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**UNITED STATES DISTRICT COURT FOR THE  
DISTRICT COURT OF OREGON**

Wayne L. Morse U.S. Courthouse, 405 East 8<sup>th</sup> Avenue, Eugene, OR 97401

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Dwight Lincoln Hammond, Steven Dwight Hammond and William Joseph Goode, 3900 Stockton Hill Road, Suite B-184, Kingman, AZ 86409; Phone: (562) 667-7095; Next Friend acting on behalf of Petitioner, Rule 17, 28 U.S.C.

**Tribunal - Unified United States Common Law Grand Jury<sup>1</sup>:**

P.O. Box 59; Valhalla, New York 10595

**TO** - Magistrate Judge Patricia Sullivan, assigned by UUSCLGJ

[NOTE: *Written approval from UUSCLGJ required for any reassignment*]

**Court of Origin - UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON, de facto  
CASE NO. 6:10-CR-60066-aa, statutory**

Dwight Lincoln Hammond, Steven Dwight Hammond  
and William Joseph Goode,

Petitioner

Against

Magistrate Judge Michael R. Hogan (retired), Chief  
Judge Ann L. Aiken, Harney County Sheriff David  
Glerup (retired), U.S. Marshal Russel E. Burger, U.S.  
Attorney Amy E. Potter, U.S. Attorney Frank R.  
Papagni, Jr.,

Respondents

**Assigned: Magistrate Judge Patricia Sullivan  
FEDERAL CASE NO. 1776-1789-2015, de jure  
CORAM NOBIS<sup>2</sup>**

**Writ of Habeas Corpus Order to Show Cause  
And Writ Certiorari<sup>3</sup>**

**American Jurisprudence Constitutional Law §326:** Free Justice and Open Courts; Remedy for All Injuries: In most of the State Constitutions there are provisions, varying slightly in terms, which stipulate that justice shall be administered to all

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<sup>1</sup> “**The grand jury** is an institution separate from the courts over whose functioning the courts do not preside... the grand jury is mentioned in the Bill of Rights, but not in the body of the Constitution. It has not been textually assigned, therefore, to any of the branches described in the first three (3) Articles. It is a constitutional fixture in its own right. In fact, the whole theory of its function is that it belongs to no branch of the institutional government, serving as a kind of buffer or referee between the Government and the people... The grand jury’s functional independence from the judicial branch is evident, both in the scope of its power to investigate criminal wrongdoing; and, in the manner in which that power is exercised. ‘Unlike [a] [c]ourt, whose jurisdiction is predicated upon a specific case or controversy, the grand jury can investigate merely on suspicion that the law is being violated; or, even because it wants assurance that it is not.’” United States v. John H. Williams, 112 S. Ct. 1735, 504; U.S. 36, 118, L. Ed. 2d, 352, (1992).

<sup>2</sup> **CORAM NOBIS:** Before us ourselves, (the King, i.e., in the King’s Bench) applied to Writs of Error directed to another branch of the same court, e.g., from the full bench to the court at nisi prius. 1 Archb. Pr. K. B. 234.

<sup>3</sup> **Writ Certiorari:** Latin meaning to be informed of; to be made certain in regard to; the name of a Writ of Review or Inquiry. Leonard v. Willcox, 101 Vt. 195, 142 A. 762, 766; Nissen v. International Brotherhood of Teamsters, Chauffeurs, Stablemen & Helpers of America, 229 Iowa 1028, 295 N.W. 858.

without delay or denial; without sale or prejudice; and, that the courts shall always be open to all alike. These provisions are based largely upon the Magna C[h]arta, Chap. 40, which provides: "*We will sell to no man. We will not deny to any man either justice or right.*" The chief purpose of the Magna C[h]arta provision was to prohibit the King from selling justice by imposing fees on litigants through his courts; and, to deal a death blow to the attendant venal and disgraceful practices of a corrupt judiciary in demanding oppressive gratuities for giving or withholding decisions in pending causes. It has been appropriately said that in a free government the doors of litigation are already wide open; and, must constantly remain so. The extent of the constitutional provision has been regarded as broader than the original confines of Magna C[h]arta; and, such constitutional provision has been held to prohibit the selling of justice, not merely by magistrates, but by the State itself.

To Magistrate Judge Michael R. Hogan (retired), Chief Judge Ann L. Aiken, Harney County Sheriff David Glerup (retired), U.S. Marshal Russel E. Burger, U.S. Attorney Amy E. Potter, U.S. Attorney Frank R. Papagni, Jr.: Please take **NOTICE** that on **December 31, 2015**, a **PETITION FOR WRIT OF HABEAS CORPUS** was filed in the above-entitled court.

**EMERGENCY HEARING - PAPERS DUE: January 8, 2016; RESPONDENTS ARE TO MAIL RESPONSE TO: P.O. Box 59; Valhalla, New York 10595.**

Magistrate Judge Michael R. Hogan (retired)  
U.S. District Court for the District of Oregon  
Wayne L. Morse U.S. Courthouse  
405 East 8<sup>th</sup> Avenue, Room 5500  
Eugene, OR 97401-27

Chief Judge Ann Aiken  
U.S. District Court for the District of Oregon  
Wayne L. Morse U.S. Courthouse  
405 East 8<sup>th</sup> Avenue, Room 5500  
Eugene, OR 97401-2706

Harney County Sheriff David Glerup (retired)  
485 North Court Avenue No. 6  
Burns, OR 97720-1524

U.S. Marshal Russel E. Burger  
United States District of Oregon  
Mark O. Hatfield U.S. Courthouse  
1000 S.W. 3<sup>rd</sup> Avenue, Room 401  
Portland, OR 97204

U.S. Attorney Amy E. Potter  
Office of the U.S. Attorney General  
405 East 8<sup>th</sup> Avenue, Suite 2400  
Eugene, OR 97401

U.S. Attorney Frank R. Papagni, Jr.  
Office of the U.S. Attorney General  
405 East 8<sup>th</sup> Avenue, Suite 2400  
Eugene, OR 97401

**IT APPEARING THAT THE APPLICANT IS ENTITLED THERETO**, Magistrate Judge Michael R. Hogan (retired), Chief Judge Ann L. Aiken, Harney County Sheriff David Glerup (retired), U.S. Marshal Russel E. Burger, U.S. Attorney Amy E. Potter, U.S. Attorney Frank R. Papagni, Jr. are directed, in accordance with 28 U.S.C. §2243, to forthwith release the party, herein-named as Petitioner, from custody. If Petitioner is not forthwith released from custody, then within three (3) calendar days after service of this Writ, Magistrate Judge Michael R. Hogan (retired), Chief Judge Ann L. Aiken, Harney County Sheriff David Glerup (retired), U.S. Marshal Russel E. Burger, U.S. Attorney Amy E. Potter, U.S. Attorney Frank R. Papagni, Jr. shall make a Return, certifying the true nature and cause of the detention; and, shall Show Cause why the Writ should not be granted; mailing the same to P.O. Box 59, Valhalla, New York 10595, no later than 5pm on the last day of the above-stated, three-day (3) period allowed for response.

Magistrate Judge Michael R. Hogan (retired), Chief Judge Ann L. Aiken, Harney County Sheriff David Glerup (retired), U.S. Marshal Russel E. Burger, U.S. Attorney Amy E. Potter, U.S. Attorney Frank R. Papagni, Jr. must each state in his Return, plainly and unequivocally:

- 1) Whether or not he has the party, herein-named as Petitioner, in his custody, or under his power, or restraint.
- 2) If he has the Petitioner in his custody, or power, or under his restraint, he must state the authority, and cause of such imprisonment, or restraint.
- 3) If the Petitioner is detained by virtue of any sworn Writ, Warrant or other written authority, a sworn copy thereof must be annexed to the Return; and, the original produced and exhibited to the Court or Magistrate on the Hearing of such Return. All unsworn documentary evidence will be refused for cause as hearsay.
- 4) If the respondent upon whom the Writ is served had the Petitioner in his power, or custody, or under his restraint at any time prior, or subsequent to the date of the Writ of Habeas Corpus; but, has transferred such custody, or restraint to another, the Return must state particularly to whom, at what time and place, for what cause, and by what authority such transfer took place.
- 5) The Return must be signed and sworn to by the respondent making the same; and, except when such respondent is a sworn public officer and makes such Return in his official capacity, it must be verified by his oath.
- 6) The applicant or the Petitioner detained, may, under oath, deny any of the facts set forth in the Return or allege any other material facts.
- 7) The Return and all suggestions made against it, may be amended, by leave of court, before or after being filed.
- 8) When the Writ or Order is returned, a day shall be set for a Hearing that is not more than three (3) days after the Return, unless for good cause additional time is allowed.
- 9) Because the Petition presents issues of fact, as well as issues of law, if Petitioner is constrained by actual physical force, then the Jailer is required to produce, at the Hearing, the body of the Petitioner detained.
- 10) Was the grand jury instructed that code violations are law?
- 11) What documented proof of a crime was submitted to the grand jury?
- 12) Was the grand jury advised of their right of nullification?
- 13) Did the jury members fill out a questionnaire before being chosen? If so, provide a copy.
- 14) Was the Indictment approved as to form without the signature of a Grand Jury Foreman?
- 15) Why is the Indictment, written by a BAR Attorney, telling a story and offering no authenticated evidence and/or sworn statements from any injured party?
- 16) Are there any Affidavits from a witness?
- 17) Are there any Affidavits from an injured party?

- 18) Answer all charges in Petitioner's Petition.
- 19) Rebut Petitioner's Affidavit.

The Court is to notify this body (UUSCLGJ) by mail; and, Dwight Lincoln Hammond, Steven Dwight Hammond and William Joseph Goode by mail and phone; to inform them as to the time and date of the Hearing to be held at the above-said courthouse. At the Hearing, Magistrate Judge Patricia Sullivan shall summarily hear and determine the facts; shall dispose of the matter as law and justice require under American Jurisprudence, a/k/a the rules of common law, not chancery; and, shall mail by United States Post Office a certified copy of Decision immediately (within 24 hours) to the Unified United States Common Law Grand Jury for judicial review.

If respondents default and therefore schedule no Hearing, then Magistrate Judge Patricia Sullivan shall confirm release of Petitioner and abatement; and, inform the Unified United States Common Law Grand Jury of the same by mail.

THE COURT dated December 31, 2015.

(seal)



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Grand Jury Administrator



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**UNITED STATES DISTRICT COURT FOR THE  
DISTRICT COURT OF OREGON**

Wayne L. Morse U.S. Courthouse, 405 East 8<sup>th</sup> Avenue, Eugene, OR 97401

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Dwight Lincoln Hammond, Steven Dwight Hammond and William Joseph Goode, 3900 Stockton Hill Road, Suite B-184, Kingman, AZ 86409; Phone: (562) 667-7095; Next Friend acting on behalf of Petitioner, Rule 17, 28 U.S.C.

**TO: Unified United States Common Law Grand Jury**

P.O. Box 59; Valhalla, New York 10595

**RE: UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON, de facto**

**CASE NO. 6:10-CR-60066-aa, statutory**

Dwight Lincoln Hammond, Steven Dwight Hammond and  
William Joseph Goode,

Petitioner

Against

Magistrate Judge Michael R. Hogan (retired), Chief Judge Ann  
L. Aiken, Harney County Sheriff David Glerup (retired), U.S.  
Marshal Russel E. Burger, U.S. Attorney Amy E. Potter, U.S.  
Attorney Frank R. Papagni, Jr.,

Respondents

**FEDERAL CASE NO. 1776-1789-2015**

## **Petition for Habeas Corpus for Cause<sup>1</sup>**

**American Jurisprudence Constitutional Law §326:** Free Justice and Open Courts; Remedy for All Injuries: In most of the state Constitutions there are provisions, varying slightly in terms, which stipulate that justice shall be administered to all without delay or denial; without sale or prejudice; and, that the courts shall always be open to all alike. These provisions are based largely upon the Magna C[h]arta, Chap. 40, which provides: *“We will sell to no man. We will not deny to any man either justice or right.”* The chief purpose of the Magna C[h]arta provision was to prohibit the King from selling justice by imposing fees on litigants through his courts; and, to deal a death blow to the attendant venal and disgraceful practices of a corrupt judiciary in demanding oppressive gratuities for giving or withholding decisions in pending causes. It has been appropriately said that in a free government the doors of litigation are already wide open; and, must constantly remain so. The extent of the constitutional provision has been regarded as broader than the original confines of Magna C[h]arta; and, such constitutional provision has been held to prohibit the selling of justice, not merely by magistrates, but by the State itself.

**COMES NOW** Dwight Lincoln Hammond, Steven Dwight Hammond and William Joseph Goode, hereinafter referred to as Petitioner, People of Oregon State, in this court of record under Article III, Section 2, of the Constitution, whereby the judicial power shall extend to all cases in law arising under the Constitution; and, Article, IV, Section 4, whereby the United States shall guarantee to every State in this Union a Republican Form of Government and shall protect each of them against invasion of rights. The jurisdiction being the SUPREME LAW OF THE LAND under Article VI, Clause 2, Petitioner hereby petitions the Unified United States Common Law Grand Jury,<sup>1</sup> hereinafter referred to as judicial tribunal,<sup>2</sup> for the right of Writ of Habeas Corpus<sup>3</sup> to inquire into the cause of imprisonment and restraint of Liberty of said petitioner who is not subject to the jurisdiction of the following custodians:

Magistrate Judge Michael R. Hogan (retired)  
U.S. District Court for the District of Oregon  
Wayne L. Morse U.S. Courthouse  
405 East 8<sup>th</sup> Avenue, Room 5500  
Eugene, OR 97401-27

Chief Judge Ann Aiken  
U.S. District Court for the District of Oregon  
Wayne L. Morse U.S. Courthouse  
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U.S. Attorney Amy E. Potter  
Office of the U.S. Attorney General  
405 East 8<sup>th</sup> Avenue, Suite 2400  
Eugene, OR 97401

U.S. Attorney Frank R. Papagni, Jr.  
Office of the U.S. Attorney General  
405 East 8<sup>th</sup> Avenue, Suite 2400  
Eugene, OR 97401

**NOTICE IS HEREBY GIVEN** to the Court and all interested parties that Case No. **6:10-cr-60066-AA**, (statutory) in the de facto UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON, is

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<sup>1</sup> The sureties of the peace of faithful service: Magna Carta, paragraph 49.

