Court. UNITED STATES DISTRICT COURTS are Article IV courts under the Executive Branch, controlled by the Legislative Branch. They have no jurisdiction of judicial power, because that is reserved by the Constitution to the "Judicial Branch".

negligent misrepresentation

103. "Fiction yields to truth; where the truth appears, there is no fiction of law."

104. "Where truth is, fiction of law does not exist."

105. "Fiction of law works unjustly if it works loss or injury to anyone."

287. "Negligence always has misfortune for a companion."

835. "Such is not "the same", for nothing similar is the same thing."

Note: BAR members claim the UNITED STATES DISTRICT COURTS and the District Courts of the United States are the same. But they are not. District Courts of the United States are Article III courts of the Constitution of the United States of America, with jurisdiction of judicial power under the United States Supreme Court. UNITED STATES DISTRICT COURTS are Article IV courts under the Executive Branch, controlled by the Legislative Branch.

They have no jurisdiction of judicial power, because that is reserved by the Constitution to the “Judicial Branch”.

misrepresentee (note)

misrepresenter (note)

missing evidence rule
missing witness rule

misuser

132. “That is perfect which is complete in all its parts.”

133. “That is perfect which is complete in all its parts; and nothing is perfect while anything remains to be done.”

134. “We are able to do that which can be done lawfully.”

note

promissory note

necessity

278. “That is necessary which cannot be otherwise.”

279. “Necessity makes lawful what otherwise is unlawful.” [Cases: Criminal Law (key) 38, C.J.S. Criminal Law (statute) 49 – 53.]

280. “Public necessity is greater than private necessity.”

Note: The necessity of this cause of action is “Public Safety”.

281. “Necessity defends what it compels.”

282. “Necessity is not restrained by law, since what otherwise is not lawful necessity makes lawful.”

283. “Necessity overcomes the law.”

284. “Necessity overcomes the law, it laughs at the fetters of laws.”

537. “The necessity of proving rests on the one who sues (or claims some right)
Just. Inst. 2. 20. 5.”

566. “Things that are accepted as a matter of necessity ought not to be brought into
the argument. Dig. 50. 17. 162.”

638. “Necessity makes lawful what is otherwise unlawful.”

Note: The “necessity” of this cause of action is “Public Safety”.

650. “What is necessary is lawful.”

651. “That which ought to be done is easily presumed.”

652. “What ought to be done, when done, is valid.”

653. “What we have done without due consideration we should revoke with better
consideration.”

854. “Everything that the law does not forbid is permitted.”

**Note: “Necessity makes lawful what otherwise is unlawful.” [Cases: Criminal
Law (key) 38, C.J.S. Criminal Law (statute) 49 – 53.] (279) The “necessity” of
this cause of action is “Public Safety”.**

887. “Where there is no authority to establish (a rule), there is no necessity to
obey.”

**Note: All Federal Rules of Procedure were created for the “District Courts of
the United States” as Article III Constitutionally Chartered Courts. The
UNITED STATES DISTRICT COURTS have no authority to make a rule,
therefore no rules exist in these imposter courts.**

Oath of Office

351. “There is no closer (or firmer) link among men than an oath.”

Note: I stand before this court, with clean hands and state on the record for the record I am innocent of the crimes for which I was incarcerated.

434. “Every oath ought to be founded on certain knowledge.”

484. “Those who preserve the words of an oath but deceive the ears of those who accept it are perjurers. Coke adds, “By ancient law of England, in all oaths equivocation is utterly condemned. Co. Inst. 166.”

738. “An oath has in it three components – truth, justice, and judgment: truth in the party swearing, justice and judgment in the judge (administering the oath).

754. “Equal knowledge on both sides makes the contracting parties equal.”

Note: The “form 61” required of all ‘agents’ of the U.S. government to support the Constitution of the United States of America is a contract with the people. Gary A. Fenner and the other principals of treason violated their employment contracts.

obstruction

obstruction of justice

person

288. “A person who exercises his own rights injures no one.”

private person

288. “A person who exercises his own rights injures no one.”

292. “No one can contradict his own deed.”

293. “No one does damage except the person who did what he has no right to do.”

294. No one should interfere in another’s business that does not at all concern him.”

295. “No one can be dragged (taken by force) from his own house. Dig. 50. 17. 103.”

296. “No one is above the laws.”

artificial person

454. “Every person is a human being, but not every human being a person.”

Note: For the reasoning of this cause of action, BAR Associations and UNITED STATES DISTRICT COURTS are “artificial persons” as defined by Black’s Law Dictionary, 8th Edition, Page 1178 as follows:

***artificial person.* “An entity, such as a corporation, created by law and given certain legal rights and duties of a human being; a being, real or imaginary, who for the purpose of legal reasoning is treated more or less as a human being. An entity is a person for the purposes of the Due Process and Equal Protection Clauses but is not a citizen for the purposes of the Privileges and Immunities Clauses in Article IV, Section 2, and in the Fourteenth Amendment. Also termed *fictitious person; juristic person; juridical person; legal person; moral person.* Cf. LEGAL ENTITY. [Cases: Corporations 1.1(2). C.J.S. Corporations 2.]”**

political power

179. “In the presence of the superior, the power of the inferior ceases. This maxim is sometimes written *In praesentia majoris potestatis, minor potestas cessat* (meaning “in the presence of the superior power, the minor power ceases”).

Note: In this Chancery Court of “Complete Jurisdiction” the power of the UNITED STATES DISTRICT COURTS of “no jurisdiction” ceases.

509. “Useless power is in vain.”

510. “Power is not conferred but for the (public) good.”

511. “A power should be strictly interpreted.”

512. “Supreme power can dissolve (or release), but cannot bind, itself.”

918. “Vain is that power that never comes into action.”

Note: vain. “2. without force or effect; futile, fruitless, unprofitable, unavailing, etc: as a vain endeavor. “ [Webster’s Dictionary]

This is the foundation of treason, those who have violated the “Public’s Trust” ban together in our courts against the “Sovereign American” to violate his/her rights knowing they will not be held accountable. All efforts to hold them accountable have become “vain endeavors”, thus allowing the treason to continue. Now that treason has been established, all those who allow it to continue are “Principals of Treason”. “Justice” in this cause of action will not be a “vain endeavor”.

sovereign political power

179. “In the presence of the superior, the power of the inferior ceases. This maxim is sometimes written *In praesentia majoris potestatis, minor potestas cessat* (meaning “in the presence of the superior power, the minor power ceases”).

Note: In this Chancery Court of “Complete Jurisdiction” the power of the UNITED STATES DISTRICT COURTS of “no jurisdiction” ceases.

313. “The king can do nothing but what he can do legally; the king can do nothing except by law.”

509. “Useless power is in vain.”

510. “Power is not conferred but for the (public) good.”

511. “A power should be strictly interpreted.”

512. “Supreme power can dissolve (or release), but cannot bind, itself.”

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This is the foundation of treason, those who have violated the “Public’s Trust” ban together in our courts against the “Sovereign American” to violate his/her rights knowing they will not be held accountable. All efforts to hold them accountable have become “vain endeavors”, thus allowing the treason to continue. Now that treason has been established, all those who allow it to continue are “Principals of Treason”. “Justice” in this cause of action will not be a “vain endeavor”.

subordinate political power

179. “In the presence of the superior, the power of the inferior ceases. This maxim is sometimes written *In praesentia majoris potestatis, minor potestas cessat* (meaning “in the presence of the superior power, the minor power ceases”).

Note: In this Chancery Court of “Complete Jurisdiction” the power of the UNITED STATES DISTRICT COURTS of “no jurisdiction” ceases.

plea

343. “An exception (or plea) should not be made on the very matter of which a determination is sought (in the case at hand).”

polity

503. “Politics are to be adapted to the laws, not the laws to politics.”

praetor

882. “Where the law is deficient, the praetor supplies the deficiency.”

Note: praetor. “The magistrate responsible for identifying and framing the legal issue in a case and for ordering a lay judge (judex) to hear evidence and decide the case in accordance with the formula.” [Black’s Law Dictionary, Eighth Edition, page 1213.] The drafter of this treason is magistrate Robert E. Larsen who created the “Bill of Attainder”.

prescription

417. “There is never prescription in case of falsehood (or forgery).”

514. “Prescription is a title derived from usage and time, given substance by the authority of law. Co. Litt. 113.”

763. “A suit is a civil battle; just as the plaintiffs are armed with actions and, as it were, girded with swords, so (against them) the defendants are fortified with pleas, and defended as though by shields.”

Note: When Plaintiff was a Defendant, all shields were removed and all violations acceptable as the records and transcript prove. Therefore, it was a persecution, not prosecution, in a “court of impossibility” of “no jurisdiction”. Seven Writs of Habeas Corpus were filed in the UNITED STATES

DISTRICT COURTS all were denied. Seven Appeals were filed in the UNITED STATES CIRCUIT COURTS all were dismissed. Seven Writs of Certiorari were filed in the UNITED STATES SUPREME COURT all were dismissed by the clerks. Twenty one shields were removed to allow a “fraudulent court” to operate “treason” all are “Principals” by furtherance of “treason”. They had their chance.

