

In The Court of “We the People of the United States of America”

“Tribunal”

denny ray hardin

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT COURT OF FLORIDA

UNITED STATES OF AMERICA,]
]
v.] Case No. 23-80101-CR- CANNON
DONALD J. TRUMP and]
WALTINE NAUTA]
]
Defendants.]

JUDGMENT OF ACQUITTAL

WITH

FINDINGS OF FACTS AND CONCLUSIONS OF LAW

COMES NOW, Tribunal, denny ray hardin, to render, Judgment of Acquittal, with Findings of Facts and Conclusions of Law, for failure to provide a “jurisdictional fact” statement establishing this Court’s authority to proceed in this cause of action. Jack Smith, Special Counsel has failed to establish the Jurisdiction of this Court and acted

without “Complaint” establishing “probable cause” to seek an “Indictment” of the Defendants without due process of law in violation of Constitutional Rights. Therefore, Defendants, donald j. trump and waltine nauta, are acquitted of all charges.

Notice to Clerk of the Court:

On the Record, For the Record:

18 U.S.C. 2076 – CLERK IS TO FILE: Whoever, being a clerk of a district court of the United States willfully refuses or neglects to make or forward any report, certificate, statement, or document as required by law, shall be fined under this title or imprisoned not more than one year, or both.

“Findings of Facts”

A. “Fraud upon the court” has been conducted by “Special Counsel, Jack Smith” and “Assistant Special Counsel, Jay I. Bratt, Court ID No. 5502946” fraudulently claiming to represent the “UNITED STATES OF AMERICA” (fraudulent Plaintiff). This was done because there is no signed “Complaint” (that gives personal and subject matter jurisdiction to the Court) required by Rule 3 of the Federal Rules of Criminal Procedure. It has become “common practice” for UNITED STATES ATTORNEYS to deceive “Grand Juries” by presenting evidence without authority of law. The “Complaint” provides “Probable Cause” for the issuance of warrants, indictment and prosecution of a crime, without “probable cause” all these acts are violations of Constitutional Rights under the 4th, 5th, and 6th Amendments in treason.

B. The law requires a statement of “Jurisdictional Fact” be established by the Plaintiff giving the Court jurisdiction and authority of law to act in Plaintiff’s cause of action. The “common practice” of UNITED STATES ATTORNEYS is to ignore this lawful requirement and allow the Court to proceed without jurisdiction or authority of law. The failure of Plaintiff to provide the Court with jurisdiction to proceed defeats all claims of the “Indictment” and forces the Court to “Dismiss” Plaintiff’s cause of action. For the Court to proceed without jurisdiction is treason.

Conclusions of Law

Black’s Law Dictionary, 8th Edition.

jurisdictional fact. (usu. pl.) A fact that must exist for a court to properly exercise its jurisdiction over a case, party or thing. See JURISDICTIONAL FACT DOCTRINE.

jurisdictional-fact doctrine. *Administrative law.* The principle that if evidence is presented challenging the factual findings that triggered an agency’s action, then the court will review the facts to determine whether the agency had authority to act in the first place. This doctrine is generally no longer applied. Cf. CONSTITUTIONAL-FACT DOCTRINE. [Cases: Administrative Law and Procedure{key}795. C.J.S. *Public Administrative Law and Procedure* {SS} 241.]

Precedence of United States Supreme Court.

“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).

"The United States District Court is not a true United States Court established under Article III of the Constitution to administer the judicial power of the United States therein conveyed. It is created by virtue of the sovereign congressional faculty, granted under 4,3, of that instrument, of making all needful rules and regulations respecting the territory belonging to the United States. The resemblance of its jurisdiction to that of true United States courts in offering an opportunity to non-residents of resorting to a tribunal not subject to local influence, does not change its character as a mere territorial court." [Balzac v. Porto Rico, 258 U.S. 298, 43 S.Ct. 343 (1922) Emphasis added]

"The term 'District Court of the United States', as used in the rules, without an addition expressing a wider connotation, has its historic significance. It describes the Constitutional courts created under Article 3 of the Constitution. Courts of the Territories are legislative courts, properly speaking and are not District Courts of the United States. We have often held that vesting a territorial court with jurisdiction similar to that vested in the District Courts of the United States does not make it a District Court of the United States. Reynolds v. United States, 98 U.S. 145, 154, 25 L.ed 1041; The City of Panama, 101 U.S. 453, 460, 25 L.Ed

1061; *In re Mills*, 135 U.S. 263, 268, 10 S.Ct. 762, 34 L.Ed 107; *McAllister v. United States*, 141 U.S. 174, 182, 11 S.Ct. 949, 35 L.Ed 693; *Stephens v. Cherokee Nation*, 174 U.S. 445, 476, 477, 19 S.Ct. 722, 43 L.Ed 1041; *Summers v. United States*, 231 U.S. 92. 101, 102, 34 S.Ct. 38, 52 L.Ed3 137; *United States v. Burroughs*, 289 U.S. 159, 163, 53 S.Ct. 574, 77 L.Ed 1096. Not only did the promulgating order use the term District Courts of the United States in its historic and proper sense, but the omission of provision for application of the rules to the territorial courts and other courts mentioned in the authorizing act clearly shows the limitation that was intended." [*Mookini v. U.S.* 201, 58 S.Ct. 543 (1938)]

Note: In the Judicial Code 1911, 36 Stat. 1087 - 1169 abolished the "District Courts of the United States" and replaced them with the Legislative courts "United States District Courts". The difference between the two is Legislative vs Judicial. All Legislative courts are fraud, claiming the authority to conduct a judicial process.