<sup>2</sup> Judicial Tribunal: ...having attributes; and, exercising functions independently of the person of the magistrate designated generally to hold it. Jones v. Jones, 188 Mo.App. 220, 175 S.W. 227, 229; Ex parte Gladhill, 8 Metc. Mass., 171, per Shaw, C.J.; Ledwith v. Rosalsky, 244 N.Y. 406, 155 N.E. 688, 689; Black's 4<sup>th</sup>, 425, 426.

<sup>3</sup> The privilege of the Writ of Habeas Corpus shall not be suspended. US Constitution Article I Section 9.

removed to the de jure UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON, common law, for Habeas Corpus for Cause.

**PETITIONER MAY PROSECUTE A WRIT OF HABEAS CORPUS  
TO INQUIRE INTO THE CAUSE OF THE RESTRAINT**

- 1) Application for a Writ of Habeas Corpus shall be in writing, signed and verified by the person for whose relief it is intended; or, by someone acting on his behalf. 28 U.S.C. §2242.
- 2) Every person unlawfully committed, detained, confined or restrained of his Liberty or Property, under any pretense whatsoever, may prosecute a Writ of Habeas Corpus to inquire into the cause of such imprisonment or restraint.

*“In the United States Habeas Corpus exists in two forms: Common Law and Statutory. The Constitution for the United States of America acknowledges the Peoples’ right to the common law of England as it was in 1789. It does not consist of absolute, fixed and inflexible rules; but, broad and comprehensive principles based on justice, reason and common sense...” Miller v. Monsen, 37 N.W. 2d 543, 547, 228 Minn. 400.*

**28 U.S.C. §2243**: Issuance of Writ; Return; Hearing; Decision: A court justice, or court judge [tribunal] entertaining an Application for a Writ of Habeas Corpus, **shall forthwith award the Writ**; or, issue an Order directing the respondents to Show Cause why the Writ should not be granted; unless it appears from the Application that the Applicant, or person detained, is not entitled thereto. The Writ, or Order to Show Cause, shall be directed to the person having custody of the person detained. It shall be returned within three (3) days.

The privilege of the Writ of Habeas Corpus shall not be suspended... United States Constitution, Article I, Section 9.

- 3) This Habeas Corpus is prosecuted because the taking of the People into custody was without due process in a court of law, a/k/a court of record. The respondents’ court acted under statutes; and, therefore, was not a court of record; but, rather, a nisi prius court. In this way jurisdiction was fraudulently acquired without petitioner volunteering or knowingly agreeing to the proceeding.
- 4) Respondents gathered a biased statutory jury; a jury not under common law; a jury under a court not of record, i.e., not at law<sup>4</sup>; a jury which has no power to fine or imprison.<sup>5</sup>
- 5) No State can deprive any person of life, Liberty, or property, without due process of law; nor, deny any person within its jurisdiction the equal protection of the laws. Any court that ignores due process is not a common law court. Such action of a court that deprives or denies due process of law proves that court to be unlawful; and, consequently, having no legal authority over the Petitioner without his consent.

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<sup>4</sup> **AT LAW**: This phrase is used to point out that a thing is to be done according to the course of the common law; it is distinguished from a proceeding in equity. Black’s 4<sup>th</sup>.

<sup>5</sup> **COURTS OF RECORD and COURTS NOT OF RECORD**: “...the former [Courts of Record] being those whose acts and judicial proceedings are enrolled, or recorded, for a perpetual memory and testimony; and, which have power to fine or imprison for contempt. Error lies to their judgments; and, they generally possess a seal. Courts Not of Record are those of inferior dignity, which have no power to fine or imprison; and, in which the proceedings are not enrolled or recorded.” 3 Bl. Comm. 24; 3 Steph. Comm. 383; The Thomas Fletcher, C.C.Ga., 24 F. 481; Ex parte Thistleton, 52 Cal 225; Erwin v. U.S., D.C.Ga., 37 F. 488, 2 L.R.A. 229; Heininger v. Davis, 96 Ohio St. 205, 117 N.E. 229, 231.

Pursuant to Supreme Court Annotated Statute: *“The State citizen is immune from any and all government attacks and procedure.”* Dred Scott v. Sanford, 60 U.S. 19 How. 393. The Supreme Court has stated clearly: *“...every man is independent of all laws, except those prescribed by nature. He is not bound by any institutions formed by his fellowmen [fellowman] without his consent.”* Cruden v. Neale, 2 N.C. 338 2 S.E. 70.

- 6) The nisi prius court is, in fact, a nisi prius court falsa because respondents have taken unlawful dominion of Petitioner so as to deprive him of his court of law. Petitioner should be immediately released so that he may return to the jurisdiction of his own court. Any charges of incompetence are fraud on the court. See Affidavit(s) attached.
- 7) Petitioner herein declares: He has seen no sworn documentary evidence from a competent fact witness to lawfully assert a challenge to his competency as one of the People; no servant has the authority to declare differently without evidence in a court of law; government servants cannot restrain or incarcerate people because they disagree with them.

Any constitutional provision intended to confer a benefit should be liberally construed in favor of the clearly intended and expressly designated beneficiary. *“Then [that] a constitution should receive a literal interpretation in favor of the Citizen is especially true with respect to those provisions which were designed to safeguard the Liberty and security of the Citizen in regard to person and property.”* 16Am Jur 2d, Sec. 97; Byars v. United States, 273 U.S. 128.

- 8) Petitioner has been subjected to unlawful imprisonment or restraint. Petitioner is thus petitioning William Joseph Goode, his friend for a Writ of Habeas Corpus to demand that his Liberty be restored.

**BECAUSE THE RESPONDENTS’ COURT  
SHOULD HAVE BEEN A COURT OF RECORD BUT INSTEAD  
FRAUDULENTLY CONCEALED ITS JURISDICTION UNDER COLOR OF LAW  
A WRIT OF HABEAS CORPUS SHOULD ISSUE**

- 9) The Constitution for the United States of America, Article III, Section I, grants that judges, both of the Supreme and inferior courts, shall hold their offices during good behavior.<sup>6</sup> No judge may act without jurisdiction; and, all lawful jurisdictions must be ordained and established<sup>7</sup> by the People.
- 10) The Constitution for the United States of America, Article IV, Section 4, guarantees a Republican Form of Government<sup>8</sup> and protection against domestic Violence. When a judge enforces acts beyond his authority

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<sup>6</sup> **GOOD BEHAVIOR:** “Good behavior” means conduct that is authorized by law. “Bad behavior” means conduct such as the law will punish. *State v. Hardin, 183 N.C. 815, 112 S.E. 593, 594; Orderly and Lawful Conduct. Huyser v. Com., 25 Ky.L. Rep. 608, 76 S.W. 175; In re Spenser, 22 Fed.Cas. 921; “Good behavior” means conduct conformable to law; or, to the particular law theretofore breached. Ex parte Hamm, 24 N.M. 33, 172 P. 190, 191, L.R. A.1918D, 694; Baker v. Commonwealth, 181 Ky. 437, 205 S.W. 399, 401.*

<sup>7</sup> **U.S. CONSTITUTION, PREAMBLE:** “We the people of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.”

<sup>8</sup> **U.S. CONSTITUTION, ARTICLE IV SECTION 4:** “The United States shall guarantee to every State in this Union a Republican Form of Government; and, shall protect each of them against Invasion; and, on Application of the Legislature or of the Executive (when the Legislature cannot be convened) against domestic Violence.”

under color of law,<sup>9</sup> judicial immunity is lost.<sup>10</sup> Such actions are nothing less than lawless violence.<sup>11</sup> Likewise, legislative jurisdiction that is not authorized by the United States Constitution is as inoperative as though it had never been passed,<sup>12</sup> and, judges proceeding without jurisdiction are indictable for treason.<sup>13</sup> Judges are expected to know the law.

- 11) The Constitution for the United States of America, Article III, Section 2, authorizes two (2) jurisdictions: Law and Equity.<sup>14</sup> A court of equity follows the forms and procedure of chancery as distinguished from common law.<sup>15</sup> A “court of equity” and a “court of chancery” are synonymous.<sup>16</sup> A court of law means court of common law,<sup>17</sup> a court for the People. In alleged<sup>18</sup> criminal cases, when judges claim that they are bound by legislation authorized by the Constitution as they act under equity, rather than law, they commit fraud on the court. The Law of the Land is common law,<sup>19</sup> not equity; and, judges in every State are bound thereby.
- 12) Equity courts are nisi prius<sup>20</sup> courts; courts not of record; courts proceeding according to statutes. They have no power to fine or imprison; and, to do so is a crime. Courts of law are courts of record and proceed according to common law.
- 13) Under Common Law the following maxims apply:

*“For there to be a crime, there must to be a victim (corpus delicti). In the absence of a victim there can be no crime.”*

*“For a crime to exist there must be an injured party. There can be no sanction or penalty imposed upon one because of this exercise of Constitutional rights.” Sherar v. Cullen, 481 F. 945.*

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<sup>9</sup> **COLOR OF LAW:** The appearance or semblance of legal right without the substance. Black's 4<sup>th</sup>; *State v. Brechler*, 185 Wis. 599, 202 N.W. 144, 148; *“Misuse of power [is power] possessed by virtue of State law; and, [is] made possible only because [the] wrongdoer is clothed with authority of State; [and,] is action taken under ‘color of State law’.*” *Atkins v. Lanning*, 415 F. Supp. 186, 188.

<sup>10</sup> “When a judge knows that he lacks jurisdiction, or acts in the face of clearly valid statutes expressly depriving him of jurisdiction, judicial immunity is lost.” *Rankin v. Howard*, (1980) 633 F.2d 844, cert. den.; *Zeller v. Rankin*, 101 S.Ct. 2020, 451 U.S. 939, 68 L.Ed 2d 326.

<sup>11</sup> “No judicial process, whatever form it may assume, can have any lawful authority outside of the limits of the jurisdiction of the court or judge by whom it is issued; and, an attempt to enforce it beyond these boundaries is nothing less than lawless violence.” *Ableman v. Booth*, 21 Howard 506 (1859).

<sup>12</sup> “An unconstitutional act is not law; it confers no right; it imposes no duties; it affords no protection; it creates no office; it is, in legal contemplation, as inoperative as though it had never been passed.” *Norton v. Shelby County*, 118 U.S. 425 p.442.

<sup>13</sup> “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.” *Cohen v. Virginia* (1821) 6 Wheat. 264; *U.S. v. Will*, 449 U.S. 200.

<sup>14</sup> **U.S. CONSTITUTION, ARTICLE III, SECTION 2:** The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority.

<sup>15</sup> **COURT OF EQUITY:** A court which has jurisdiction in equity; which administers justice and decides controversies in accordance with the rules, principles and precedents of equity; and, which follows the forms and procedure of chancery; as distinguished from a court having the jurisdiction, rules, principles and practice of the common law. *Thomas v. Phillips*, 4 Smedes & M., Miss., 423.

<sup>16</sup> **“EQUITY” and “CHANCERY”:** “Court of Equity” and “Court of Chancery” are constantly used as synonymous in the United States. It is presumed that this custom arises from the circumstance that the equity jurisdiction, which is exercised by the courts of the various States, is assimilated to that possessed by the English courts of chancery. Indeed, in some of the States, it is made identical therewith by statute, so far as conformable to our institutions. *Wagner v. Armstrong*, 93 Ohio St. 443, 113 N.E. 397, 401.

<sup>17</sup> **AT LAW:** Is used to point out that a thing is to be done according to the course of the common law; it is distinguished from a proceeding in equity. Black's 4<sup>th</sup>.

<sup>18</sup> “The law itself is on trial quite as much as the cause which is to be decided.” Harlan F. Stone, 12<sup>th</sup> Chief Justice U.S. Supreme Court, 1941.

<sup>19</sup> **U.S. CONSTITUTION, ARTICLE VI:** This Constitution and the Laws of the United States which shall be made in Pursuance thereof; and, all Treaties made, or which shall be made, under the Authority of the United States, shall be the Supreme Law of the Land; and, the judges in every State shall be bound thereby, anything in the Constitution or Laws of any State to the Contrary notwithstanding.

<sup>20</sup> **NISI PRIUS:** Where courts bearing the name “nisi prius” exist in the United States, they are instituted by statutory provision. “Nisi prius” is a Latin term. “Prius” means “first”. “Nisi” means “unless”. A “nisi prius” procedure is a procedure to which a party FIRST agrees UNLESS he objects. A rule of procedure in courts is that if a party fails to object to something, then it means he agrees to it. A nisi prius procedure is a procedure to which a person has failed to object. A “nisi prius court” is a court which will proceed unless a party objects. The agreement to proceed is obtained from the parties first. *Bouvier's Law*; Black's 5<sup>th</sup>.