798. “Legal similarity is similar reason that governs various cases when compared with each other, for what avails in one similar case will avail in the other.”

840. “There is only prescription insofar as there has been possession.”

Note: prescription. “1. The act of establishing authoritative rules.” Robert E. Larsen took possession of Plaintiff’s person on May 10, 2010 and established the prescription Plaintiff (then defendant) had no rights, no right to bail, no right to challenge jurisdiction and no right to challenge him personally for conflict of interest. This “Bill of Attainder” has been “honored” in all courts to date. Under its doctrines “Plaintiff is dead in law.” This presumption is defeated by this writing which is proof Plaintiff lives.

856. “Rights of property are transferred by delivery and by prescription (found on lengthy possession), not by naked agreements.”

911. “Prescription (Roman usucapio) was instituted that there might be some end to lawsuits. Dig. 41. 10. 5.”

Note: Prescription is “authoritative rules” to limit the exercise of the 1st Amendment Right to petition government for the redress of grievances, thus the reason for the “Bill of Rights”, “Magna Carta”, “Petition of Right”, “Habeas Corpus Act” and all other remedies available to the people.

presumption

423. “Odious or dishonest acts are not to be presumed in law.”

442. “All obligations contracted under a law are destroyed by a law to the contrary.”

444. “All things are presumed to have been done in due form.” [Cases: Evidence 82, 83. C.J.S. Evidence 151, 158-162.]

517. “Let there be a presumption of sentence’s justice.”

518. “There is a presumption in favor of legitimacy.”

519. “The presumption yields to the truth.”

520. “A presumption arises from what generally happens.”

521. “Presumptions are conjectures based on indications of probable truth, assumed for the purpose of establishing proof.”

522. “A presumption is distinguished from proof.”

523. “Forceful presumption is full proof.”

524. “Forceful presumption is effective in law.”

541. “From possession arises a presumption of right.”

542. “A person is considered a possessor who has ceased possession through fraud or injury.”

559. “What is done in court is presumed to be rightly done.”

Note: “A presumption yields to the truth.” (519)

560. “Things that are done in the king’s court are presumed to be rightly done.”

Note: Unless proof of wrong is established.

578. “When anything is granted, that also is granted without which it cannot take effect.”

579. “When anything is commanded, everything by which it can be accomplished is also commanded.”

580. “When anything by itself is not evil, and yet if it is an example for evil, it is not to be done.”

634. “A party who is silent appears to consent.” [Cases: Contracts 22(i). C.J.S. Contracts 46 -51, 53 – 54; Trading Stamps and Coupons 7 – 9.]

Note: “Appears” is a “presumption” it yields to “truth”.

775. “The presumption is always in favor of judgment (or sentence).”

Note: This presumption is void by the determination of the legal question of jurisdiction. Gary A. Fenner had no jurisdiction by the authorities of record.

798. “Legal similarity is similar reason that governs various cases when compared with each other, for what avails in one similar case will avail in the other.”

809. “The hope of impunity supplies a constant inclination to wrongdoing.”

Note: “Hope” is a presumption that is lost with the fact “judicial Immunity” does not exist because it is only applied to “lawful judges”. The “imposter judges” of the UNITED STATES DISTRICT COURTS have no impunity for their treason. Gary A. Fenner has been served summons and to date evaded justice from this Chancery Court of complete jurisdiction.

812. “A presumption will stand until proof is given to the contrary.”

Note: “To write is to act.” (759) “The written word endures.”(761)

The writings provided are proof.

835. “Such is not “the same”, for nothing similar is the same thing.”

Note: BAR members claim the UNITED STATES DISTRICT COURTS and the District Courts of the United States are the same. But they are not. District Courts of the United States are Article III courts of the Constitution of the United States of America, with jurisdiction of judicial power under the United States Supreme Court. UNITED STATES DISTRICT COURTS are Article IV courts under the Executive Branch, controlled by the Legislative Branch. They have no jurisdiction of judicial power, because that is reserved by the Constitution to the “Judicial Branch”.

973. “A very powerful presumption is sometimes full proof.”

principal adj.

433. “Every principal thing draws to itself the accessory.”

principle

528. “Principles prove; they are not proved.”

530. “There is no reasoning of principles.”

Note: The principles of law presented in this “Chancery Court” of “Complete Jurisdiction” are unchallenged because there is no authority of law that can be argued against them.

531. “The beginning is the most powerful part of each thing.”

Note: This case began with the FBI seeking a search warrant without probable cause, that was issued by Magistrate Robert E. Larsen and exercised by FBI and Kansas City S.W.A.T.. Establishing illegal use of “police powers” by the FBI in violation of the 4th Amendment.

principal n.

599. “Whatever is acquired by the servant is required for the master.”

Note: The “master” is “BAR Associations”. The “servants” are its membership. All slaves of the BAR Associations are engaged in “Treason” to the “Constitution of the United States of America”.

principal in the first degree

probable cause (note)

process

278. “That is necessary which cannot be otherwise.”

279. “Necessity makes lawful what otherwise is unlawful.” [Cases: Criminal Law (key) 38, C.J.S. Criminal Law (statute) 49 – 53.]

280. “Public necessity is greater than private necessity.”

281. “Necessity defends what it compels.”

282. “Necessity is not restrained by law, since what otherwise is not lawful necessity makes lawful.”

283. “Necessity overcomes the law.”

284. “Necessity overcomes the law,; it laughs at the fetters of laws.”

285. “Where blood has been spilled the case is unpardonable.”

286. “The denial of a conclusion is error in law.”

287. “Negligence always has misfortune for a companion.”

288. “A person who exercises his own rights injures no one.”

540. “The process of the law is heavy hardship; the execution of the law crowns (or rewards) the work.”

irregular process

legal process

557. “Whatever appears within the reason of the law is considered within the law itself.”

558. “Whatever is inserted for the purpose of removing doubt does not hurt the common law.

559. “What is done in court is presumed to be rightly done.”

Note: “A presumption yields to the truth.” (519)

560. “Things that are done in the king’s court are presumed to be rightly done.”

Note: Unless proof of wrong is established.

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Note: Unless proof of wrong is established.

mesne process

original process

regular process

void process (note)

profession

professional

promise (2 Promissory Note)

prosecution

896. “Where anyone commits an offense, there will he be punished.”

vindictive prosecution

prosecutor (2. private prosecutor) (note)

prosecutorial misconduct (note)

prosecutorial vindictiveness

protected activity

proviso

546. “A proviso is to provide things present and future, not past.”

Note: *Provided that* Marco A. Roldan is a “Honorable Judge”, of the “STATE OF MISSOURI”, who meets his “Judicial Obligations”, lawful “Judges” will be restored to the “District Courts of the United States”.

proviso 1. “A limitation, condition or stipulation upon whose compliance a legal or formal document’s validity or application may depend. **2.** In drafting, a

provision that begins with the words *provided that* and supplies a condition, exception, or addition.” [Black’s Law Dictionary, 8th Edition, 0page 1262]

640. “What has been exacted from someone as a penalty no one is obliged to restore to him.”

Proviso. “Provided that, what is taken by fraud, misrepresentation and deceit is returned to its rightful owner.”

641. “So far as the civil law is concerned, slaves are not reckoned as nonentities, but not so by natural law, for so far as regards natural law, all men are equal.”

Proviso. “Provided that, all are entitled to criminal prosecution of those who cause them injuries.”

642. “What is clearly agreed need not be proved.”

643. “What appears true to the court needs not the help of witnesses.”

Proviso. “Provided that, it is understood those to be subpoenaed are “Principals” not “witnesses”.

713. “Matters adjudged in the lawsuits of others do not prejudice those who were not parties to them.”

Note: Provided that the subject matter does not apply to them. Jurisdiction applies to all judges.

741. “It has often been settled that matters adjudged between others ought not to prejudice those who were not parties.”

Proviso – Provided that the law presented does not apply to their deeds, in that case all are condemned by the actions of one.

746. “Where there are many counselors, there is safety.”

Proviso: Provided that the counselors follow the first principles and Constitution as the supreme law of the land, BAR members do not.

889. “Where there is not law, there is not transgression, as far as this world is concerned.”

Proviso. Provided that where there is no law giving jurisdiction all acts are deemed transgressions.

890. “Where there is no manifest injustice, the judges are to be regarded as honest men, and their judgment as truth.”

Proviso. Provided that only lawful judges with jurisdiction are honored, all operating without jurisdiction are despoilers, pirates and traitors and are regarded as such. In this cause of action Plaintiff has proved “manifest injustice” without jurisdiction.

891. “Where there is no principal, there can be no accessory.”

Proviso. Provided that, “In high treason no one can be an accessory but only a principal.”(147)

provocation

provost marshal (note)

psychopath

public adj.

public n.

230. “Public rights are to be preferred to private.”

public defender

public function test (note)

230. “Public rights are to be preferred to private.”

public interest

230. “Public rights are to be preferred to private.”