"Bill of attainder. Legislative acts, no matter what their form, that apply either to named individuals or to easily ascertainable members of a group in such a way as to inflict punishment on them without a judicial trial. *United States v. Brown*, 381 U.S. 437, 448-49, 85 S.Ct. 1707, 1715, 14 L.Ed 484, 492; *United States v. Lovett*, 328 U.S. 303, 315, 66 S.Ct. 1073, 1079, 90 L.Ed 1252. An act is a "bill of pains and penalties" when the punishment is less severe; both kinds Section 9 Cl. 3

(as to Congress); Art. I, Sect. 10 (as to State Legislatures)." [Black's Law Dictionary, Sixth Edition p. 165]

Case Law

"But when a judge knows that he lacks jurisdiction, or acts in the face of clearly valid statutes or case law expressly depriving him of jurisdiction, judicial immunity is lost. See *Bradly v. Fisher*, 80 U.S. (13 Wall) at 351 ("when the want of jurisdiction is known to the judge, no excuse is permissible") *Turner v. Raynes*, 611 F.2d 92.95 (5th Cir 1980) (Stump is consistent with the view that "a clearly inordinate exercise of unconfirmed jurisdiction by a judge - one so crass as to establish that he embarked on it either knowingly or recklessly - subjects him to personal liability')." [*Rankin v. Howard*, 633 F.2d 844 (1980)].

Summation

The United States Supreme Court has established by Precedence that the UNITED STATES DISTRICT COURTS are Article IV Courts (Legislative Courts) not Article III, Judicial Courts (District Courts of the United States).

18 U.S.C. 3231

"The district courts of the United States shall have original jurisdiction, exclusive of the courts of the States, of all offenses against the laws of the United States."

Because Congress has refused to restore Article III “District Courts of the United States” the Rules and Statues reserved to the Article III Courts cannot be usurped by an Article IV Legislative Court (AKA UNITED STATES DISTRICT COURT). This makes it lawfully impossible for Jack Smith and Jay I. Bratt to establish this court has jurisdiction to proceed in this cause of action. Because all BAR Association members are complicit in this fraud, it is necessary for “Public Safety” to intervene in this cause of action to enforce the Constitutional Rights, privileges and immunities of Defendants on behalf of We, the people of the United States of America acting in compliance of the supreme law of the land within our Constitutional Republic.

republic, *n.* A system of government in which the people hold sovereign power and elect representatives who exercise that power. It contrasts on the one hand with a pure democracy, in which the people or community as an organized whole wield the sovereign power of government, and on the other with the rule of one person (such as a king or dictator) or of an elite group (such as an Oligarchy, aristocracy, or junta). – Abbr. rep. Cf. DEMOCRACY -- **republican**, *adj.*

“Judgment of Acquittal”

Based upon the foregoing facts, law and evidence the Tribunal denny ray hardin finds that the “UNITED STATES DISTRICT COURT SOUTHERN DISTRICT

OF FLORIDA” has no jurisdiction to proceed in this cause of action. Tribunal denny ray hardin finds “fraud on the court” is present in this prosecution by Jack Smith and Jay I. Bratt who are subject to “Attainder” and declared outlaws in this cause of action for proceeding without authority of law.

Black’s Law Dictionary, Eighth Edition Page 137.

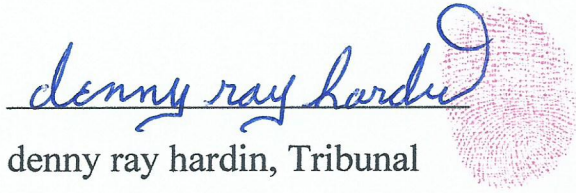
– attainder “1. At common law, the act of extinguishing a person’s civil rights when that person is sentenced to death or declared an outlaw for committing a felony or treason.” “The word attainder is derived from the Latin term *attinctus*, signifying stained or polluted and includes in its meaning all those disabilities which flow from a capital sentence. On the attainder, the defendant is disqualified to be a witness in any court, he can bring no action, nor perform any of the legal functions which before he was admitted to discharge; he is, in short, regarded as dead in law.”

It is the determination of the Tribunal denny ray hardin, in this common law Court of Record, that this cause of action is without merit, without jurisdiction, without authority of law and therefore null and void as repugnant to the Constitution of the United States of America and the Bill of Rights. It is the lawful duty of *Judex Cannon* to dismiss this cause of action and close the file.

On the Record, For the Record:

**It is so “Ordered” on this 26th day of June, in the year of our Lord 2023,
under the “Seal” of the “Tribunal” denny ray hardin.**

Tribunal, Seal


denny ray hardin, Tribunal

DBA DENNY RAY HARDIN, CEO, Agent

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