- 14) Constitutions must be construed to reference the common law; summary proceedings are null and void.<sup>21</sup> “‘As to the construction with reference to Common Law, an important canon of construction is that constitutions must be construed to reference to the Common Law.’ The Common Law permitted destruction of the abatement of nuisances by summary proceedings; and, it was never supposed that a constitutional provision was intended to interfere with this established principle; and, there is no common law of the United States in a sense of a national customary law as distinguished from the common law of England, adopted in the several States. In interpreting the Federal Constitution, recourse may still be had to the aid of the Common Law of England. It has been said that without reference to the common law, the language of the Federal Constitution could not be understood.” 16Am Jur 2d, Sec. 114.
- 15) Respondent Magistrate Judge Michael R. Hogan and Chief Judge Ann L. Aiken acted without constitutional authority, thereby without jurisdiction and under color of law, using unconstitutional statutes and summary proceedings that are null and void under common law. Furthermore, respondent Magistrate Judge Michael R. Hogan and Chief Judge Ann L. Aiken refused to identify the jurisdiction he was operating under, which clearly was not under common law; and, therefore, was under equity, a court not of record, a court without the power to imprison, a court without the consent of Petitioner, a court thereby acting under fraud; therefore, a Writ of Habeas Corpus should issue.

**BECAUSE NO JURISDICTIONAL BASIS FOR CUSTODY  
HAS BEEN PROFFERED OR STATED  
A WRIT OF HABEAS CORPUS SHOULD ISSUE**

- 16) Broad Meaning of Jurisdiction on Habeas Corpus: For purposes of the Writ of Habeas Corpus, as for purposes of prohibition or certiorari, the term “jurisdiction” is not limited to its fundamental meaning; and, in such proceedings, judicial acts may be restrained or annulled if they are determined to be in excess of the court’s powers, as defined by constitutional provision, statute or rules developed by courts.
- 17) The Liberty of the People is restrained by the CUSTODIANS:
- a. Petitioner is in custody by color of the authority of the UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON, and/or the custodians; and, is or was committed for trial before some court thereof. 28 U.S.C. §2241 (c) (1).
  - b. Petitioner is in custody, in violation of the Constitution or laws of the United States. 28 U.S.C. §2241(c) (3).
- 18) Although the true cause of custody of Petitioner has not been stated by the respondents, Petitioner, on information received, believes that the claim of authority is under color of law, in violation of the constitutions of Oregon State and the United States of America. The true basis for jurisdiction by the custodians has never been proffered or stated. Petitioner, as the People, never knowingly or voluntarily agreed to such jurisdiction. Petitioner disputed, and continues to dispute, any false allegation that such agreement was made.

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<sup>21</sup> **SUMMARY PROCEEDINGS:** Summary proceedings are those matters, which when in dispute, are decided without the intervention of a jury. Summary proceedings must be authorized by the legislature; except, perhaps, in cases of contempt, because summary proceedings are unknown to the common law. When cases are to be adjudged promptly, without any unnecessary form, the proceedings are said to be summary. In no case can the party be tried summarily, unless such a proceeding is authorized by legislative authority; except, perhaps, in the case of contempt, because the common law is a stranger to such a mode of trial. Bovier’s Law; 4 Bl. Com. 280; 20 Vin. Ab. 42; Boscawen on Conv.; Paley on Convict.; vide Convictions.

- 19) The jurisdictional facts leading up to the custody and restraint are unknown to Petitioner. The jurisdictional facts by which the custodians presume authority to continue to deprive Petitioner of a court of record are unknown to petitioner.
- 20) Petitioner, on information and belief, alleges that the custodians are funded in whole or in part by the STATES DISTRICT COURT FOR THE DISTRICT OF OREGON. Thus motivated, they are acting under color of law as contractual agents of their principal, the UNITED STATES OF AMERICA.
- 21) The court lacks Personam Jurisdiction because it proceeds under statutes; is, therefore, a nisi prius court not of record; and, does not have Petitioner's consent.
- 22) Petitioner did not consent; and, therefore, is immune from any and all government attacks and procedures.<sup>22</sup>
- 23) Petitioner is independent of all laws, except those prescribed by nature; and, is not bound by any institutions formed by his fellowman without Petitioner's consent.<sup>23</sup>
- 24) The custodians do not state and the proceedings do not show any lawful authority or jurisdictional facts enabling the custodians to lawfully take dominion over a People of Oregon. Lacking such jurisdiction, their actions can only be under color of law, violating due process, in order to execute their own private agendas, whatever those may be. Therefore, a Writ of Habeas Corpus should issue.

**BECAUSE PETITIONER WAS DEPRIVED OF LIBERTY  
WITHOUT DUE PROCESS  
A WRIT OF HABEAS CORPUS SHOULD ISSUE**

- 25) Respondents proceeded as a court of equity, which is not a court of record; and, therefore, had no power to imprison Petitioner.

**Confirmatio Cartarum:**<sup>24</sup> *"...sovereign People shall not be taken, or imprisoned, or disseised, or outlawed, or exiled, or anywise destroyed... but by lawful judgment of his peers, or by the law of the land."* Magna Carta, Chapter 39, sometimes referred to as Chapter 29.

- 26) Petitioner responded *Obsta Principiis*<sup>25</sup> from the beginning; and/or, continues the same, against said first of all courts not of record, state or federal.
- 27) Petitioner was denied due process of law, which denial of due process of law violated Petitioner's unalienable rights as protected by the 5<sup>th</sup> Amendment:

*"No person shall be... deprived of life, Liberty or property without due process of law. Due course of law: this phrase is synonymous with due process of law, or 'law of the land'; and, means law in its regular course of administration through courts of justice."* Kansas Pac. Ry. Co. v. Dunmeyer 19 Kan 542; *"Law in its regular course of administration through courts of justice [courts of record] is due process."* Leeper v. Texas, 139 U.S. 462, 11 S.Ct. Rep 577, 35 L.Ed 225.

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<sup>22</sup> **SUPREME COURT ANNOTATED STATUTE:** *"The state citizen is immune from any and all government attacks and procedure."* Cruden v. Neale, 2 N.C. 338 2 S.E. 70; Dred Scott v. Sanford, 60 U.S. 19 How. 393.

<sup>23</sup> "...every man is independent of all laws, except those prescribed by nature. He is not bound by any institutions formed by his fellowman without his consent." Cruden v. Neale, 2 N.C. 338 May Term 1796.

<sup>24</sup> **CONFIRMATIO CARTARUM 1297:** The Magna Carta must be accepted as the common law by government. The Magna Carta is the supreme law. All other contrary law and judgments are void.

<sup>25</sup> **OBSTA PRINCIPIIS:** (Latin) Withstand beginnings; resist the first approaches or encroachments. J. Bradley, Boyd v. U.S., 116 U.S. 635, 6 S.Ct. 535, 29 L.Ed. 746.

28) Petitioner was deprived of his unalienable right of due process in a “court of law”, a/k/a common law, as secured by the 5<sup>th</sup> Amendment; and, therefore, a Writ of Habeas Corpus should issue.

**BECAUSE PETITIONERS WERE THE VICTIMS OF BARRATRY  
MAINTENANCE AND CHAMPERTY  
A WRIT OF HABEAS CORPUS SHOULD ISSUE**

29) Petitioner charges all respondents with conspiracy to execute common barratry,<sup>26</sup> maintenance<sup>27</sup> and Champerty.<sup>28</sup>

**BECAUSE CUSTODIANS HAVE ENGAGED IN PROSECUTORIAL VINDICTIVENESS  
A WRIT OF HABEAS CORPUS SHOULD ISSUE  
BURDEN IS UPON RESPONDENTS TO REBUT PRESUMPTION**

30) The court not of record, that has no power to restrain, imprison, take property or fine, is holding Petitioner for the action of the statutorily instructed and reactive grand jury.

31) Petitioner objects to the jurisdiction and process of the court not of record.

32) The court not of record that has no power to restrain, imprison, take property or fine; and, in violation of its own corporate charter, has, therefore, unlawfully restrained the liberty or property of Petitioner.

33) Respondents, in violation of 18 U.S.C. §241;<sup>29</sup> 18 U.S.C. §242;<sup>30</sup> 42 U.S.C. §1983;<sup>31</sup> and, 42 U.S.C. §1985;<sup>32</sup> exceeded their jurisdiction; acted under color of law, using statutes to willfully subject Petitioner to retaliatory incarceration and/or restraint while conspiring to deprive Petitioner of Petitioner’s rights; and, acted to injure, oppress, threaten and intimidate Petitioner in an attempt to prevent the free exercise and enjoyment of Petitioner’s unalienable rights of Liberty and due process.

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<sup>26</sup> **BARRATRY:** In criminal law. Also spelled "Barretry." The offense of frequently exciting and stirring up quarrels and suits, either at law or otherwise. 4 Bla.Com. 134; State v. Batson, 220 N.C. 411, 17 S.E.2d 511, 512, 513.; "Common barratry is the practice of exciting groundless judicial proceedings." Pen.Code Cal. § 158; Lucas v. Pico, 55 Cal. 128; Corn. v. McCulloch, 15 Mass. 229; Ex parte McCloskey, 82 Tex.Cr.R. 531, 199 S.W. 1101, 1102.

<sup>27</sup> **MAINTENANCE:** consists in maintaining, supporting, or promoting the litigation of another.; "Act of maintaining, keeping up, supporting; livelihood; means of sustenance." Federal Land Bank of St. Louis v. Miller, 184 Ark. 415, 42 S.W.2d 564, 566.

<sup>28</sup> **CHAMPERTY:** is a bargain to divide the proceeds of litigation between the owner of the liquidated claim and a party supporting or enforcing the litigation. Draper v. Lebec, 219 Ind. 362, 37 N.E.2d 952, 956.; A bargain by a stranger with a party to a suit, by which such third person undertakes to carry on the litigation at his own cost and risk, in consideration of receiving, if successful, a part of the proceeds or subject sought to be recovered. Small v. Mott, 22 Wend., N.Y., 405; Gilman v. Jones, 87 Ala. 691, 5 So. 785, 7 So. 48, 4 L.R.A. 113; Jamison Coal & Coke Co. v. Goltra, C.C.A.Mo., 143 F.2d 889, 895, 154 A.L.R. 1191.; The purchase of an interest in a thing in dispute, with the object of maintaining and taking part in the litigation. 7 Bing. 378.

<sup>29</sup> **18 U.S.C. §241 CONSPIRACY AGAINST RIGHTS:** If two (2) or more persons conspire to injure, oppress, threaten, or intimidate any person, in any State, in the free exercise or enjoyment of any right, they shall be fined under this title, or imprisoned not more than ten (10) years, or both.

<sup>30</sup> **18 U.S.C. §242 DEPRIVATION OF RIGHTS UNDER COLOR OF LAW:** Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person, in any State... to the deprivation of any rights... shall be fined under this title, or imprisoned not more than one (1) year, or both.

<sup>31</sup> **42 U.S.C. §1983 CIVIL ACTION FOR DEPRIVATION OF RIGHTS:** Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State... subjects, or causes to be subjected, any... person within the jurisdiction thereof, to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law.

<sup>32</sup> **42 U.S.C. §1985 CONSPIRACY TO INTERFERE WITH CIVIL RIGHTS:** If two (2) or more persons in any State or Territory conspire for the purpose of depriving, either directly or indirectly, [of] any rights, the party so injured or deprived may have an action for the recovery of damages against any one (1) or more of the conspirators.

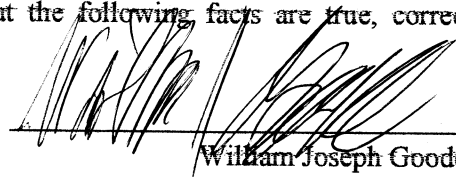


- 34) Respondents, in violation of 18 U.S.C. §2382,<sup>33</sup> acted treasonously when they imprisoned or restrained Petitioner and concealed both their actions and the hidden-court, bond-chattel, moneymaking enterprise operating under color of law; all acting knowingly in concert, with none dissenting.
- 35) Demand is now made to make full material fact disclosure; to see financial books of the Court Registry Investment System; make disclosure of the bid bond, payment bond and the performance bond underwritten against this case; and, make an offer of proof in the aforesaid matters. Demand is also made to show how the court is not profiteering by way of Petitioner's incarceration; show with clean hands how it does not have a strong financial interest to incarcerate the Petitioner and deprive Petitioner of his constitutionally-protected due process rights; and, further explain how the court is not operating constitutionally infirm and not committing honest-services fraud against We the People.
- 36) Respondents exceeded their authority thereby acting under color of law to injure Petitioner.
- 37) Petitioner has not waived common law venue; and, insists on proceeding in a court of record, which is Petitioner's unalienable right.
- 38) Petitioner maintains position as natural man; and, not a person or corporation.

This application for a Writ of Habeas Corpus is signed and verified by Petitioner or on behalf of Petitioner by Next Friend, acting on his behalf.<sup>34</sup> 28 U.S.C. §2242.

**Next Friend:** "A next friend is a person who represents someone who is unable to tend to his or her own interest." Federal Rules of Civil Procedures Rule 17, 28 U.S.C.A.

I, William Joseph Goode, affiant, being of lawful age, qualified and competent to testify to; and, having firsthand knowledge of the aforementioned facts; do hereby affirm that the following facts are true, correct and not misleading.

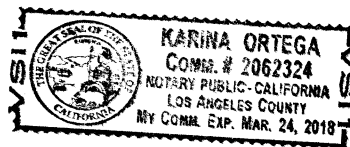
  
 \_\_\_\_\_  
 William Joseph Goode


**NOTARY**

In California State, Los Angeles County, on this 31 day of December, 2015, before me, the undersigned notary public, Karina Ortega, personally appeared William Joseph Goode, to me known to be the living man described herein who executed the foregoing instrument and has sworn before me that he executed the same as his free will act and deed.

A Notary Public or other Officer completing this Certificate verifies only the identity of the individual who signed the document to which this Certificate is attached; and, not the truthfulness, accuracy or validity of that document.