278. “That is necessary which cannot be otherwise.”

279. “Necessity makes lawful what otherwise is unlawful.” [Cases: Criminal Law (key) 38, C.J.S. Criminal Law (statute) 49 – 53.]

280. “Public necessity is greater than private necessity.”

281. “Necessity defends what it compels.”

282. “Necessity is not restrained by law, since what otherwise is not lawful necessity makes lawful.”

283. “Necessity overcomes the law.”

745. “The safety of the state is the supreme law.”

Note: The “State” is in jeopardy by violations of the “Constitution State of Missouri” and the “Constitution of the United States of America”.

public law

230. “Public rights are to be preferred to private.”

472. “Private contracts cannot restrict (or take away from) public law.”

public office

230. “Public rights are to be preferred to private.”

472. “Private contracts cannot restrict (or take away from) public law.”

public policy

230. “Public rights are to be preferred to private.”

274. “It is natural for a thing to be dissolved in the same way in which it is bound.”

472. “Private contracts cannot restrict (or take away from) public law.”

public records doctrine

266. “Many things have been introduced into the common law, with a view to the public good, that are contrary to logical reasoning. Co. Litt. 70b.”

public safety

230. “Public rights are to be preferred to private.”

236. “The safety of the people is the highest law.”

237. “The law cannot fail in dispensing justice.”

238. “The law always abhors delays.”

239. “Law is the dictate of reason.”

240. “The law is the safest leader of the army of judges.”

241. “Law is the highest reason.”

533. “Private yields to public advantage.”

534. “Private disadvantage is made up for by public good.”

Note: The removal of a fraudulent court of despoilers is for the public good.

535. “A privilege is a benefit *belonging* to a person, and it dies with the person.”

536. “A privilege is, as it were, a private law.”

619. “A person who does not prevent what he can prevent is considered to act.”

Note: Plaintiff, as a Defendant in the UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MISSOURI, challenged jurisdiction to the following:

Magistrate Robert E. Larsen

Chief Judge Fernando J. Gaitan, Jr.

District Judge Gary A. Fenner

District Judge David Gregory Kays

District Judge Ortie D. Smith

District Judge Howard F. Sachs

U.S. Attorney Brian P. Casey

U.S. Attorney Patrick Daily

FBI Agent Nathan Holmes Van Sickle

All the above had the authority and responsibility to prevent injuries to Plaintiff, all allowed fraudulent prosecution to continue, in treason to the “Constitution of the United States of America”. They are all “Principals of Treason”.

620. “A person who does not forbid when he can forbid commands.”

621. “A person who does not forbid what he can forbid is considered to assent.”

622. “A person who does not repel an injury when he can brings it on.”

623. “A person who says all excludes nothing.”

624. “A person who spares the guilty punishes the innocent.”

625. “A person who does anything through another is considered as doing it himself.”

Note: This applies to the State of Missouri as an “artificial person”.

626. “A person who acts fraudulently acts in vain.”

627. “A person who can and ought to forbid a thing (as much as) orders it, if he keeps silent.” [Cases: Estoppel 70. C.J.S. Estoppel 100, 167.]

Note: This can apply to many.

744. “The safety of the people is the supreme law. The phrase is sometimes put in the imperative: *Salus populi suprema lex esto* (let the safety of the people be the supreme law).” [Cases: Common Law 9; Constitutional Law 81. C.J.S. Common Law 12, 22-24; Constitutional Law 61, 432 – 443, 451 – 452; Insurance 51.]

Note: Public Safety provides the “necessity” of this case being heard by a three judge panel.

745. “The safety of the state is the supreme law.”

Note: The “State” is in jeopardy by violations of the “Constitution State of Missouri” and the “Constitution of the United States of America”.

835. “Such is not “the same”, for nothing similar is the same thing.”

Note: BAR members claim the UNITED STATES DISTRICT COURTS and the District Courts of the United States are the same. But they are not. District Courts of the United States are Article III courts of the Constitution of the United States of America, with jurisdiction of judicial power under the United States Supreme Court. UNITED STATES DISTRICT COURTS are Article IV courts under the Executive Branch, controlled by the Legislative Branch.

They have no jurisdiction of judicial power, because that is reserved by the Constitution to the “Judicial Branch”.

880. “Where the right is uncertain, there is no right.” [Cases: Statutes 47. C.J.S. Statutes 64.]

Note: In this cause of action the rights are certain.

881. “Where the law compels someone to show cause, it is necessary that the cause be just and legal.”

882. “Where the law is deficient, the praetor supplies the deficiency.”

Note: praetor. “The magistrate responsible for identifying and framing the legal issue in a case and for ordering a lay judge (judex) to hear evidence and decide the case in accordance with the formula.” [Black’s Law Dictionary, Eighth Edition, page 1213.] The drafter of this treason is magistrate Robert E. Larsen who created the “Bill of Attainder”.

public service

230. “Public rights are to be preferred to private.”

534. “Private disadvantage is made up for by public good.”

Note: The removal of a fraudulent court of despoilers is for the public good.

549. “Things taken from public enemies immediately become the property of the captors.”

Public Vessels Act (note)

492. “A pirate is an enemy of the human race.”

Note: By the common practice of allowing courts to operate as “Admiralty Courts”, judges have become “Pirates” and usurped the power of government to operate court as their personal domain.

public writing

633. “Whoever there is who wishes to be regarded as a jurisconsult (legal expert) should prolong his study and be willing to be taught by everyone.”

748. “A wise person begins from the end, and what is first in intention is last in execution.”

760. “To write is to act.”

761. “Written obligations are undone by writing, and the obligation of mere consent (or naked agreement) is dissolved by a bare consent to the contrary.”

762. “The written word endures.”

763. “A suit is a civil battle; just as the plaintiffs are armed with actions and, as it were, girded with swords, so (against them) the defendants are fortified with pleas, and defended as though by shields.”

Note: When Plaintiff was a Defendant, all shields were removed and all violations acceptable as the records and transcript prove. Therefore, it was a persecution, not prosecution, in a “court of impossibility” of “no jurisdiction”. Seven Writs of Habeas Corpus were filed in the UNITED STATES DISTRICT COURTS all were denied. Seven Appeals were filed in the UNITED STATES CIRCUIT COURTS all were dismissed. Seven Writs of Certiorari were filed in the UNITED STATES SUPREME COURT all were dismissed by the clerks. Twenty one shields were removed to allow a

“fraudulent court” to operate “treason” all are “Principals” by furtherance of “treason”. They had their chance.

773. “The necessity of proving always rests on the claimant.”

Note: “The capability of offering proofs is not to be narrowed.”(97)

788. “If you depart from the law, you will wander (without a guide), and everything will be in a state of uncertainty to everyone.”

Note: Public Safety establishes necessity of force of law to correct those who have committed treason and reestablish justice in America. If the law dies the jurisdiction of all judges dies with it. Public Safety requires the laws be enforced equally and fairly to all.

794. “If you judge, understand.”

797. “If the better are those whom love leads, the greater number are those whom fear corrects.”

802. “If anyone sues for a part when he should have sued for the whole, the judgment should constitute res judicata (against other suit).” [Cases: Judgment 592. C.J.S. Judgments 761-762, 765.]

Note: Plaintiff has brought suit against the whole in the interest of “Public Safety”.

810. “A party forcibly deprived of possession ought first of all to have restitution.”

Note: Plaintiff seeks “justice” and will not accept restitution in exchange. But others have suffered greatly because of the wrongful deeds of “Agents” of the UNITED STATES, INC. for which they should be compensated. These will be discussed at trial.

Liability. “The servant’s wrongdoing reaches the master, the master is liable for injury done by his servant.”(169)

811. “He promises (to use) the skill of his art. That is, he engages to do the work in a skillful manner.”

Note: “It is unjust to give judgment or opinion concerning any particular clause of the law without having examined the whole law.” (170)

812. “A presumption will stand until proof is given to the contrary.”

Note: “To write is to act.” (759) “The written word endures.”(761)

The writings provided are proof.

893. “Where the burden is, there is the profit or advantage.”

894. “Where the risk is, there also the profit accrues.”

895. “Where a thing is granted in general terms, this exception is implied: if there is not anything contrary to law and right.”

Note: In this cause of action, there is much contrary to law and many deeds that violated rights, these acts are criminal in nature.

903. “One should not take advantage from his own wrong.”

Note: Plaintiff has done no wrong, the principals of treason have done wrong.

punishable

punishment

78. “Punishment increases with repeated offense.”

271. “The infliction of punishment should increase with the repetition of the offense.” [Supports 78 Punishment increases with repeated offense.]

305. “No one who is wise gives punishment so that past deeds may be revoked, but so that future deeds may be prevented.”

497. “Let punishment be inflicted on a few, dread on all.”

Note: In this cause of action “all” is deemed to be “all BAR members”.

500. “Punishment cannot be, guilt will be, perpetual.”

501. “Punishment should take hold of the guilty (who committed the wrong), and not others. Bracton 380b.”