(Notary seal).



  
 \_\_\_\_\_  
 Notary

My commission expires: March 24 2018

<sup>33</sup> **18 U.S.C. §2382 MISPRISION OF TREASON:** Whoever having knowledge of treason, conceals, and does not make known the same to some judge, is guilty of treason for contempt against the sovereign; and, shall be fined under this title, or imprisoned not more than seven (7) years, or both.

<sup>34</sup> **NEXT FRIEND:** Based on Title 28 U.S.C. §454 1940 ed. (R.S. §754). Words "or by someone acting in his behalf" were added. This follows the actual practice of the courts, as set forth in United States ex rel. Funaro v. Waichorn, C.C. 1908, 164 F. 152; Collins v. Traeger, C.C.A. 1928, 27 F.2d 842, and cases cited.

## **Affidavit of William Joseph Goode**

I, William Joseph Goode, Affiant, being of lawful age, qualified and competent to testify to, and having firsthand knowledge of the following facts, do hereby swear that the following facts are true, correct and not misleading.

Beginning on or about December 10<sup>th</sup> through December 14<sup>th</sup> of 2015, I met with Dwight Lincoln Hammond of Burns, Oregon, to write an Affidavit of his case with the Federal Government regarding events which have occurred during the last fifteen (15) years.

On December 13<sup>th</sup>, Dwight took me to meet with Steven Hammond, his son. Dwight told me about the following events with the Federal Government; we prepared an Affidavit, thinking Dwight might sign it; but, then, he declined to do so.

In 2001, Dwight and Steven started a routine-prescribed burn on their private property to improve the productivity of the range for the following year. Before starting the fire, Steven called the Bureau of Land Management (BLM) Fire Dispatch, seeking permission for the burn. Per the recording played in court, Steven was given the burn permission; the BLM was performing prescribed burns a short distance away. After burning the desired grass on the private property of Hammond, the fire moved over to their grazing land and burnt an additional 127 acres of public property. At that time they thought nothing about it because these burns benefit the health and productivity of the land as testified to by the BLM in the 2012 trial. However, the BLM reprimanded them by letter for not getting a fire permit to burn on public land.

In 2006, a large fire was started by lighting that claimed thousands of acres within a short period of time; and, for several days burned through the area; working its way towards the upper parts of the Hammond ranch. In an effort to save their winter grazing grass; and, even possibly their home, Steven started a backfire on their private property to create a fire break; and, possibly extinguish the fire. The backfire was successful; saved their grazing land; and, their home. Steven has practical experience with fire; has participated in rural Fire District meetings; all of which makes him skilled in fire management. No one was ever endangered from the fires Steven managed. Dwight and Steven have never started a fire with malice or intent to harm any person or property.

Harney County Sheriff David Glerup released Police Report No. 0608252 regarding the 2006 fire. That report accused Steven of starting a fire on public land and poaching deer without a license. The fire in question was set on Hammond private property. All roads used during the fire were right-of-access roads to their property. The Oregon State Fish & Game Department could not find animal carcasses in or around the grass-burn area. The Hammonds started a private-property grass burn; and, never poached deer.

On August 24, 2006, Range Conservationist and BLM Employee Joe Glaskock asked Steven to meet him at the Frenchglen Hotel for coffee; Steven agreed; Glerup and BLM Ranger George Orr positioned themselves to watch the hotel; Glerup and Orr arrested Steven when Steven left the hotel; Glerup and Orr subsequently released Steven; and, told Steven to get Dwight. Both Steven and Dwight went to the office of the Sheriff in Burns whereupon both were booked and charged with State Charges: four (4) counts of Reckless Burning; four (4) counts of Recklessly Endangering Another Person; one (1) count of 1<sup>st</sup> Degree Criminal Mischief.

A short time later, Glerup, Orr and Sheriff Deputy [name unknown] raided the home of Dwight. The Search Warrant authorized search and seizure of a boot matching a specific footprint; and, truck tires matching a specific tread print. The specific boot and tread prints were found near one of many fires; but, no matching prints were found in the home or on the property of Dwight.

To December 14, 2015, neither Harney County District Court nor Harney County Office of the District Attorney ever notified Dwight for a Hearing or an Arraignment pertaining to the accusations or charges.

District Attorney Tim Colahan dismissed all charges after reviewing them; and, allowed the charges to move into statutory expiration.

In 2010, five (5) days before the Statute of Limitations expired; almost five (5) years after the 2006 fire, the Office of U.S. Federal Court Attorney Frank Papagni notified Dwight in writing that Papagni was charging Dwight with “Terrorism” under the Federal Anti-terrorism and Effective Death Penalty Act of 1996 in the case of the 2006 backfire and the 2001 grass burn; charges vastly different from the original State charges of 2006.

The United States District Court for the District of Oregon, Pendleton Division in Eastern Oregon assumed jurisdiction over the trial of both Dwight and Steven.

During June 12<sup>th</sup> through June 21, 2012, U.S. District Judge Michael Hogan disallowed time for certain evidence, i.e., the Steens Mountain Cooperative Management & Preservation Act of 2000. Prosecution used most of the allotted trial time; Hogan disallowed an extension of time to present evidence of the Steens Act which evidence would have exonerated both Steven and Dwight. Papagni was given full use of six (6) trial days for prosecution. Dwight Attorney Mark Blackman was allowed one (1) trial day for defense; which prevented facts of the fires, historical land management and intentions of Steven’s actions from entering the trial record or being heard by the jury. The Judge allowed evidence as to whether Steven and Dwight started the fires; but, not as to their intent in doing so.

Papagni called Dwight’s grandson, Steven’s nephew, Dusty Hammond to testify; Dusty was thirteen (13) at the time of the events on trial; and, twenty-four (24) when he testified. Dusty said, in trial, that Steven had told him to start the fire; Hogan noted that Dusty’s memories as a 13-year-old boy were not clear or credible; nevertheless, Hogan allowed the testimony.

During jury selection, Hogan and Papagni selected jurors unfamiliar with the customs and culture of ranchers; and, how land is managed in Eastern Oregon; Jurors traveled to/from Pendleton each day; some more than four (4) hours round trip; by trial day eight (8), jurors were exhausted; expressed desires to be home. On the final trial day, Hogan pressed for a verdict; several times during deliberation, Hogan pressed for a decision; Hogan never apprised the jury as to the punishment that could be imposed for a conviction under the 1996 Terrorist Act.

On June 22, 2012, the Jury found Dwight and Steven guilty of starting the fires. Hogan sentenced Dwight and Steven under Arsonist Terrorist charges; which carry a minimum sentence of five (5) years; Hogan, in overruling the minimum sentence, commented, “If full five (5) years were required, it would be in violation of the 8<sup>th</sup> Amendment.” [prohibiting cruel and unusual punishment] Hogan sentenced Dwight to three (3) months in prison; and, Steven to one (1) year and one (1) day in prison.

After the Criminal Trial, the BLM stipulated a \$400,000 fine as part of a Civil Suit despite BLM Range Conservation Agent Dave Ward and retired BLM Fire Specialist Roy Hogue testimony that there had occurred no damage to land; that land productivity had improved; no fire suppression or rehabilitation costs existed.

On February 14, 2014, the BLM denied renewal of grazing permits to the Hammonds; rendering their co-mingled private property/BLM land unusable for grazing; reducing the value of their private property.

At the 2012 trial, Papagni and Steven agreed not to appeal.

On October 30, 2012, during Sentencing, Papagni announced he would appeal the reduced sentences; Hogan retired as Federal Judge on that same day.

On November 6, 2012, Papagni filed Appeal in the 9<sup>th</sup> District Federal Court at San Francisco seeking resentencing for the balance of the minimum sentence of five (5) years.

On March 25, 2015, the 9<sup>th</sup> District Federal Court at San Francisco remanded the Appeal of Papagni to the United States 9<sup>th</sup> District Court at Eugene.

On January 4, 2013, Steven and Dwight reported to prison; served their time.

In March, 2013, Dwight was released.

In January, 2014, Steven was released.

On February 20, 2015, Dwight and Steven moved the United States Supreme Court for Writ Certiorari.

On March 25, 2015, Chief Judge Ann Aiken in United States Supreme Court denied the Writ Certiorari.

On October 7, 2015, Aiken resentenced Dwight and Steven for the balance of the minimum sentence of five (5) years; and, ordered them both to report for imprisonment on January 4, 2016.

On or about November 19, 2015, Hammond Attorneys Kendra Matthews and Lawrence Matasar, in telephone conference with Dwight and Steven, relayed intimidation Papagni had conveyed; intimidation of early detention; prior to January 4, 2016; and, threat of time in a less desirable prison were the Hammonds to continue communications with Ammon Bundy.

On August 26, 2014, in the Civil Case, Mediator Susan Leeson held a Mediation with Steven, Dwight, Dwight's wife Susan, U.S. Attorney Neil Evans, Insurance Attorney Brent Smith and Hammond Attorney Alan Schroeder which resulted in a stipulated Agreement in Principle compelling Steven and Dwight to grant the BLM First Right of Refusal in the Sale of the Hammond Ranch in the event of inability of the Hammonds to meet the full payment of the \$400,000 stipulated fine.

To December 14, 2015, the Hammonds have paid the BLM \$200,000; with the remaining \$200,000 due before the end of 2015. Should the Hammonds be unable to make payment according to the stipulated agreement, they would be compelled to sell ranch land with the BLM having First Right of Refusal; or, with the Hammonds facing further prosecution for failure to meet the Civil monetary obligation.

It should be noted that the February 14, 2014, BLM denial to renew the Hammond Ranch Grazing Permits significantly reduced the value of the Hammond Ranch. No Federal compensation has ever been given for the loss of the Grazing Permits which the Hammond Ranch purchased in February, 1964.

The Hammonds seek relief from Federal Court abuse through a Writ of Habeas Corpus.

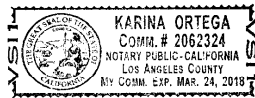
  
William Joseph Goode


**NOTARY**

In California State, Los Angeles County, on this 31 day of December, 2015, before me, the undersigned notary public, Karina Ortega, personally appeared William Joseph Goode, to me known to be the living man described herein who executed the foregoing instrument and has sworn before me that he executed the same as his free will act and deed.

A Notary Public or other Officer completing this Certificate verifies only the identity of the individual who signed the document to which this Certificate is attached; and, not the truthfulness, accuracy or validity of that document.

(Notary seal)



  
Notary

My commission expires: March 24, 2018

**UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF OREGON**

Wayne L. Morse U.S. Courthouse, 405 East 8<sup>th</sup> Avenue, Eugene, OR 97401

**Tribunal - Unified United States Common Law Grand Jury<sup>1</sup>**

P.O. Box 59; Valhalla, New York 10595

**TO - Magistrate Judge Patricia Sullivan, assigned by UUSCLGJ**

[NOTE: *Written approval from UUSCLGJ required for any reassignment*]

**Court of Origin - UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON, de facto**

**CASE NO. 6:10-CR-60066-aa, statutory**

Dwight Lincoln Hammond, Steven Dwight Hammond  
and William Joseph Goode,

Petitioner

Against

Magistrate Judge Michael R. Hogan (retired), Chief  
Judge Ann L. Aiken, Harney County Sheriff David  
Glerup (retired), U.S. Marshal Russel E. Burger, U.S.  
Attorney Amy E. Potter, U.S. Attorney Frank R. Papagni,  
Jr.,

Respondents

**Assigned: Magistrate Judge Patricia Sullivan**

**FEDERAL CASE NO. 1776-1789-2015, de jure**

**CORAM NOBIS<sup>2</sup>**

**Default Judgment Coram Ipso Rege**


**Default Judgment - Entering a Default:** *“When a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by Affidavit or otherwise [under seal], the clerk must enter the party’s default.”* FRCP Rule 55(a); FRCP Rule 58(b) (2); 28 U.S.C. §2243.

The respondents, against whom a judgment for affirmative relief is sought, have failed to plead or otherwise defend as provided by these rules; and, that fact is made to appear by Affidavit. **NOW, THEREFORE, THIS COURT OF RECORD** issues this Default Judgment Coram Ipso Rege to dispose of the matter as law and justice require, to wit:

**IT IS ORDERED AND ADJUDGED** that Petitioner be released from custody immediately; and, that the respondents, namely **UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON, de facto**, Oregon State, Harney County, Magistrate Judge Michael R. Hogan (retired), Chief Judge Ann L. Aiken, Harney County Sheriff David Glerup (retired), U.S. Marshal Russel E. Burger, U.S. Attorney Amy E. Potter, U.S. Attorney Frank R. Papagni, Jr., shall abate at law all proceedings in and relating to Dwight Lincoln Hammond, Steven Dwight Hammond and William Joseph Goode Court Case No. 6:10-CR-60066-aa. No damages, costs, or attorneys’ fees are awarded.

**THE COURT**, January 8, 2016.

(seal)

  
\_\_\_\_\_  
Unified United States Common Law Grand Jury Administrator

<sup>1</sup> “**The grand jury** is an institution separate from the courts over whose functioning the courts do not preside... the grand jury is mentioned in the Bill of Rights, but not in the body of the Constitution. It has not been textually assigned, therefore, to any of the branches described in the first three (3) Articles. It is a constitutional fixture in its own right. In fact, the whole theory of its function is that it belongs to no branch of the institutional government, serving as a kind of buffer or referee between the Government and the people... The grand jury’s functional independence from the judicial branch is evident, both in the scope of its power to investigate criminal wrongdoing; and, in the manner in which that power is exercised. ‘Unlike [a] [c]ourt, whose jurisdiction is predicated upon a specific case or controversy, the grand jury can investigate merely on suspicion that the law is being violated; or, even because it wants assurance that it is not.’” United States v. John H. Williams, 112 S. Ct. 1735, 504; U.S. 36, 118, L. Ed. 2d, 352, (1992).