502. “The punishment can be removed, but the guilt will be perpetual.”

857. “When transgression is repeated, let the infliction of punishment be increased. 2 Co. Inst. 479.”

Note: No jurisdiction has been established to date. This is denial of Plaintiff’s 5th Amendment right to due process of law that requires the then Plaintiffs (Brian P. Casey and Patrick Daily) to establish the court’s jurisdiction, since none was established none exists. Every challenge to jurisdiction must be addressed and jurisdiction established. Those named acted in “Conspiracy of Treason” to proceed without jurisdiction being established, thus are rightfully named “Principals of Treason” in this cause of action.

871. “Where the fault is, there the punishment should be imposed.”

896. “Where anyone commits an offense, there will he be punished.”

cruel and unusual punishment

deterrent punishment

preventive punishment (note)

reformatory punishment

retributive punishment

punitive

punitive articles

racketeer

Racketeer Influenced and Corrupt Organizations Act

racketeering

rape

ratification (note)

227. "Laws are abrogated or replaced by the same means by which they are made."

269. "Many things pass with the whole that would not pass separately."

274. "It is natural for a thing to be dissolved in the same way in which it is bound."

316. "Nothing is more consonant to reason than that everything should be dissolved in the same way as it was made."

363. "A derogatory clause does not prevent things from being dissolved by the same power by which they were originally made."

671. "In the same manner that anything is bound, it is unbound."

679. "As a thing is bound, so it is unbound."

680. "In whatever mode a thing is constituted, in the same manner it is dissolved."

688. “Ratification is equal to a command. This maximum is sometimes written *Ratihabitio mandato comparator* (meaning “ratification is equivalent to a command”).

905. “Everything is dissolved by the same binding by which it is bound together.”

Note: The binding agent of this cause of action is the law. All courts fraudulently claim jurisdiction when in fact the UNITED STATES DISTRICT COURTS do not have lawful jurisdiction. This makes all “imposter judges”, “despoilers” who rob the American People of their lives, liberty and freedom by clandestine means.

906. “Any obligation is discharged in the same manner as it is constituted.”

Note: Plaintiff operated his “Private Bank” under this principle to pay the “debts” of the American People.

907. “In the same manner in which anything is bound, it is loosened.”

Note: Plaintiff is bound in this cause of action by a “Bill of Attainder” honored by all BAR members to date. This bound can only be loosened by opening court to the living soul, fraudulently declared “dead in law” by magistrate Robert E. Larsen.

908. “That which is the principal part of a thing is the thing itself.”

Note: The principal part is law.

909. “Every obligation is dissolved in the same manner in which it is contracted.”

Note: The lawfulness of “Bonded Promissory Notes” to pay “debt”.

910. “Each and every one of the general principles is its own pledge of trust, and plain truths need not be proved.”

reconstruction

court reporter

recourse

recover

recovery

rectus in curia

recuperatio

recuperator

recusable

recusal

remedy

55. “To destroy that which was previously built and made is utterly to overturn and wreck it; to destroy is to overturn and demolish what was built and done before.

This is the maxim cited against any type of revolutionary action.”

61. “Deceit and fraud should excuse or benefit no one (they themselves require some excuse).

62. “Deceit and fraud should always be remedied.”

65. “Guilt makes equal those whom it stains.”

66. “”Deeds (or facts) are more powerful than words.”

67. “Deeds contain many things that are prohibited to be done.”

68. “What is done cannot be undone.”

174. “In a novel case a new legal remedy must be applied.”

392. “The liability follows the head or person. Liability to make good and injury caused by a slave attaches to the master. Dig. 2. 14. 7.4.”

Note: The slave is the judge, the master is the UNITED STATES OF AMERICA.

410. “Let no one depart from the court of chancery without a remedy.”

790. “If you can be relieved by accustomed remedies, new ones cannot be tried.”

Note: “In a novel case a new legal remedy must be applied.”(174) The new legal remedy is justice.

877. “Where there is misconduct on the part of both giver and receiver, we say the thing cannot be recovered; but as often as the misconduct is on the side of the receiver (alone), it can be recovered.”

878. “Where there is no fact, there are no strong points.”

Note: This is to be determined at trial, the notes of these “Legal Maxims” are facts and strong points of this cause of action.

879. “Where there is a right, there is a remedy.” [Cases: Equity 55. C.J.S. Equity 120.]

Note: The “Public Right” of “Liberty” establishes the right to this cause of action as “remedy” to restore “Public Safety” and “Security”.

880. “Where the right is uncertain, there is no right.” [Cases: Statutes 47. C.J.S. Statutes 64.]

Note: In this cause of action the rights are certain.

881. “Where the law compels someone to show cause, it is necessary that the cause be just and legal.”

897. “Where there is a remedy, there is a right.”

adequate remedy at law

414. “One never resorts to the extraordinary but when the ordinary fails.”

790. “If you can be relieved by accustomed remedies, new ones cannot be tried.”

Note: “In a novel case a new legal remedy must be applied.”(174) The new legal remedy is justice.

877. “Where there is misconduct on the part of both giver and receiver, we say the thing cannot be recovered; but as often as the misconduct is on the side of the receiver (alone), it can be recovered.”

equitable remedy

6. “Equity acts on the person.”

7. Equity is a sort of perfect reason that interprets and amends written law; comprehended in no written text, but consisting of reason alone.”

8. “Equity is as it were equality.”

9. “Equity assists ignorance but not complacency (or carelessness).”

10. “Equity does not create a right, but aids the right.”

15. “Equity never contravenes the laws.”

16. “Equity never contravenes the laws.”

17. “What is equitable and good is the law of laws.”

414. "One never resorts to the extraordinary but when the ordinary fails."

456. "What has been for all should be compensated by the contribution of all."

692. "Reason in law is perfect equity."

693. "The reason of the law is the soul of the law." [Cases: Statutes 184. C.J.S. Statutes 316.]

694. "Reason is not confined to any place."

695. "A reason can be adduced when the law is defective, but it must be a true and legal reason, and not specious (or apparent)."

Note: 18 U.S.C. 3231 is defective in giving jurisdiction to the UNITED STATES DISTRICT COURTS.

790. "If you can be relieved by accustomed remedies, new ones cannot be tried."

Note: "In a novel case a new legal remedy must be applied."(174) The new legal remedy is justice.

826. "The highest reason is the one that acts on behalf of religion."

Note: Plaintiff's "Remonstrance" is an act of religion, by trust in God His judges will provide "Just Judgment".

870. "When a common remedy ceases to be of service, recourse is had to an extraordinary one."

874. "Where there is the same reason, there is the same law. Also rendered *Ubi eadem est ratio, ibi idem est jus.*"

875. “Where there is the same reason, there is the same law; and the same judgment should be rendered on comparable facts.”

extraordinary remedy

414. “One never resorts to the extraordinary but when the ordinary fails.”

790. “If you can be relieved by accustomed remedies, new ones cannot be tried.”

Note: “In a novel case a new legal remedy must be applied.”(174) The new legal remedy is justice.

judicial remedy

457. “A thing, to be brought to judgment, must be definite.”

695. “A reason can be adduced when the law is defective, but it must be a true and legal reason, and not specious (or apparent).”

Note: 18 U.S.C. 3231 is defective in giving jurisdiction to the UNITED STATES DISTRICT COURTS.

696. “One departs from settled rules of law, rather than let crimes and wrongs remain unpunished.”

697. “A thing is received in the way the recipient intends.”

698. “Records are vestiges of antiquity and truth.”

legal remedy

392. “The liability follows the head or person. Liability to make good and injury caused by a slave attaches to the master. Dig. 2. 14. 7.4.”

Note: The slave is the judge, the master is the UNITED STATES OF AMERICA.

414. “One never resorts to the extraordinary but when the ordinary fails.”

remonstrance

226. “Ecclesiastical laws are limited within separate bounds.”

Note: Ecclesiastical law of dealing with false witnesses is “On the record, for the record.” Established by “Remonstrance” in the public record.

689. “Reason is the source and formal cause of custom.”

renewal (note)

reopen (note)

698. “Records are vestiges of antiquity and truth.”

republic (Sovereignty of people) (note)

117. “Power that never comes to be exercised is useless.”

179. “In the presence of the superior, the power of the inferior ceases. This maxim is sometimes written *In praesentia majoris potestatis, minor potestas cessat* (meaning “in the presence of the superior power, the minor power ceases”).

Note: In this Chancery Court of “Complete Jurisdiction” the power of the UNITED STATES DISTRICT COURTS of “no jurisdiction” ceases.

210. “The later decisions are stronger in law.”

212. “Trust should be put in the later decisions.”

296. “No one is above the laws.”

313. “The king can do nothing but what he can do legally; the king can do nothing except by law.”

374. “A king cannot confer a favor that occasions injury and loss to others.”

375. “The king cannot load a subject with impositions against his consent.”

509. “Useless power is in vain.”

510. “Power is not conferred but for the (public) good.”

511. “A power should be strictly interpreted.”

512. “Supreme power can dissolve (or release), but cannot bind, itself.”

666. “A decision of the emperor has the force of law; for , by the royal law that has been made concerning his authority, the people have conferred on him all their sovereignty and power. Dig 1. 4. 1.”

Note: In the United States of America the people retain their sovereignty, they have given it to no one.

885. “Where the greater part is, there is the whole.”

Note: Plaintiff stands with the Constitution of the United States of America and those who believe in the principles it was founded upon, “In God we trust”.

917. “Let it have effect as far as it can have effect.”

Note: This case will affect the world, because it will give “hope” to all those who are persecuted by “faith” that with God all things are possible. “In God we trust.”

918. “Vain is that power that never comes into action.”

Note: vain. “2. without force or effect; futile, fruitless, unprofitable, unavailing, etc: as a vain endeavor. “ [Webster’s Dictionary]

This is the foundation of treason, those who have violated the “Public’s Trust” ban together in our courts against the “Sovereign American” to violate his/her rights knowing they will not be held accountable. All efforts to hold them accountable have become “vain endeavors”, thus allowing the treason to continue. Now that treason has been established, all those who allow it to continue are “Principals of Treason”. “Justice” in this cause of action will not be a “vain endeavor”.

resignation (note)

179. “In the presence of the superior, the power of the inferior ceases. This maxim is sometimes written *In praesentia majoris potestatis, minor potestas cessat* (meaning “in the presence of the superior power, the minor power ceases”).

The sovereign power resides in the people, not government.

right (note)

408. “No one can forfeit another’s right.”

430. “Every right has been derived from consent, established by necessity, or confirmed by custom.”

584. “When two rights run together in one person, it is the same as if they were in separate persons.”

588. “When the greater is allowed, the lesser is considered to be allowed also.”

Note: The people are the greater, BAR Association membership are the lesser. The people have the right to petition the courts, BAR members believe they

have the right also, but as “foreign agents” of a “foreign state” BAR members have no right to petition the court. None have “standing”.

613. “A person who commands (a thing to be done) is considered to have done it himself.”

Note: Magistrate Robert E. Larsen put me in solitary confinement for 7 months without jurisdiction or authority of law. Plaintiff was held against his will without visits, without mail, without phone and without commissary, to stop him from challenging the authority of the UNITED STATES DISTRICT COURT. The challenges continued. These “challenges” were made under the authority of the “Federal Rules of Criminal Procedure” all were denied by Magistrate Larsen and District Judge Fernando J. Gaitan, Jr. in direct defiance of law governing their conduct. The public record establishes this fact.

614. “A party who gives better proof has the better (right). Often rendered, “He who proves more recovers more.”

Note: While Plaintiff seeks “justice” and will accept no compensation for himself, he will present injuries of others for just compensation.

647. “Whatever one does in defense of his person, he is considered to have done legally.”

655. “What in the civil law (literally written law) is called jus, in the law of England is said to be rectum (right).”

667. “What is prior is truer; and what comes earlier in time is stronger in right.”

763. “A suit is a civil battle; just as the plaintiffs are armed with actions and, as it were, girded with swords, so (against them) the defendants are fortified with pleas, and defended as though by shields.”

Note: When Plaintiff was a Defendant, all shields were removed and all violations acceptable as the records and transcript prove. Therefore, it was a persecution, not prosecution, in a “court of impossibility” of “no jurisdiction”. Seven Writs of Habeas Corpus were filed in the UNITED STATES DISTRICT COURTS all were denied. Seven Appeals were filed in the UNITED STATES CIRCUIT COURTS all were dismissed. Seven Writs of Certiorari were filed in the UNITED STATES SUPREME COURT all were dismissed by the clerks. Twenty one shields were removed to allow a “fraudulent court” to operate “treason” all are “Principals” by furtherance of “treason”. They had their chance.

879. “Where there is a right, there is a remedy.” [Cases: Equity 55. C.J.S. Equity 120.]

897. “Where there is a remedy, there is a right.”

absolute right

608. “One who has jurisdiction for dissolving (an obligation) has jurisdiction to bind.”

861. “The guardianship is secure that is entrusted to itself alone.”

Note: Plaintiff is secure in his person and does not authorize any use of his image by any media. Any use of his image will constitute a violation of Plaintiff’s 4th Amendment Right to be secure in his person against unlawful

seizure. With the understanding to violate this right will cost “one trillion dollars” (\$1,000,000,000,000.00).

accrued right

614. “A party who gives better proof has the better (right). Often rendered, “He who proves more recovers more.”

Note: While Plaintiff seeks “justice” and will accept no compensation for himself, he will present injuries of others for just compensation.

equitable right

2. “To accept anything as a reward for doing justice is rather extorting than accepting.”

192. “No benefit is given to one unwilling. No one is obliged to accept a benefit against his consent. Dig. 50. 17. 69.”

expectant right

imprescriptible right

532. “Earlier in time, stronger in right.”

inalienable right

incorporeal right

legal right

411. “No one is to be regarded as acting by fraud who exercises his legal right.”

588. “When the greater is allowed, the lesser is considered to be allowed also.”

Note: The people are the greater, BAR Association membership are the lesser. The people have the right to petition the courts, BAR members believe they

have the right also, but as “foreign agents” of a “foreign state” BAR members have no right to petition the court. None have “standing”.

natural right

.“Anyone may renounce a right introduced for his own benefit.”

Note: Plaintiff renounces the “Not Guilty Plea” entered on his behalf by Magistrate Robert E. Larsen. Now Magistrate Larsen must prove he had authority to act on behalf of Defendant (now Plaintiff). He acted with malice, intent and knowledge knowing he lacked jurisdiction.

negative right

perfect right

personal right

positive right

public right

remedial right

right in personam

right in rem (protect reputation)

secondary right

substantial right

substantive right

vested right

right against self-incrimination (note)

right of action

309. “No one goes to trial without an action, and no one can bring an action without a writ or bill.”

395. “Naked agreement (nudum pactum) is where there is no consideration besides the agreement: but when there is a consideration, an obligation is created and it gives a right of action.”

414. “One never resorts to the extraordinary but when the ordinary fails.”

right of audience

297. “No one ought to be condemned unheard, unless for contempt. This maxim is sometimes written *Nemo inauditus nec insummonitus condemnari debet, si non sit contumax* (meaning “No one should be condemned unheard and unsummoned, unless for contempt).”

309. “No one goes to trial without an action, and no one can bring an action without a writ or bill.”

401. “The authority of no person ought to have (such) power among us that we should not follow better (opinions) if anyone presents them.”

414. “One never resorts to the extraordinary but when the ordinary fails.”

right to privacy

right to revolution

right to suit

right to bear arms.

right to petition

414. “One never resorts to the extraordinary but when the ordinary fails.”

seizure

619. “A person who does not prevent what he can prevent is considered to act.”

Note: Plaintiff, as a Defendant in the UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MISSOURI, challenged jurisdiction to the following:

Magistrate Robert E. Larsen
Chief Judge Fernando J. Gaitan, Jr.
District Judge Gary A. Fenner
District Judge David Gregory Kays
District Judge Ortie D. Smith
District Judge Howard F. Sachs
U.S. Attorney Brian P. Casey
U.S. Attorney Patrick Daily
FBI Agent Nathan Holmes Van Sickle

All the above had the authority and responsibility to prevent injuries to Plaintiff, all allowed fraudulent prosecution to continue, in treason to the “Constitution of the United States of America”. They are all “Principals of Treason”.

constructive seizure

619. “A person who does not prevent what he can prevent is considered to act.”

Note: Plaintiff, as a Defendant in the UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MISSOURI, challenged jurisdiction to the following:

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All the above had the authority and responsibility to prevent injuries to Plaintiff, all allowed fraudulent prosecution to continue, in treason to the “Constitution of the United States of America”. They are all “Principals of Treason”.

845. “Term and fee cannot both be vested in one and the same person at the same time.”

Note: These fraudulent courts impose term, fee and probation in the fraudulent judgments (Bills of Attainder) issued by imposter judges.

sentence

844. “A term of years ought to be certain and definite (with a fixed end).”

Note: Plaintiff served the 13 year sentence unlawfully imposed, while his family suffered greatly. The UNITED STATES DISTRICT COURTS were allowed to continue their treason as despoilers to rob Americans of their life, liberty and freedom. Justice requires this organized crime must end in the interest of “Public Safety”.

845. “Term and fee cannot both be vested in one and the same person at the same time.”

Note: These fraudulent courts impose term, fee and probation in the fraudulent judgments (Bills of Attainder) issued by imposter judges.

death sentence

life sentence

mandatory sentence (note)

standing

687. “When the principal cause does not stand, neither do the accessories (or consequences) obtain.”

Note: This applies to Brian P. Casey and Patrick Daily. Neither had “standing” to be in court.

Star Chamber

428. “An office ought to be injurious to no one.”

429. “Every act is to be judged by the intention of the doer.”