<sup>2</sup> **CORAM NOBIS**: Before us ourselves, (the King, i.e., in the King’s Bench) applied to Writs of Error directed to another branch of the same court, e.g., from the full bench to the court at nisi prius. 1 Archb. Pr. K. B. 234.

## Affidavit for Default Judgment

I, William Joseph Goode, Affiant, being of lawful age, qualified and competent to testify to, and having firsthand knowledge of the following facts, do hereby swear that the following facts are true, correct and not misleading:

On December 31, 2015, I filed a Petition for a Writ of Habeas Corpus, *see attached*; as is my unalienable right protected by the United States Constitution, Article I, Section 9, §2, with the Unified United States Common Law Grand Jury in the United States District Court for the District of Oregon as per United States Constitution, Article III, Section 1 whereas: “*the Judicial power of the United States shall extend to all cases, in law and equity, arising under this Constitution*”; upon de facto United States District Court for the District of Oregon and respondents challenging jurisdiction.

*“Once challenged, jurisdiction cannot be ‘assumed’, it must be proved to exist.”* Stuck v. Medical Examiners, 94 Ca 2d 751, 211 P2s 389. *“Jurisdiction, once challenged, cannot be assumed and must be decided.”* Maine v. Thiboutot, 100 S. Ct. 250. *“No sanction can be imposed absent proof of jurisdiction.”* Stanard v. Olesen, 74 S. Ct. 768. *“The law requires proof of jurisdiction to appear on the record of the administrative agency and all administrative proceedings.”* Hagans v. Lavine, 415 U.S. 528. Other cases such as: McNutt v. G.M., 56 S. Ct. 789, 80 L. Ed. 1135; Griffin v. Mathews, 310 Supp. 341, 423 F. 2d 272; Basso v. U.P.L., 495 F 2d. 906; Thomson v. Gaskiel, 62 S. Ct. 673, 83 L. Ed. 111; and, Albrecht v. U.S., 273 U.S. 1; all confirm that, when challenged, jurisdiction must be documented, shown and proven to lawfully exist before a cause may lawfully proceed in the courts. *“The law requires proof of jurisdiction to appear on the record of the administrative agency and all administrative proceedings.”* Hagans v. Lavine, 415 U.S. 528.

On December 31, 2015, a Habeas Corpus, Writ of Habeas Corpus Order to Show Cause and Writ Certiorari<sup>1</sup> issued, *see attached*, from the aforesaid Federal Court as per 28 USC §2243. Whereas the Grand Jury did file Writ Habeas Corpus, as is the unalienable right of the King’s Bench, presenting issues of both fact and law; and, thereby determining the applicant was entitled thereto; the Court ordered Magistrate Judge Michael R. Hogan (retired), Chief Judge Ann L. Aiken, Harney County Sheriff David Glerup (retired), U.S. Marshal Russel E. Burger, U.S. Attorney Amy E. Potter, U.S. Attorney Frank R. Papagni, Jr. to Show Cause why the Writ should not be granted.


**WHEREAS:** January 8, 2016, Magistrate Judge Michael R. Hogan (retired), Chief Judge Ann L. Aiken, Harney County Sheriff David Glerup (retired), U.S. Marshal Russel E. Burger, U.S. Attorney Amy E. Potter, U.S. Attorney Frank R. Papagni, Jr. defaulted; the record shows that no respondent made any Return; no respondent requested more time to answer; and, no respondent provided any objection to the proceedings; and,

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<sup>1</sup> **Writ Certiorari:** Latin meaning to be informed of; to be made certain in regard to; the name of a Writ of Review or Inquiry. Leonard v. Willcox, 101 Vt. 195, 142 A. 762, 766; Nissen v. International Brotherhood of Teamsters, Chauffeurs, Stablemen & Helpers of America, 229 Iowa 1028, 295 N.W. 858.

**THEREBY:** law requires de facto court to abate at law; and, release of restraint on both person and property.

**Default Judgment - Entering a Default:** "When a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend; and, that failure is shown by Affidavit or otherwise [under seal], the clerk must enter the party's default." FRCP Rule 55(a); FRCP Rule 58(b) (2); 28 U.S.C. §2243.

  
\_\_\_\_\_  
William Joseph Goode

**NOTARY**

In CA State, Los Angeles County, on this 8th day of January, 2016, before me, the undersigned notary public, Susanna Guroghlyan, personally appeared William Joseph Goode, to me known to be the living man described herein who executed the foregoing instrument and has sworn before me that he executed the same as his free will act and deed.

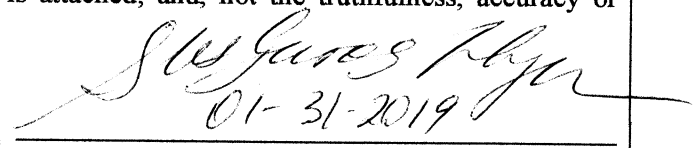
A Notary Public or other Officer completing this Certificate verifies only the identity of the individual who signed the document to which this ~~Certificate~~ is attached; and, not the truthfulness, accuracy or validity of that document.

(Notary)



SUSANNA GUROGHLYAN  
COMM. #2098579  
NOTARY PUBLIC - CALIFORNIA  
LOS ANGELES COUNTY

My Commission Expires 01/31/2019

  
\_\_\_\_\_  
01-31-2019

Notary

My commission expires:

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**UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF OREGON**

Wayne L. Morse U.S. Courthouse, 405 East 8<sup>th</sup> Avenue, Eugene, OR 97401

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**Tribunal - Unified United States Common Law Grand Jury<sup>1</sup>**

P.O. Box 59; Valhalla, New York 10595

**TO** - Magistrate Judge Patricia Sullivan, assigned by UUSCLGJ  
[NOTE: *Written approval from UUSCLGJ required for any reassignment*]

**Court of Origin - UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON**, de facto  
**CASE NO. 6:10-CR-60066-aa**, statutory

Dwight Lincoln Hammond, Steven Dwight  
Hammond and William Joseph Goode,

Petitioner

Against

Magistrate Judge Michael R. Hogan (retired), Chief  
Judge Ann L. Aiken, Harney County Sheriff David  
Glerup (retired), U.S. Marshal Russel E. Burger, U.S.  
Attorney Amy E. Potter, U.S. Attorney Frank R.  
Papagni, Jr.,

Respondents

**Assigned: Magistrate Judge Patricia Sullivan**

**FEDERAL CASE NO. 1776-1789-2015**, de jure

**CORAM NOBIS<sup>2</sup>**

**Default Judgment Coram Ipso Rege**

FRCP Rule 55<sup>1</sup>; Rule 58 (b) 2<sup>1</sup>; 28 USC 2243

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**COMES NOW THE ABOVE-ENTITLED COURT OF RECORD** to review the record; summarily determine the facts; and, dispose of the matter as law and justice require.<sup>3</sup>

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<sup>1</sup> “**The grand jury** is an institution separate from the courts over whose functioning the courts do not preside... the grand jury is mentioned in the Bill of Rights, but not in the body of the Constitution. It has not been textually assigned, therefore, to any of the branches described in the first three (3) Articles. It is a constitutional fixture in its own right. In fact, the whole theory of its function is that it belongs to no branch of the institutional government, serving as a kind of buffer or referee between the Government and the people... The grand jury’s functional independence from the judicial branch is evident, both in the scope of its power to investigate criminal wrongdoing; and, in the manner in which that power is exercised. ‘Unlike [a] [c]ourt, whose jurisdiction is predicated upon a specific case or controversy, the grand jury can investigate merely on suspicion that the law is being violated; or, even because it wants assurance that it is not.’” United States v. John H. Williams, 112 S.Ct. 1735, 504; U.S. 36, 118, L.Ed.2d, 352, (1992).

<sup>2</sup> **CORAM NOBIS**: Before us ourselves, (the King, i.e., in the King’s Bench) applied to Writs of Error directed to another branch of the same court, e.g., from the full bench to the court at nisi prius. 1 Archb. Pr. K. B. 234.

<sup>3</sup> 28 U.S.C. §2243.



15 Habeas Corpus has been called “The Great Writ of Liberty”. Historically, that is a side issue. In the early days, Habeas Corpus was not connected with the idea of Liberty. It was a useful device in the struggle for control  
20 between common law and equity courts. By the middle of the fifteenth century, the issue of Habeas Corpus, together with privilege, was a well-established way to remove a cause from an inferior court where the defendant could show some special connection with one of the central courts, which entitled him to have his case tried there.<sup>4</sup> In the early seventeenth century, The Five Knights’ Case<sup>5</sup> involved the clash between the Stuart claims of prerogative and the common law; and, was, in the words of one of the judges, “*the greatest cause that I ever knew in this court.*”<sup>6</sup> Over the centuries the Writ became a viable bulwark between the powers of government and the rights of the people in both England and the United States.

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## I. SUMMARY

35 Oliver Wendell Holmes once wrote, “*I long have said there is no such thing as a hard case. I am frightened weekly; but, always, when you walk up to the lion and lay hold, the hide comes off; and, the same old donkey of a question of law is underneath.*”<sup>7</sup> Duty falls upon this court of record to lay hold of the lion; unhide the underlying question of law; and, dispose of the matter as law and justice require.<sup>8</sup>

40 On December 31 2015, Dwight Lincoln Hammond, Steven Dwight Hammond and William Joseph Goode, a People of the United States, filed in the above-entitled court of record a Petition for Writ of Habeas Corpus by a People in constructive custody. The Petition invited this court’s inquiry into the following:

- A. The cause of the restraint
- B. The jurisdictional basis of the restraint
- 45 C. Prosecutorial vindictiveness
- D. Reasonable apprehension of restraint of Liberty
- E. Strict compliance with statutory requirements
- F. Diminishment of rights
- G. Charges of common barratry, maintenance and Champerty

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<sup>4</sup> De Vine (1456) O. Bridg. 288; Fizerbert, Abridg., sub tit. “Corpus cum Causa”.

<sup>5</sup> Darnel’s Case, 3 St. Tr. 1.

<sup>6</sup> Ibid., at 31 per Doderidge J.

<sup>7</sup> 1 *Holmes-Pottock Letters* 156.

<sup>8</sup> 28 U.S.C. §2243.

50 The Petition presented issues of both fact and law. It did not appear from the Application that the applicant was  
not entitled thereto; therefore, this court ordered the respondents to show cause why the Writ should not be  
granted. Explicit Return instructions were included as part of the Order to Show Cause to enable the respondents  
to fulfill the Order. All respondents were duly<sup>9</sup> served with the Petition and Order to Show Cause. The record  
shows that no respondent made any Return; no respondent requested more time to answer; and, no respondent  
55 provided any objection to the proceedings.

## ANALYSIS:

### II. JURISDICTION OF THIS COURT

#### **Tribunal - Unified United States Common Law Grand Jury:<sup>10</sup>**

60 It is the duty of any court to determine whether it has jurisdiction even though that question is not raised, in order  
for the exercise of jurisdiction to constitute a binding Decision that the court has jurisdiction.<sup>11</sup> We fulfill that  
duty by examining the sovereign power creating the court.

But, first, what is a court? It is the person and suit of the sovereign; the place where the sovereign sojourns with  
his regal retinue, wherever that may be. Further, a court is an agency of the sovereign; created by it directly or  
65 indirectly under its authority; consisting of one or more officers; established and maintained for the purpose of  
hearing and determining issues of law and fact regarding legal rights and alleged violations thereof; and, of  
applying the sanctions of the law; and, authorized to exercise its powers in the course of law at times and places  
previously determined by lawful authority.<sup>12</sup> The source of the authority is acknowledged by the Preamble of the  
Constitution for the United States of America.<sup>13</sup> The People of the United States, acting in sovereign capacity,  
70 “ordain<sup>14</sup> and establish<sup>15</sup> this Constitution for the United States of America.” The Constitution contains nothing  
that would diminish the sovereign<sup>16</sup> power of the People; and, no State may presume to do so.<sup>17</sup>

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<sup>9</sup> Duly: According to law; in both form and substance. Black’s 6<sup>th</sup>.

<sup>10</sup> “The grand jury is an institution separate from the courts over whose functioning the courts do not preside... the grand jury is mentioned in the Bill of Rights, but not in the body of the Constitution. It has not been textually assigned, therefore, to any of the branches described in the first three (3) Articles. It is a constitutional fixture in its own right. In fact, the whole theory of its function is that it belongs to no branch of the institutional government, serving as a kind of buffer or referee between the Government and the people... The grand jury’s functional independence from the judicial branch is evident, both in the scope of its power to investigate criminal wrongdoing; and, in the manner in which that power is exercised. ‘Unlike [a] [c]ourt, whose jurisdiction is predicated upon a specific case or controversy, the grand jury can investigate merely on suspicion that the law is being violated; or, even because it wants assurance that it is not.’” United States v. John H. Williams; 112 S.Ct. 1735; 504 U.S. 36; 118 L.Ed.2d 352; 1992.

<sup>11</sup> State ex rel. Missouri Gravel Co. v. Missouri Workmen’s Compensation Commission, 113 S.W.2d 1034, 234 Mo.App. 232.

<sup>12</sup> Isbill v. Stovall, Tex.Civ.App., 92 S.W.2d 1067, 1070; Black’s 4<sup>th</sup>, p425.

<sup>13</sup> U.S. CONSTITUTION, PREAMBLE: “We the people of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.”

<sup>14</sup> ORDAIN: ...to enact a constitution or law. Black’s 6<sup>th</sup>.

<sup>15</sup> ESTABLISH: ...to create, ratify or confirm... Black’s 6<sup>th</sup>.