430. “Every right has been derived from consent, established by necessity, or confirmed by custom.”

stare decisis (note)

605. “Not to disturb what is settled.” [Cases: Courts 90. C.J.S. Courts 150.

Note: By not following the law, judges are disturbing what is settled.

628. “Who first offends causes the quarrel.”

Note: The first act was the FBI, exercising a fraudulent search warrant without probable cause, through Kansas City S.W.A.T. In violation of Article XI, Section 3 of the “Constitution State of Missouri” and the 4th Amendment of the “Constitution of the United States of America”. All evidence of trial was “fruit of a poisonous tree” as challenged. Today that evidence is presented as “fruits of a crime”.

813. “Literally, to stand by previous decisions and not to disturb settled matters. To adhere to precedents, and not to depart from established principles.” [Cases: Courts 89, 90, C.J.S. Courts 139-140, 150, 161-164, 166-167.]

Note: Maxim “A traditional legal principle that has been frozen into a concise expression.” [Black’s Law Dictionary, Eighth Edition, page 1000]

838. “(Precedents) have value in the law to the extent that they represent justice.”

Note: The “Bill of Equity by Affidavit” establishes the “Precedents” of this cause of action. The “United States Supreme Court” established the UNITED STATES DISTRICT COURTS are not Article III courts, thus depriving them of Jurisdiction for all time.

884. “Where the law does not distinguish, we ought not to distinguish.”

Note: In this cause of action precedent cases provide the distinct differences between “District Courts of the United States” and “UNITED STATES DISTRICT COURTS”. [Complaint for Indictment, page 22-23]

state (note)

344. “What seems necessary for the king and the state ought not to be said to tend to the prejudice of spiritual liberty.”

668. “There are privileges that are really detrimental to the state, but that have a more colorful appearance and show of public good than good and lawful concessions. But the unlawful should not be accepted as valid on the ground of a showing of legality.

Note: “The court of chancery is the workshop of justice.”(49)

police state (note)

668. “There are privileges that are really detrimental to the state, but that have a more colorful appearance and show of public good than good and lawful concessions. But the unlawful should not be accepted as valid on the ground of a showing of legality.

Note: “The court of chancery is the workshop of justice.”(49)

state action (note)

state law

348. “Those things that agree in substance, even if not in the same words, do not differ.”

Note: All laws agree with the first principles of law.

false statement

state police power

184. “It is in the interest of the state that crimes not remain unpunished.”

319. “Nothing better preserves the subjects of the realm in tranquility and concord than a due administration of the laws. 2 Co. Inst. 158.”

state sovereignty

185. “It is in the interest of the state to preserve peace in the kingdom and prudently to decline whatever is adverse to it.”

886. “Where there is no rule of law, everything must be held, as it were, suspect.”

Note: There is no rule of law that gives UNITED STATES DISTRICT COURTS jurisdiction, thus they are all suspect.

state's rights (Bill of Attainder)

sufficiency-of-evidence test

testator

testify

846. "When the number of witnesses giving testimony is equal on both sides, the more trustworthy are to be believed"

847. "The witnesses must be believed, not (simply their testimony.)"

848. "Testimonies are to be weighed, not counted."

849. "An eyewitness outweighs others."

850. "No one can be a witness in his own cause."

Note: The "Principals of Treason" are witnesses to be subpoenaed, the records and transcript are "proof".

851. "One eyewitness is worth more than ten earwitnesses."

852. "Witnesses cannot testify to a negative; they must testify to an affirmative."

testimony

846. "When the number of witnesses giving testimony is equal on both sides, the more trustworthy are to be believed"

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852. “Witnesses cannot testify to a negative; they must testify to an affirmative.”

affirmative testimony

false testimony

theory of law

theory-of-pleading doctrine

theory of the case

tort

427. “The attempt becomes of consequence if the effect follows.”

428. “An office ought to be injurious to no one.”

429. “Every act is to be judged by the intention of the doer.”

446. “Every conclusion of a good and true judgment follows from good and true premises and the verdicts of jurors.”

618. “A person who does not deny admits.”

Note: Since summons was issued in July of 2019, Gary A. Fenner has not denied the allegations, the Plaintiff’s offer of proofs establish truth, admitted by Defendant.

constitutional tort (note)

618. “A person who does not deny admits.”

Note: Since summons was issued in July of 2019, Gary A. Fenner has not denied the allegations, the Plaintiff's offer of proofs establish truth, admitted by Defendant.

883. "Where the law is special and the reason of it is general, it ought to be taken as general."

884. "Where the law does not distinguish, we ought not to distinguish."

Note: In this cause of action precedent cases provide the distinct differences between "District Courts of the United States" and "UNITED STATES DISTRICT COURTS". [Complaint for Indictment, page 22-23]

dignitary tort

government tort

intentional tort

mass tort (note)

negligent tort

personal tort

prima facie tort

quasi-tort

tortfeasor

618. "A person who does not deny admits."

Note: Since summons was issued in July of 2019, Gary A. Fenner has not denied the allegations, the Plaintiff's offer of proofs establish truth, admitted by Defendant.

concurrent tortfeasors

consecutive tortfeasors

joint tortfeasors

618. “A person who does not deny admits.”

Note: Since summons was issued in July of 2019, Gary A. Fenner has not denied the allegations, the Plaintiff’s offer of proofs establish truth, admitted by Defendant.

transgress

857. “When transgression is repeated, let the infliction of punishment be increased. 2 Co. Inst. 479.”

Note: No jurisdiction has been established to date. This is denial of Plaintiff’s 5th Amendment right to due process of law that requires the then Plaintiffs (Brian P. Casey and Patrick Daily) to establish the court’s jurisdiction, since none was established none exists. Every challenge to jurisdiction must be addressed and jurisdiction established. Those named acted in “Conspiracy of Treason” to proceed without jurisdiction being established, thus are rightfully named “Principals of Treason” in this cause of action.

889. “Where there is not law, there is not transgression, as far as this world is concerned.”

Proviso. Provided that where there is no law giving jurisdiction all acts are deemed transgressions.

890. “Where there is no manifest injustice, the judges are to be regarded as honest men, and their judgment as truth.”

Proviso. Provided that only lawful judges with jurisdiction are honored, all operating without jurisdiction are despoilers, pirates and traitors and are

regarded as such. In this cause of action Plaintiff has proved “manifest injustice” without jurisdiction.

891. “Where there is no principal, there can be no accessory.”

Proviso. Provided that, “In high treason no one can be an accessory but only a principal.”(147)

treason

88. “The crime of treason exceeds all other crimes in its punishment.”

147. “In high treason no one can be an accessory but only a principal.”

234. “It is not consonant to justice that any accessory should be convicted in the king’s court before anyone has been attainted 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.”

Note: Gary A. Fenner is the “Principal” of this cause of action. The “Accessories” are “UNITED STATES DISTRICT COURTS” and all “B.A.R. Associations” within the United States of America. Plaintiff seeks the “Death Penalty” of the “Accessories” of this cause of action. Plaintiff seeks no punishment of the “Principal” in accordance with “Legal Maxim”(214).

405. “No one is called an accessory after the fact the fact but that person who knew the principal to have committed a felony, and received and comforted him.”

406. “No one is called a principal except the party actually committing the felony, or the party was present aiding and abetting the perpetrator in its commission.”

427. “The attempt becomes of consequence if the effect follows.”

479. “When any essential part has been removed, the whole is removed (or destroyed).”

618. “A person who does not deny admits.”

Note: Since summons was issued in July of 2019, Gary A. Fenner has not denied the allegations, the Plaintiff’s offer of proofs establish truth, admitted by Defendant.

619. “A person who does not prevent what he can prevent is considered to act.”

Note: Plaintiff, as a Defendant in the UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MISSOURI, challenged jurisdiction to the following:

Magistrate Robert E. Larsen
Chief Judge Fernando J. Gaitan, Jr.
District Judge Gary A. Fenner
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U.S. Attorney Brian P. Casey
U.S. Attorney Patrick Daily
FBI Agent Nathan Holmes Van Sickle

All the above had the authority and responsibility to prevent injuries to Plaintiff, all allowed fraudulent prosecution to continue, in treason to the “Constitution of the United States of America”. They are all “Principals of Treason”.

768. “Whoever is once bad is presumed to be so always in the same kind of affair.”

Note: This applies to all principals of treason.

857. “When transgression is repeated, let the infliction of punishment be increased.
2 Co. Inst. 479.”

Note: No jurisdiction has been established to date. This is denial of Plaintiff’s 5th Amendment right to due process of law that requires the then Plaintiffs (Brian P. Casey and Patrick Daily) to establish the court’s jurisdiction, since none was established none exists. Every challenge to jurisdiction must be addressed and jurisdiction established. Those named acted in “Conspiracy of Treason” to proceed without jurisdiction being established, thus are rightfully named “Principals of Treason” in this cause of action.

884. “Where the law does not distinguish, we ought not to distinguish.”

Note: In this cause of action precedent cases provide the distinct differences between “District Courts of the United States” and “UNITED STATES DISTRICT COURTS”. [Complaint for Indictment, page 22-23]

898. “Where words are not conjoined, it is enough that one or another (of the things enumerated) has been done.”