<sup>16</sup> ... at the Revolution, the sovereignty devolved on the people; and, they are truly the sovereigns of the country; but, they are sovereigns without subjects... with none to govern but themselves... Chisholm v. Georgia (U.S.) 2 Dall 419, 454, 1 LEed 440, 455, 2 Dall (1793) pp 471-472.

<sup>17</sup> Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them. Miranda v. Arizona, 384 U.S. 436, 491; The State cannot diminish rights of the people. Hertado v. California, 100 U.S. 516; the enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people. Constitution for the United States of America, Amendment IX; The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively; or, to the people. The Constitution for the United States of America, Amendment X.

75 Further, the United States of America, and each Member State, is a Republic,<sup>18</sup> which means that the People may act either directly or through their representatives.<sup>19</sup> Here the sovereign People are acting directly. Beyond ordaining and establishing the Constitution, what are the powers of the People? The People retain all powers to self-determine and exercise rights.<sup>20</sup> The essence of the People's sovereignty distills to this: The decree of the sovereign makes law.<sup>21</sup>

80 Some have argued that the People have relinquished sovereignty through various contractual devices in which rights were not expressly reserved. However, that cannot hold because rights are unalienable.<sup>22</sup> The People retain all rights of sovereignty at all times.<sup>23</sup> The exercise of sovereignty by the People is further clarified when one considers that the Constitutional government agencies have no genuine sovereign power of their own. All just authority of the Constitutional government agencies is solely that to which the People consent.<sup>24</sup> In the Petition, the petitioner identifies himself as "*a People<sup>25</sup> of the United States*". As such he decrees the law for this court; and, ultimately, for this court as a court of record. This, then, is the sovereign power by which this court is created. The Constitution for the United States of America mandates that: "*The judicial Power<sup>26</sup> shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority...*"<sup>27</sup> This is a case in law, i.e., proceeding according to the common law in a court of record. This case arises under the Constitution and the Laws of the United States. It follows that "the judicial power" of [the People of] the United States "shall extend" to this case. Therefore, it is the Grand Jury, as arbiter, that shall be enforcer of the law. We read:

90 *"If any of our civil servants shall have transgressed against any of the people in any respect; and, they shall ask us to cause that error to be amended without delay; or, shall have broken some one of the articles of peace or security; and, their transgression shall have been shown to four (4) Jurors of the aforesaid twenty five (25); and, if those four (4) Jurors are unable to settle*

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<sup>18</sup> "*The United States shall guarantee to every State in this Union a Republican Form of Government...*" Constitution for the United States, Article IV, Section 4.

<sup>19</sup> GOVERNMENT: Republican government: One in which the powers of sovereignty are vested in the People; and, are exercised by the People, either directly or through representatives chosen by the People to whom those powers are specially delegated. In re Duncan, 139 U.S. 449, 11 S. Ct. 573, 35 L. Ed. 219; Minor v. Happersett, 88 U.S. 21, Wall 162, 22 L. Ed. 627; Black's 6<sup>th</sup>.

<sup>20</sup> The people of this State, as the successors of its former sovereign, are entitled to all the rights which formerly belonged to the King by his prerogative. Lansing v. Smith, 4 Wend. 9 (N.Y.) (1829), 21 Am.Dec. 89 10C Const. Law Sec. 298; 18 C Em.Dom. Sec. 3, 228; 37 C Nav. Wat. Sec. 219; Nuls Sec. 167; 48 C Wharves Sec. 3, 7.

<sup>21</sup> The very meaning of "sovereignty" is that the decree of the sovereign makes law. American Banana Co. v. United Fruit Co., 29 S.Ct. 511, 513, 213 U.S. 347, 53 L. Ed. 826, 19 Ann.Cas. 1047.

<sup>22</sup> UNALIENABLE: Not subject to alienation; the characteristic of those things which cannot be bought, or sold, or transferred from one person to another, such as rivers, and public highways, and certain personal rights; e. g., Liberty. Unalienable: incapable of being aliened; that is, [not capable of being] sold and transferred. Black's 4<sup>th</sup> 1891.

<sup>23</sup> RESERVATION OF SOVEREIGNTY: "[15](b) ... *The Tribe's role as commercial partner with petitioners should not be confused with its role as sovereign. It is one thing to find that the Tribe has agreed to sell the right to use the land and take valuable minerals from it, and quite another to find that the Tribe has abandoned its sovereign powers simply because it has not expressly reserved them through a contract. To presume that a sovereign forever waives the right to exercise one of its powers unless it expressly reserves the right to exercise that power in a commercial agreement turns the concept of sovereignty on its head.*" Merrion et al., dba Merrion & Bayless, et al. v. Jicarilla Apache Tribe et al. 1982.SCT.394.

<sup>24</sup> SOVEREIGN STATE: are cabalistic words, not understood [rejected] by the disciple of Liberty, who has been instructed in our constitutional schools. It is our appropriate phrase when applied to an absolute despotism. The idea of sovereign power [vested] in government of a Republic, is incompatible with the existence, and foundation, of civil Liberty; and, the rights of property. Gaines v. Buford, 31 Ky. (1 Dana) 481, 501.

<sup>25</sup> PEOPLE: ...considered as... any portion of the inhabitants of a city or country. Webster's 1828 Dictionary. The word "People" may be either plural or singular in its meaning. The plural of "person" is "persons", not "People".

<sup>26</sup> JUDICIAL POWER: The power to decide and pronounce a judgment; and, carry it into effect between persons and parties who bring a case before court for decision. Power that adjudicates upon, and protects, the rights and interests of persons or property; and, to that end, declares, construes, and applies the law. Black's 6<sup>th</sup>.

<sup>27</sup> Constitution for the United States of America, Article III, Section 2, Clause 1.

95 *the transgression, they shall come to the twenty-five (25), showing to the Grand Jury the error which shall be enforced by the law of the land.” Magna Carta, June 15, A.D. 1215, 61.*

100 Justice Powell, in United States v. Calandra, 414 U.S. 338, 343 (1974), stated: “*The institution of the grand jury is deeply rooted in Anglo-American history; [n3] In England, the grand jury [p343] served for centuries, both as a body of accusers, sworn to discover, and present for trial, persons suspected of criminal wrongdoing; and, as a protector of citizens against arbitrary and*

105 *oppressive governmental action. In this country, the Founders thought the grand jury so essential to basic liberties, that they provided, in the Fifth Amendment, that federal prosecution for serious crimes can only be instituted by a ‘presentment or indictment of a Grand Jury’.” Cf. Costello v. United States, 350 U.S. 359, 361-362 (1956). “*The grand jury’s historic functions survive to this day. Its responsibilities determination whether there is probable cause to believe a crime has been committed, and the protection of citizens against unfounded criminal prosecutions. Branzburg v. Hayes, 408 U.S. 665, 686-687 (1972).”**

110 **SUPERIOR COURTS ARE COURTS OF LAW:** De jure<sup>28</sup> courts are any duly constituted tribunal [Jury] administering the laws of the State or nation; proceeding according to the course of the common law; and, governed by its rules and principles; as contrasted with a “court of equity”. Court of “Law” means Court of Common Law, i.e., a court for the People CORAM IPSO REGE, which is to say BEFORE THE KING HIMSELF.

115 *“The decisions of a superior court may only be challenged in a court of appeal. The decisions of an inferior court<sup>29</sup> are subject to collateral attack. In other words, in a superior court, one may sue an inferior court directly, rather than resort to appeal to an appellate court. The decision of a court of record may not be appealed. It is binding on ALL other courts. However, no statutory or constitutional court, whether it be an appellate or supreme court, can second guess the judgment of a court of record. ‘The judgment of a court of record, whose jurisdiction is final, is as conclusive on all the world as the judgment of this court would be. It is as conclusive on this*

120 *court as it is on other courts. It puts an end to inquiry concerning the fact by deciding it.’” Ex parte Watkins, 3 Pet., at 202-203. [cited by Schneckloth v. Bustamonte, 412 U.S. 218, 255 (1973).*

125 **THE JUDICIAL TRIBUNAL:** “*A ‘court of record’ is a judicial tribunal [Jury] having attributes and exercising functions independently of the person of the magistrate designated generally to hold it; and, proceeding according to the course of common law; its acts and proceedings being enrolled for a perpetual memorial.” Jones v. Jones, 188 Mo. App. 220, 175 S.W. 227, 229; Exparte Gladhill, 8 Metc., Mass., 171, per Shaw, C. J. See also Ledwith v. Rosalsky, 244 N.Y. 406, 155 N.E. 688, 689.*

130 **THE PEOPLE’S REMEDY:** “*The grand jury is not merely an investigatory body; it also serves as a protector of citizens against arbitrary and oppressive governmental action; and, must be both independent and informed.” United States v. Calandra, 414 U.S., at 343, 94 S.Ct., at 617. Wood v. Georgia, 370 U.S. 375, 82 S.Ct. 1364, 8 L.Ed.2d 569 (1962): “Historically, this body has been regarded as a primary security to the innocent against hasty, malicious and oppressive*

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<sup>28</sup> **De Jure:** of right; legitimate; lawful; by right and just title. In this sense it is the contrary of de facto. Black’s 4<sup>th</sup>.

<sup>29</sup> **An inferior court** is a court whose judgments or decrees can be reviewed, on appeal or writ of error, by a higher tribunal, whether that tribunal be the circuit or Supreme Court. Nugent v. State, 18 Ala. 521.

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*persecution; it serves the invaluable function in our society of standing between the accuser and the accused, whether the latter be an individual, minority group, or other, to determine whether a charge is founded upon reason, or was dictated by an intimidating power, or by malice and personal ill will.” Id., at 390, 82 S.Ct., at 137.*

### III. EXHAUSTION OF ADMINISTRATIVE PROCEDURE

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Ordinarily, exhaustion of state or federal administrative procedures is a requirement before a court of another jurisdiction will review the proceedings of another court. This is founded upon the principle of comity.<sup>30</sup> The courts of the United States, both equity and law, and the courts of the various States both equity and law, are independent of each other.<sup>31</sup> Federal courts have no supervisory powers over State judicial proceedings,<sup>32</sup> State court systems,<sup>33</sup> or trial judges.<sup>34</sup> Thus, federal courts have no general power to correct errors of law that may occur from time to time in the course of State proceedings.<sup>35</sup>

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However, a federal court and a State court are not foreign to each other. They form one system of jurisprudence, which constitutes the law of the land; and, should be considered as courts of the same country, having jurisdiction partly different, and partly concurrent;<sup>36</sup> and, as a matter of comity, one of such courts will not ordinarily determine a controversy of which another of such courts has previously obtained jurisdiction. In cases of apparent conflict between State and federal jurisdiction, the federal courts are the exclusive judges over their jurisdiction in the matter.<sup>37</sup> That being a given, federal intervention is only proper to correct errors of constitutional dimension,<sup>38</sup> which occurs when a State court arbitrarily, or discriminatorily, applies State law.<sup>39</sup> The rule of comity does not go to the extent of relieving federal courts from the duty of proceeding promptly to enforce rights asserted under the federal Constitution;<sup>40</sup> and, all considerations of comity must give way to the duty of a federal court to accord a People of the United States his right to invoke the court’s powers and process in the defense or enforcement of his rights.<sup>41</sup>

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<sup>30</sup> JUDICIAL COMITY: “The principle, in accordance with which, the courts of one State, or jurisdiction, will give effect to the laws and judicial decisions of another; not as a matter of obligation; but, out of deference and respect.” Black’s 4<sup>th</sup>; Franzen v. Zimmer, 35 N.Y.S. 612, 90 Hun 103; Stowp v. Bank, C.C.Me., 92 F. 96; Strawn Mercantile Co. v. First Nat. Bank, Tex. Civ. App., 279 S.W. 473, 474; Bobala v. Bobala, 68 Ohio App. 63, 33 N.E.2d 845, 849.

<sup>31</sup> Claflin v. Houseman, N.Y., 3 Otto 130, 93 U.S. 130, 23 L.Ed. 833.

<sup>32</sup> Smith v. Phillips, 102 S.Ct. 940, 455 U.S. 209, 71 L.Ed.2d 78, on remand 552 F.Supp. 653, affirmed 717 F.2d 44, certiorari denied 104 S.Ct. 1287, 465 U.S. 1027, 79 L.Ed.2d 689; Ker v. State of California, Cal., 83 S.Ct. 1623, 374 U.S. 23, 10 L.Ed.2d 726, 24 O.O.2d 201; Burrus V. Young, C.A.7 (Wis.), 808 F.2d 578; Lacy v. Gabriel, C.A.Mass., 732 F.2d 7, certiorari denied 105 S.Ct. 195, 469 U.S. 861, 83 L.Ed.2d 128; Smiths v. McMullen, C.A.Fla., 673 F.2d 1185, certiorari denied 103 S.Ct. 740, 459 U.S. 1110, 74 L.Ed.2d 961.

<sup>33</sup> U.S. ex rel. Gentry v. Circuit Court of Cook County, Municipal Division, First Municipal Dist., C.A.Ill., 586 F.2d 1142.

<sup>34</sup> Harris v. Rivera, N.Y., 102S. Ct. 460, 454 U.S. 339, 70 L.Ed.2d 530.

<sup>35</sup> Buckley Towers Condominium, Inc. v. Buchwald, C.A.Fla., 595 F. 2d 253.

<sup>36</sup> Claflin v. Houseman, N.Y., 3 Otto 130, 93 U.S. 130, 23 L.Ed. 833.

<sup>37</sup> Craig v. Logemann, 412 N.W.2d 857, 226 Neb. 587, appeal dismissed 108 S.Ct. 1002, 484 U.S. 1053, 98 L.Ed.2d 969.

<sup>38</sup> Burrus V. Young, C.A.7 (Wis.), 808 F.2d 578; Lacy v. Gabriel, C.A.Mass., 732 F.2d 7, certiorari denied 105 S.Ct. 195, 469 U.S. 861, 83 L.Ed.2d 128; Smiths v. McMullen, C.A.Fla., 673 F.2d 1185, certiorari denied 103 S.Ct. 740, 459 U.S. 1110, 74 L.Ed.2d 961;

INCONSISTENT VERDICTS: Court of Appeals erred when it directed State trial judge to provide explanation of apparent inconsistency in his acquittal of codefendant and his conviction of defendant, without first determining whether inexplicably inconsistent verdicts would be unconstitutional. Harris v. Rivera, N.Y., 102 S.Ct. 460, 454 U.S. 339, 70 L. Ed. 2d 530.

<sup>39</sup> Jentges v. Milwaukee County Circuit Court, C.A.Wis., 733 F. 2d 1238.

<sup>40</sup> Everglades Drainage Dist. v. Florida Ranch & Dairy Corp., C.C.A.Fla., 74 F.2d 914, rehearing denied 75 F.2d 1013.

<sup>41</sup> Carpenter Steel Co. v. Metropolitan-Edison Co., D.C.Ga., 268 F. 980.

As to the principle of exhaustion of state remedies; the Petitioner is not founding his Petition on the principle embodied in 28 U.S.C. §2254. The basis of Petitioner’s Petition is addressed in section **V. PETITION** below. However, we will address it here.

160 In Friske v. Collins,<sup>42</sup> the Court’s view was that exhaustion was not a “rigid and inflexible” rule; but, could be deviated from in “special circumstances”. In addition to the class of “special circumstances” developed in the early history of the exhaustion rule, exhaustion was not required where procedural obstacles make theoretically available processes unavailable; where the available state procedure does not offer swift vindication of the petitioner’s rights; and, where vindication of the federal right requires immediate action.<sup>43</sup>

165 Exhaustion today is a rule rooted in the relationship between the national and State judicial systems. The rule is consistent with the Writ’s extraordinary character; but, it must be balanced by another characteristic of the Writ, to wit: its object of providing “*a swift and imperative remedy in all cases of illegal restraint upon personal Liberty.*”<sup>44</sup> That is, it “*is not [a rule] defining power but one which relates to the appropriate exercise of power.*”<sup>45</sup>

170 The Court noted that where resort to State remedies has failed to afford a full and fair adjudication of the federal contentions raised, either because the State affords no remedy; or, because in the particular case, the remedy afforded by State laws, proves, in practice, unavailable, or seriously inadequate; a federal court should entertain a Petition for Habeas Corpus; otherwise, a petitioner would be remediless. In such a case, the applicant should proceed in the federal district court before resorting to the Supreme Court by Petition for Habeas Corpus.<sup>46</sup>

175 28 U.S.C. §2243 provides as follows: Issuance of Writ; Return; Hearing; Decision. A court justice or judge, entertaining an application for a Writ of Habeas Corpus, shall forthwith award the Writ; or, issue an Order directing the respondent to show cause why the Writ should not be granted; unless it appears, from the Application, that the applicant, or person detained, is not entitled thereto. The Writ, or Order to Show Cause, shall be directed to the person having  
180 custody of the person detained. It shall be returned within three (3) days; unless, for good cause, additional time, not exceeding twenty (20) days, is [be] allowed.

The State has been duly served; and, the State has not made; and, apparently cares not to make a Return. This question of timeliness constitutes a special circumstance justifying deviation from the exhaustion rule. Exhaustion is not required where procedural obstacles make theoretically available processes unavailable; where  
185 the available State procedure does not offer swift vindication of the petitioner’s rights; and, where vindication of the federal right requires immediate action.<sup>47</sup> Until the case is resolved in the district court, the petitioner will be unable to present his claims to the State Supreme Court.<sup>48</sup> This delay, and lack of timeliness, is a further special

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<sup>42</sup> 342 U.S. 519 (1952).

<sup>43</sup> Amsterdam, “Federal Removal and Habeas Corpus Jurisdiction”, 113 U. Pa. L. Rev. 793, 893-94; Developments, “Federal Habeas Corpus”, 83 Harv. L. Rev. 1038, 1097-107. Cf. Markuson v. Boucher, 175 U.S. 189 (1899) with Roberts v. LaVallee, 389 U.S. 40 (1967).

<sup>44</sup> Price v. Johnson, 334 U.S. 266, 283 (1947).

<sup>45</sup> Bowen v. Johnston, 306 U.S. 19, 27 (1939). See Brennan, “Some Aspects of Federalism”, 39 N.Y. U.L. Rev. 945, 957-58; Brennan, “Federal Habeas Corpus and State Prisoners”, 7 Utah L. Rev. 423, 426.

<sup>46</sup> Ex parte Hawk, 321 U.S. 114, 118; See also Ex parte Abernathy, 320 U.S. 219 (1943); White v. Ragen, 324 U.S. 760 (1945); Wood v. Niersteimer, 328 U.S. 211 (1946).

<sup>47</sup> Amsterdam, “Federal Removal and Habeas Corpus Jurisdiction”, 113 U. Pa. L. Rev. 793, 893-94; Developments, “Federal Habeas Corpus”, 83 Harv. L. Rev. 1038, 1097-107. Cf.; Markuson v. Boucher, 175 U.S. 189 (1899) with Roberts v. LaVallee, 389 U.S. 40 (1967).

<sup>48</sup> Magistrate’s Report (#5), filed March 7, 2003, 6:46am, p3, L3-6.

circumstance. In the interim, the petitioner would be required to lose his Liberty, because of the lack of swift State vindication of his rights.<sup>49</sup>

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#### IV. COMITY

Comity is one court giving full faith and credit to the judicial proceedings of another court, provided that such proceedings do not violate its own rules. Though comity is not mandated, it is encouraged by The Constitution for The United States, Article IV, Section 1.<sup>50</sup> However, comity does not mean that one court involuntarily gives up its jurisdiction to another court. Comity does not mean that one court must respect the improprieties of another court. Comity does not mean that one court must submit to the whim of another court. Further, comity cannot enter the equation when the question before the courts concerns which of the two courts has jurisdiction regarding the vindication of the rights of the Petitioner. The protection of the Petitioner's rights from encroachment by the State is the innate responsibility of the federal courts.

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In the United States, Habeas Corpus exists in two forms: Common Law and Statutory. The Petitioner has chosen Habeas Corpus at common law in a court of record. The Constitution for the United States of America acknowledges the Peoples' right to the common law of England as it was in 1789. What is that common law? It does not consist of absolute, fixed and inflexible rules; but, broad and comprehensive principles based on justice, reason, and common sense...<sup>51</sup>

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The common law is also the Magna Carta,<sup>52</sup> as authorized by the Confirmatio Cartarum, if the accused so demands.<sup>53</sup> The Confirmatio Cartarum succinctly says, "... our justices, sheriffs, mayors, and other ministers, which, under us have the laws of our land to guide, shall allow the said charters pleaded before them, in judgment in all their points; that is, to wit, the Great Charter as the common law and the Charter of the forest, for the wealth of our realm."<sup>54</sup> In other words, the King's men must allow the Magna Carta to be pleaded as the common law if the accused so wishes it.

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Magna Carta says, "Henceforth the Writ which is called Praeceptum shall not be served on anyone for any holding so as to cause a free man to lose his court."<sup>55</sup> In this case, the free man's court is the court of record of the petitioner, as above entitled. The Constitution for the United States of America, Article III, Section 2 Clause 1, says, "The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States..." The judicial power is thusly extended to this Habeas Corpus case at law in the above-entitled court of record.

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The above-entitled court of record, invoking the extension of the judicial power of the United States upon a case in law, is proceeding according to the common law as sanctioned by the Constitution; and, considering the matter that has arisen under the Constitution and laws of the United States. As stated above, the rule of comity

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<sup>49</sup> Amsterdam, "Federal Removal and Habeas Corpus Jurisdiction", 113 U. Pa. L. Rev. 793, 893-94; Developments, "Federal Habeas Corpus", 83 Harv. L. Rev. 1038, 1097-107. Cf.; Markuson v. Boucher, 175 U.S. 189 (1899) with Roberts v. LaVallee, 389 U.S. 40 (1967).

<sup>50</sup> Full Faith and Credit shall be given in each State to the public Acts, Records and Judicial proceedings of every other State. And, the Congress may, by general Laws, prescribe the Manner in which such Acts, Records and Proceedings shall be proved; and, the Effect thereof. Constitution for the United States of America, Article IV, Section 1.

<sup>51</sup> Miller v. Monsen, 37 N.W.2d 543, 547, 228 Minn. 400.

<sup>52</sup> June 15, 1215, King John I.

<sup>53</sup> November 5, 1297, King Edward I.

<sup>54</sup> Confirmatio Cartarum, Article I, Clause 3.

<sup>55</sup> Magna Carta, Article 34.

does not go to the extent of relieving federal courts from the duty of proceeding promptly to enforce rights asserted under the federal Constitution;<sup>56</sup> and, all considerations of comity must give way to the duty of a federal court to accord a citizen of the United States his right to invoke the court's powers and process in the defense or enforcement of his rights.<sup>57</sup>

225 This court accepts the duty obligation to proceed promptly to enforce rights asserted under the federal Constitution. Thus, this court has the subject matter jurisdiction to examine, and act, upon the Petition for Habeas Corpus. Further, the parties were duly served personally with a copy of the Petition and the Writ of Habeas Corpus thus this court has "in personam jurisdiction".

## 230 V. PETITION

Title 28 of the United States Code<sup>58</sup> acknowledges that it is not the responsibility of the Petitioner to know by what claim or authority the State acts; but, that the Petitioner may inquire as to the cause of the restraint. Petitioner has requested an inquiry into the cause of restraint; but, none of the respondents has returned any  
235 statement of cause of the restraint. Therefore, this court may presume that there is neither legal nor lawful cause of restraint.

Petitioner has isolated five (5) points upon which he bases his Petition:

- A. The lack of cause of the restraint
- B. The lack of jurisdictional basis of the restraint
- 240 C. Prosecutorial vindictiveness
- D. Reasonable apprehension of restraint of Liberty
- E. Strict compliance with statutory requirements
- F. Diminishment of rights

245 Because the respondents have made no Return, this court must rule solely upon the evidence before it, as provided by the Petitioner. Seneca wrote, "*He who decides a case with the other side unheard, though he decide justly, is himself unjust.*"<sup>59</sup> Mindful of the wisdom of Seneca, we proceed.

This court has taken judicial notice of the Federal Rules of Civil Procedure, Title 28, United States Code, insofar as it is not repugnant to the common law. F.R.C.P. Rule 55 regarding default<sup>60</sup> is applied here.<sup>61</sup> The record

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<sup>56</sup> Everglades Drainage Dist. v. Florida Ranch & Dairy Corp., C.C.A.Fla., 74 F.2d 914, rehearing denied 75 F.2d 1013.

<sup>57</sup> Carpenter Steel Co. v. Metropolitan-Edison Co., D.C.Pa., 268 F. 980.

<sup>58</sup> 28 U.S.C. §2242 states in part: Application for a Writ of Habeas Corpus... shall allege the facts concerning the applicant's commitment or detention, the name of the person who has custody over him, and by virtue of what claim or authority, if known.

<sup>59</sup> Seneca's *Medea*.

<sup>60</sup> Federal Rules of Civil Procedure, Rule 55. Default: (a) Entry. When a party against whom a Judgment for Affirmative Relief is sought, has failed to plead, or otherwise defend, as provided by these rules; and, that fact is made to appear [has been brought before the court] by Affidavit or otherwise, the clerk shall enter the party's Default. (b) Judgment: Judgment by Default may be entered as follows: (1) By the Clerk: When the plaintiff's claim against a defendant is for a sum certain, or for a sum which can, by computation, be made certain, the clerk, upon request of the plaintiff, and upon Affidavit of the amount due, shall enter Judgment for that amount and costs, against the defendant, if the defendant has been defaulted for failure to appear, and is not an infant or incompetent person. (2) By the Court: In all other cases, the party entitled to a Judgment by Default, shall apply to the court therefor; but, no Judgment by Default shall be entered against an infant, or incompetent person, unless represented in the action by a general guardian, committee, conservator, or other such representative, who has appeared therein. If the party against whom Judgment by Default is sought, has appeared in the action, the party, or, if appearing by representative, the party's representative, shall be served with written Notice of the Application for Judgment at least three (3) days prior to the Hearing on such Application. If, in order to enable the court to enter Judgment; or, to carry it into effect; it is



250 shows that the *Petition* was filed; a *Writ of Habeas Corpus to Show Cause* issued; the *Petition* and *Writ* were  
duly served upon the respondents; no Return was filed; a *Notice of Default* was filed. So, no claim may be made  
that the State court was unaware of this court's proceedings; nor, may the respondents claim they were unaware  
of the consequences for failure to make a Return on the *Writ of Habeas Corpus*. Simply stated: the parties  
against whom a Judgment for Affirmative Relief is sought, have failed to plead or otherwise defend, as provided  
by these rules; and, that fact has been brought before the court by Affidavit in accordance with F.R.C.P. Rule  
255 55(a).