Note: “What has been done cannot be undone.”(68)

899. “What is beyond possibility cannot exist, and the reverse (what cannot exist is not possible).”

Note: No Article IV Court (UNITED STATES DISTRICT COURTS) can be given “Judicial Powers” of Article III courts.

902. “A university or corporation is not said to take any action unless the action was resolved by it as a body, even if a greater part of the body should act.”

Note: All UNITED STATES DISTRICT COURTS are “Delaware Corporations” all have acted without jurisdiction in treason to the “Constitution of the United States of America”.

908. “That which is the principal part of a thing is the thing itself.”

Note: The principal part is law.

913. “Usage arises from repeated acts.

Note: The deeds of the “principals of treason” are a matter of “Public Record”. Plaintiff was repeatedly used to establish cases for imposter judges to fraudulently litigate. Then Plaintiff was used to fill one of the beds in multiple prisons as prisoner #22264-045, based upon this number over 22,000 “Missouri State Citizens” have been kidnapped and held hostage by the UNITED STATES DISTRICT COURTS and the STATE OF MISSOURI refused to provide protection of law, by allowing this corruption to operate within its borders. All these profited from “ownership” of Plaintiff.

914. “”What is useful is not vitiated by the useless.”[Cases: Trial 336. C.J.S. Trial 851.]

Note: The “Law” has been vitiated by BAR Associations that have impaired the protection of law available to the American People. All “Judgments” of the UNITED STATES DISTRICT COURTS are “Void” as “Bills of Attainder” prohibited by the Constitution Article I, Section 9. All officers of these courts are morally corrupt as despoilers, pirates and traitors.

915. “An outlaw is, as it were put out of the protection of the law: he carries the head of a wolf.”

Note: In this “Court of Chancery” Plaintiff has followed God’s Law, the mandates of the Constitution of the United States of America and by these “legal maxims” Plaintiff has proved his cause of action. The “principals of treason” have fraudulently declared Plaintiff an “Outlaw” to protect their corruption and solicited participation in their “conspiracy of treason” by seeking condemnation of Plaintiff’s cause of action. All Principals who ignore the law are willing participants of treason with malice, intent and knowledge.

916. “So that punishment afflict few, (and) fear affect all. Blackstone cites Circero (pro Cluentio 46) emphasizing deterrence. 4 Bl. Com. 11.”

Note: Every case in the UNITED STATES DISTRICT COURTS must cease immediately, and to proceed with any case is an act of treason by the imposter judge. All prisoners without an injured party must be released. Those who have injured another must be delivered to state court for trial. All federal law enforcement agencies have no authority to arrest or detain any “American Born Citizen” all “police powers” are reserved to the “States” under the 10th Amendment. While these entities have no power over “American Born Citizens” they do have power over “illegals” and should work to remove the 11 million illegals in the United States of America. This will allow a transition period for Congress to restore the lawful “District Courts of the United States” back under the authority of the “United States Supreme Court” whose job it is to enforce the Constitution in every court of this land. Article III courts must be restored in the interest of “Public Safety”.

918. “Vain is that power that never comes into action.”

Note: vain. “2. without force or effect; futile, fruitless, unprofitable, unavailing, etc: as a vain endeavor. “ [Webster’s Dictionary]

This is the foundation of treason, those who have violated the “Public’s Trust” ban together in our courts against the “Sovereign American” to violate his/her rights knowing they will not be held accountable. All efforts to hold them accountable have become “vain endeavors”, thus allowing the treason to continue. Now that treason has been established, all those who allow it to continue are “Principals of Treason”. “Justice” in this cause of action will not be a “vain endeavor”.

919. “Ease of winning pardon is an incentive to committing crime.”

Note: Treason, of acting without jurisdiction, has been pardoned by all courts of this land, thus allowing the “high crime” of “treason” to continue without lawful challenge.

991. “Common opinion is double; that proceeding from grave and discreet men, which has much truth in it, and that proceeding from foolish vulgar men, without any semblance of truth in it.”

Note: Plaintiff has written the truth in this cause of action supported by God’s Law, the Constitutions and now the “Traditional Principles of Law” in these “Legal Maxims”. The reason of law is “Public Safety” by providing protection of rights, privileges and immunities as the law requires. There is no law when the law is not enforced. To date Gary A. Fenner has been allowed to evade justice and his treason allowed to continue. Plaintiff stands on these truths and seeks justice. “Hear the other side. No one should be condemned unheard.”(41)

treason felony

trespass

617. “A person who does not disapprove approves.”

Note: This applies to all involved.

857. “When transgression is repeated, let the infliction of punishment be increased.
2 Co. Inst. 479.”

Note: No jurisdiction has been established to date. This is denial of Plaintiff’s 5th Amendment right to due process of law that requires the then Plaintiffs (Brian P. Casey and Patrick Daily) to establish the court’s jurisdiction, since none was established none exists. Every challenge to jurisdiction must be addressed and jurisdiction established. Those named acted in “Conspiracy of Treason” to proceed without jurisdiction being established, thus are rightfully named “Principals of Treason” in this cause of action.

continuing trespass

criminal trespass

joint trespass

permanent trespass (note)

trespass on the nation

trespass vi et armis (note)

trespasser (note)

617. “A person who does not disapprove approves.”

triable (note)

330. “The gentry are those who are able to produce the heraldic arms of their own ancestors.”

331. “There are two sorts of nobility, the higher and the lower.”

trial

joint trial

public trial

tribunal

164. "It is unjust for anyone to be judge in his own case."

tributary (note)

743. "Often it is the new track, not the old one, that deceives the traveler."

Note: There was a time long ago that judges were respected because they gave the people "just judgment", but the king of England established a foothold in the United States of America, of BAR Associations to persecute the people to the point that they rebel against government and fall back under the authority of the "king". It is the king's intention to re-establish "titles of nobility" as the "ruling class" with the American People as their slaves, surfs, servants and pawns. There are no lawful "titles of nobility" within the United States, and the American People retain their "Sovereignty", they have not pledged it to the "King" and never will. "The king is greater than any single person: less than all." (727)

tribute (note)

trover (note)

truth

957. "Truth, by whomsoever pronounced, is from God."

Note: In order to speak truth it is necessary to have understanding, God tells us, "Proverbs 4:7 Wisdom is the principle thing; therefore get wisdom; and

with all thy getting get understanding.” Plaintiff has done his due diligence in search of wisdom and has been blessed with understanding.

958. “The truth of the description removes the error of the name.”

959. “Truth is the mother of justice.”

Note: What is justice is for the “Three Judge Panel” to decide by “just judgment”, Plaintiff has provided them with the law that establishes the truth of this cause of action. Plaintiff believes to restore the law in the United States it is going to take brave men willing to make the hard decisions in support of truth. Plaintiff is the messenger, the truth is from God.

960. “Truth is the desideratum in a jury; justice and judgment in a judge.”

Note: Truth is needed and wanted by the people of the United States of America, we have become tired of all the lies.

961. “Truth fears nothing but to be hidden.”

Note: Truth of the “District Courts of the United States” has been hidden from the American People for far too long, by those who profit from the corruption of the UNITED STATES DISTRICT COURTS.

962. “By too much quarreling the truth is lost.”

Note: The American People have been quarreling with the UNITED STATES DISTRICT COURTS over jurisdiction for decades with all the effort of a vain endeavor. These “Legal Maxims” prove the truth of this cause of action and judgment is required to protect “Public Safety”. It is time the candle of the wicked was put out, and the light of truth shines bright.

963. “The truth of the name takes away the error of description.”

Note: The “Public” has been deceived to believe the UNITED STATES DISTRICT COURTS are the same as the “District Courts of the United States”. With this filing the deception ends.

964. “One who does not speak truth freely is a traitor of the truth.”

usurpation (note)

816. “Statutes made for the public advantage ought to be broadly construed.”

Proviso – Provided that the statutes are applied to government agents only, not human creators in accordance with God’s law.

895. “Where a thing is granted in general terms, this exception is implied: if there is not anything contrary to law and right.”

Note: In this cause of action, there is much contrary to law and many deeds that violated rights, these acts are criminal in nature.

utility (note)

432. “Every great example has some portion of evil, which is compensated by its public utility.”

ward

ward of admiralty

ward of the state (note)

721. “Let the ravisher answer, for he could not be ignorant that he has taken away another’s ward.”

Note: Plaintiff was and is a “ward of the state” of Missouri where he lives and depends upon the state for his protection. The State of Missouri is failing in this obligation. Eric Schmitt, Attorney General, refused protection of law.

722. “Let the principal answer.” [Cases: Master and Servant 300, 315; Principal and Agent 159(1). C.J.S. Agency 424-425, 427-430; Employer – Employee Relationship 181-184, 188-193, 203, 231-235, 242, 244-246, 248, 251-252, 254-255.]

Note: The principals have been named in this cause of action. Let them answer .

723. “The defendant by a plea (or exception) becomes plaintiff.”

724. “A traitor is punished that one may die lest all perish.”

725. “Compacts usually take their clothing from the thing itself, from words, from writings, from consent, from delivery, from the joining together.”

Note: BAR Associations are “compacts” of “treason”.

will

983. “The will of the donor, if clearly expressed in the deed of his gift, should be observed.

984. “The will and the purpose distinguish crimes.”

Note: The will and the purpose are to be determined at trial.

985. “The will (of the testator) gives validity to what is written in the will (testament).

Note: Plaintiff believes “Liberty” was willed to all of us in the Constitution of the United States of America by our Forefathers.

986. “In offenses, the will and not the outcome is regarded.”

987. “The will is to be taken for the deed.” [Cases: Homicide 557.]

988. “The will of the testator should receive a broad and liberal interpretation.”

989. “The last will of a testator is to be fulfilled according to his true intention.”

990. “The uttered voice flies; the written letter remains.” [Cases Libel and Slander 15. C.J.S. Libel and Slander; Injurious Falsehood 2, 10.]

991. “Common opinion is double; that proceeding from grave and discreet men, which has much truth in it, and that proceeding from foolish vulgar men, without any semblance of truth in it.”

Note: Plaintiff has written the truth in this cause of action supported by God’s Law, the Constitutions and now the “Traditional Principles of Law” in these “Legal Maxims”. The reason of law is “Public Safety” by providing protection of rights, privileges and immunities as the law requires. There is no law when the law is not enforced. To date Gary A. Fenner has been allowed to evade justice and his treason allowed to continue. Plaintiff stands on these truths and seeks justice. “Hear the other side. No one should be condemned unheard.”(41)

words

338. “Words ought not to be accepted to import a false description when they are consistent with a true definition.”

361. “Names of things ought to be understood according to common usage, not according to the opinions of individuals. [Cases: Wills 456. C.J.S. Wills 842.]

543. “The proprieties (i.e., proper meanings) of words are to be observed.”

567. “Inquire into doubtful points if you wish to understand the law well.”

589. “When the words of a statute are special, but the reason for it general, the statute is to be construed generally.”

Note: Statutes giving court jurisdiction are specific, but BAR members have made them general with the presumption all courts have jurisdiction. Proofs show some courts have no jurisdiction.

742. “Frequently where propriety of words is given attention, the meaning of truth is lost.”

758. “To know the laws is to observe not their (mere) words, but their force and power.”

778. “The meaning of words is the spirit of the law.”

779. “The meaning of words is twofold, mild and harsh; and words are always to be received in their milder sense.”

780. “The sense of words is to be taken from the occasion of speaking them, and discourses are always to be interpreted according to the subject matter.”

Note: This establishes the necessity of the transcript (in Anita Burns’s possession) in understanding the facts of this cause of action.

801 “If there is no inference that leads to a different result, words are to be understood according to their proper meaning, not in a grammatical but in a popular and ordinary sense.”

808. “Special words derogate from general ones.”

814. “The will stands in place of a reason.” [Cases: Wills 82. C.J.S. Wills 173.]

Note: The “Constitution of the United States of America” is a collective “Will” of our forefathers to all future generations of Americans.

815. “The will of the people stands in place of a reason.”

Note: Politicians lie, cheat, deceive and manipulate our elections to fraudulently claim the “Will of the people” when in fact we support none of it.

816. “Statutes made for the public advantage ought to be broadly construed.”

Proviso – Provided that the statutes are applied to government agents only, not human creators in accordance with God’s law.

817. “Statutes are confined to their own territory and have no extra territorial effect.”

Note: Just like those who fraudulently claim to be multi-jurisdictional.

819. “A statute is to be understood generally when the words of the statute are special but its reason is general.”

892. “Where there is no inference that would lead in another direction, the words are to be understood according to their proper meaning, not strictly according to grammar but according to proper usage.”

Note: The common usage of understanding the word “jurisdiction” is the “authority to act”. There is no law that gives UNITED STATES DISTRICT COURTS the authority to act.

920. “Words are to be interpreted according to the subject matter.”

921. “Words are to be taken so that they may have some effect.”

922. “Equivocal words and those in a doubtful sense are understood in the more suitable and more effective sense.”

Note: Plaintiff sources for the meaning of words are Black’s Law Dictionary, Eighth Edition and Webster’s Dictionary. Google has also been utilized.

923. “Words ought to have some effect; words ought to be understood so as to have some effect.”

924. “Words ought to have some effect; words must be taken so as to have effect.”

925. “The words of deeds are taken most strongly against the person offering them.”

926. “Words must be taken so as to have effect.”

927. “Words ought to be understood with effect.”

928. “Words ought to be so understood that they may have some effect.”

929. “Words spoken of the person are to be understood of the condition of the person.”

Note: Plaintiff stands before you as a living soul who has been violated, abused, persecuted, suffered solitary confinement, beaten, tortured and deprived of protection of law by the UNITED STATES DISTRICT COURTS a court of no lawful jurisdiction and those who actively support their treason. Now Plaintiff is seeking “Justice” for all that has been done to him and accountability of all those who were active participants. Punishment to few, dread to all. This was all done during the Obama Administration.

930. “Words are interpreted more strongly against the party who puts them forward; words are readily accepted against the one putting them forward.”

Note: Plaintiff's words are truth based upon morals, ethics and now principles, no one has denied their "truth".

931. "General words are to be understood generally."

932. "General words are limited to the capability of the subject matter or the aptitude of the person."

933. "General words are limited to the capability of the subject matter or of the person." [Cases: Release 31.]

934. "Words referred to are considered as if incorporated."

935. "Words referring to a different subject are to be understood by what goes before, not by what follows."

936. "Words are to be understood in reference to a possible case."

937. "Words should be subject to the intention, not the reverse."

938. "Words are to be so understood that the matter may have effect rather than fail."

939. "When words are purely equivocal, if by common usage of speech they are taken in a certain meaning, such meaning is to be preferred."

940. "It is better words should have no effect than an absurd effect."

941. "The words (of a contract) are not to be looked to so much as the cause and nature of the matter, so that the intention of the contracting parties may appear from these rather than from the (mere) words."

Note: The employment contract of every member of government is based upon the will of the people who pay their salaries. The support of the

Constitution of the United States of America and the State is a condition of their authority to act, when it is violated the employee ceases to represent the people and becomes a rogue. Today our government is full of rogues who believe they are above the law and can do as they please regardless of what the law says. The time has come for the law to speak and those in opposition be held accountable. This is the intention of law to stop transgression of rights and protect the people from rogues who refuse to provide “Public Safety”. Punishment ends but guilt is perpetual.

942. “The words can be faulted – indeed, it is permitted to depart from them, in order that the words may be restored to a sensible meaning.”

943. “When the words of an ordinance can be made true in their true signification, they ought not to be warped to a foreign meaning.”

944. “Later words added for the purpose of certainty are to be referred to preceding words in which certainty is wanting.”

945. “Words should be taken most in favor of the thing and subject matter.”

946. “Words that can have some effect ought not to be (treated as) superfluous.”

947. “Words howsoever general, are confined to fitness (i.e., to harmonize with the subject matter), even if they would bear no other restriction.”

948. “Words to which reference is made have, by the reference this particular effect, that they are considered to be incorporated in those (clauses). Words to which reference is made in an instrument have the same effect and operation as if they were inserted in the clause referring to them.”

949. “Words to which reference is made are considered incorporated.”

950. “There is no one who does not know that words should be understood according to the subject matter. “

951. “Words of a strict signification can be given a wide signification if there is reason for it.”

952. “Words are indications of the intention.”

Note: Plaintiff’s intent is to create a case so strong that it removes all “discretionary power”, makes the “Three Judge Panel” follow the law as it is written and provide “just judgment” in this cause of action. The law requires justice.

953. “One must abide by the words where there is no ambiguity.” [Cases: Statutes 190. C.J.S. Statutes 321.]

Note: ambiguity. “An uncertainty of meaning or intention, as in a contractual term or statutory provision.” Cf. MEANING. [Cases Contracts 143(2); Statutes 190. C.J.S. Contracts 303-305; Statutes 321.] Black’s Law Dictionary, 8th Edition, page 88.

In this cause of action there is no ambiguity.

954. “An obligation verbally incurred is verbally extinguished.”

955. “The verb in the imperfect tense indicates a matter as yet incomplete.”

Note: “Justice” is “forestalled” in this cause of action.

956. “A verdict is, as it were, the saying of the truth, in the same manner a judgment is the saying of the law (or right).”

Note: The law condemns the UNITED STATES DISTRICT COURTS but the law has no force until it is honored in the judgment of an honorable judge acting within his jurisdiction.

957. "Truth, by whomsoever pronounced, is from God."

Note: In order to speak truth it is necessary to have understanding, God tells us, "Proverbs 4:7 Wisdom is the principle thing; therefore get wisdom; and with all thy getting get understanding." Plaintiff has done his due diligence in search of wisdom and has been blessed with understanding.