## VI. FINDINGS OF FACT

### THEREFORE, BASED UPON THE RECORD BEFORE THIS COURT:

#### 260 THE COURT FINDS THAT:

- (1) Dwight Lincoln Hammond, Steven Dwight Hammond and William Joseph Goode are People as contemplated in the Preamble of the Constitution for the United States of America.
- (2) This above-entitled court is a court of record.
- 265 (3) All respondents were duly served; and, court personnel were apprised of the Petitioner's claims and the Writ; all respondents had full Notice and fair opportunity to argue their cause; and, respondents did not argue their cause.
- (4) The respondents have not presented any legal or lawful cause of the restraint of Dwight Lincoln Hammond, Steven Dwight Hammond and William Joseph Goode.
- 270 (5) The respondents have not presented any jurisdictional basis for the restraint of Dwight Lincoln Hammond, Steven Dwight Hammond and William Joseph Goode. The court of the respondents did not fulfill the duty to determine whether it has jurisdiction in order for the exercise of jurisdiction to constitute a binding Decision.
- (6) The respondents have not presented any evidence to prove the absence of prosecutorial vindictiveness by  
275 the respondents against Dwight Lincoln Hammond, Steven Dwight Hammond and William Joseph Goode.
- (7) Dwight Lincoln Hammond, Steven Dwight Hammond and William Joseph Goode have a reasonable apprehension of future restraint of Liberty arising from the same facts.
- (8) Strict compliance with statutory requirements was not met by the respondents.
- 280 (9) Dwight Lincoln Hammond, Steven Dwight Hammond and William Joseph Goode have suffered an unlawful and illegal diminishment of rights.

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necessary to take an account, or to determine the amount of damages, or to establish the truth of any averment by evidence, or to make an investigation of any other matter; the court may conduct such Hearings; or, Order such references, as it deems necessary and proper; and, shall accord a right of trial by jury to the parties, when, and as required, by any statute of the United States. (c) Setting Aside Default: For good cause shown, the court may set aside an Entry of Default; and, if a Judgment by Default has been entered, may likewise set it aside, in accordance with Rule 60(b).

<sup>61</sup> Courts of record have an inherent power, independently of statutes, to make rules for the transaction of business. 1 Pet. 604, 3 Serg. & R. Penn. 253; 8 id. 336, 2 Mo. 98.

## VII. CONCLUSIONS OF LAW

### FURTHER, THE COURT CONCLUDES THAT:

- 285 (1) This above entitled court, has the sovereign authority to proceed as a court of record with jurisdiction to act in the instant case and subject matter.
- (2) Because all respondents were duly served; and, court personnel were apprised of the Petitioner's *Petition* and *Writ*; and, because all respondents had full Notice and fair opportunity to argue their cause; and, did not so do; and, because none of the aforementioned persons made a Return, Objection, or Motion, the  
290 above-entitled court has acquired "in personam jurisdiction" of each of the respondents.
- (3) Because the respondents have not presented any legal or lawful cause of, or any jurisdictional basis for the restraint of Dwight Lincoln Hammond, Steven Dwight Hammond and William Joseph Goode, the respondents do not have any legal or lawful cause against or jurisdiction over Dwight Lincoln Hammond, Steven Dwight Hammond and William Joseph Goode.
- 295 (4) Because the respondents have not presented any evidence to prove the absence of prosecutorial vindictiveness by the respondents against Dwight Lincoln Hammond, Steven Dwight Hammond and William Joseph Goode; and, because the burden of proof is upon the respondents when evidence of prosecutorial vindictiveness has been presented, as a matter of law the respondents have committed prosecutorial vindictiveness against Dwight Lincoln Hammond, Steven Dwight Hammond and William  
300 Joseph Goode.
- (5) Strict compliance with statutory requirements were not met by the respondents, Dwight Lincoln Hammond, Steven Dwight Hammond and William Joseph Goode were denied due process, there is a reasonable probability that they will be denied due process, and there is a reasonable probability that Dwight Lincoln Hammond, Steven Dwight Hammond and William Joseph Goode will be subjected to  
305 future restraint of Liberty arising from the same facts.
- (6) Because Dwight Lincoln Hammond, Steven Dwight Hammond and William Joseph Goode have suffered an unlawful and illegal diminishment of rights Dwight Lincoln Hammond, Steven Dwight Hammond and William Joseph Goode will very likely continue to be subjected to further unlawful and illegal diminishment of rights if not immediately released.
- 310 (7) It has become clear to this Grand Jury Investigative Body that the Court has taken advantage through undue influence<sup>62</sup> of its victims by manipulating peoples' free will for money and is thereby guilty of common barratry<sup>63</sup>, maintenance<sup>64</sup> and Champerty<sup>65</sup>. Since this problem has been found in many courts in America we have concluded the courts guilty of racketeering.

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<sup>62</sup> **UNDUE INFLUENCE:** Any improper or wrongful constraint, machination or urgency of persuasion whereby the will of a person is overpowered; and, he is induced to do or forbear an act which he would not do or would do if left to act freely. *Powell v. Betchel*, 340 Ill. 330, 172 N.E. 765, 768. Influence which deprives person influenced of free agency; or, destroys freedom of his will; and, renders it more the will of another than his own. *Conner v. Brown*, Del., 3 A.2d 64, 71, 9 W.W.Harr. 529; *In re Velladao's Estate*, 31 Cal.App.2d 355, 88 P.2d 187, 190.

<sup>63</sup> **BARRATRY:** In criminal law; also spelled "Barretry". The offense of frequently exciting and stirring up quarrels and suits, either at law or otherwise. 4 Bla.Com. 134; *State v. Batson*, 220 N.C. 411, 17 S.E.2d 511, 512, 513; "Common barratry is the practice of exciting groundless judicial proceedings." Pen. Code Cal. §158; *Lucas v. Pico*, 55 Cal. 128; *Corn. v. McCulloch*, 15 Mass. 229; *Ex parte McCloskey*, 82 Tex.Cr.R. 531, 199 S.W. 1101, 1102.

<sup>64</sup> **MAINTENANCE:** Consists in maintaining, supporting or promoting the litigation of another. "Act of maintaining, keeping up, supporting; livelihood; means of sustenance." *Federal Land Bank of St. Louis v. Miller*, 184 Ark. 415, 42 S.W. 2d 564, 566.

## VIII. CONCLUSION SUMMARY

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The respondents, namely Village, Town, City, County, State or Federal governments, Magistrate Judge Michael R. Hogan (retired), Chief Judge Ann L. Aiken, Harney County Sheriff David Glerup (retired), U.S. Marshal Russel E. Burger, U.S. Attorney Amy E. Potter, U.S. Attorney Frank R. Papagni, Jr., by their Default (their failure to Return the Writ of Habeas Corpus), have failed to prove their jurisdiction; therefore, they each and all of them shall abate at law all proceedings in and relating to UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON, de facto, Case No. 6:10-CR-60066-aa.

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None of the respondents, Magistrate Judge Michael R. Hogan (retired), Chief Judge Ann L. Aiken, Harney County Sheriff David Glerup (retired), U.S. Marshal Russel E. Burger, U.S. Attorney Amy E. Potter, U.S. Attorney Frank R. Papagni, Jr., is an infant or incompetent. None of the respondents, Magistrate Judge Michael R. Hogan (retired), Chief Judge Ann L. Aiken, Harney County Sheriff David Glerup (retired), U.S. Marshal Russel E. Burger, U.S. Attorney Amy E. Potter, U.S. Attorney Frank R. Papagni, Jr. has appeared in the proceedings.

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Default Judgment to be entered by this court in accordance with Federal Rules of Civil Procedure, Rule 55(b)(2). Magistrate Judge Michael R. Hogan (retired), Chief Judge Ann L. Aiken, Harney County Sheriff David Glerup (retired), U.S. Marshal Russel E. Burger, U.S. Attorney Amy E. Potter, U.S. Attorney Frank R. Papagni, Jr., if not already released, is/ are to be released straightway and any property seized returned immediately. No damages are awarded.

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Magistrate Judge Patricia Sullivan shall confirm release of Petitioner and abatement and inform the Unified United States Common Law Grand Jury of the same by Fax: (888) 891-8977.

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THE COURT January 8, 2016.

(seal)



Unified United States Common Law Grand Jury Administrator

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<sup>65</sup> **CHAMPERTY:** A bargain to divide the proceeds of litigation between the owner of the liquidated claim and a party supporting or enforcing the litigation. *Draper v. Lebec*, 219 Ind. 362, 37 N.E.2d 952, 956; A bargain by a stranger with a party to a suit by which such third person undertakes to carry on the litigation at his own cost and risk in consideration of receiving, if successful, a part of the proceeds or subject sought to be recovered. *Small v. Mott*, 22 Wend., N.Y., 405; *Gilman v. Jones*, 87 Ala. 691, 5 So. 785, 7 So. 48, 4 L.R.A. 113; *Jamison Coal & Coke Co. v. Goltra*, C.C.A.Mo., 143 F.2d 889, 895, 154 A.L.R. 1191; The purchase of an interest in a thing in dispute with the object of maintaining and taking part in the litigation. 7 Bing. 378.

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# UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

Mark O. Hatfield US Courthouse, 1000 Southwest 3<sup>rd</sup> Avenue, Room 740, Portland, OR 97204-2802

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**Tribunal: - Unified United States Common Law Grand Jury<sup>1</sup>:**

P.O. Box 59; Valhalla, New York 10595

We the People, UUSCLGJ,  
CORAM NOBIS<sup>2</sup>  
Sureties of the Peace  
Against  
Chief Clerk Mary L. Moran,  
Respondent

**Assigned:** Magistrate Patricia Sullivan

**CASE NO. 1776-1789-2015**, de jure

**WARNING:** Elected and Appointed Servants have a duty to speak;<sup>3</sup> failure to speak when you have a duty is fraud. Speaking through an Attorney is not speaking.

## CONTEMPT OF COURT

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<sup>1</sup> “**THE GRAND JURY** is an institution separate from the courts over whose functioning the courts do not preside... the Grand Jury is mentioned in the Bill of Rights but not in the body of the Constitution. It has not been textually assigned, therefore, to any of the branches described in the first three (3) Articles. It is a constitutional fixture in its own right. In fact, the whole theory of its function is that it belongs to no branch of the institutional government, serving as a kind of buffer or referee between the Government and the People... The Grand Jury’s functional independence from the Judicial Branch is evident, both in the scope of its power to investigate criminal wrongdoing and in the manner in which that power is exercised. ‘Unlike [a] [c]ourt, whose jurisdiction is predicated upon a specific case or controversy, the Grand Jury can investigate merely on suspicion that the law is being violated; or, even because it wants assurance that it is not.’” United States v. John H. Williams, 112 S. Ct. 1735, 504; U.S. 36, 118, L. Ed. 2d, 352, (1992).

<sup>2</sup> **CORAM NOBIS:** Before us ourselves (the King’s Bench). Applied to Writs of Error directed to another branch of the same court, e. g., from the full bench to the court at nisi prius. 1 Archb. Pr. K. B. 234.

<sup>3</sup> “Silence can only be equated with fraud where there is a legal or moral duty to speak, or where an inquiry left unanswered would be intentionally misleading. . .” U.S. v. Tweel, 550 F.2d 297, 299. See also U.S. v. Prudden, 424 F.2d 1021, 1032; Carmine v. Bowen, 64 A. 932

Concerning Case Number 1776-1789-2015; • On December 31, 2015 the Grand Jury filed a Habeas Corpus on behalf of Dwight Lincoln Hammond, Steven Dwight Hammond and William Joseph Goode, Petitioners,; • On January 8, 2016 the Grand Jury filed a Default Judgment; • On January 1, 2016 the Grand Jury filed a Writ Mandamus, Writ Certiorari Show Cause against Sally Jewell, Neil Kornze, U.S. House of Representatives and the United States Senate; • On January 19, 2016 the Grand Jury filed an Information and Writ Mandamus against the Federal Judiciary and Information to United States Supreme Court Justices. Chief Clerk Mary L. Moran, hereinafter respondent, was directed by Mandamus to File on Demand under penalty of law:

**WHEREAS**, on Monday, January 25, 2016 the Grand Jury sent a jurist domiciled in Multnomah County, Oregon to retrieve copies of the time-stamped filings; The Clerk was illusive as to the location of the aforementioned papers that were filed by the Grand Jury, (USPS certified). The Grand Jury was clear that failure of respondent to file and mail Proof of the same constitutes a Criminal Act and Contempt of Court.

**18 USC §2076:** *Whoever, being a clerk, willfully refuses or neglects to make or forward any report, certificate, statement, or document as required by law,<sup>4</sup> shall be fined under this title or imprisoned not more than one (1) year, or both.*

Respondent took an oath under the Law of the Land to perform their duty as Clerk with absolutely no authority to discriminate as to content or form of judicial proceedings of said documents. Furthermore, the interception of said documents and/or the filing of said documents under Miscellaneous instead of the active Federal Case No. 1776-1789-2015 removes said documents from active judicial procedures and therefore constitutes “Concealment” and “Felony Rescue”. If respondent has been instructed or intimidated by a Judge, Magistrate or any other Court Officer to perform this Felony Rescue, respondent is to inform the Grand Jury immediately as to the

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<sup>4</sup> **"Law of the land,"** "due course of law, and due process of law are synonymous". People v. Skinner, Cal., 110 P.2d 41, 45; State v. Rossi, 71 R.I. 284, 43 A.2d 323, 326; Direct Plumbing Supply Co. v. City of Dayton, 138 Ohio St. 540, 38 N.E.2d 70, 72, 137 A.L.R. 1058; Stoner v. Higginson, 316 Pa. 481, 175 A. 527, 531.; **United States Constitution Article VI.** This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

name of the Court Officer. Failure to reveal any such name and notify the Grand Jury of such person **further constitutes** “Felony” and “Conspiracy”.

**18 USC §1512(b)**: *Whoever obstructs or impedes any official proceeding shall be fined under this title or imprisoned not more than twenty (20) years, or both.*

Justice is an unalienable right. People are to have free access to Courts and public offices. Filing fees impede access to justice and services. Any decision respondent makes to not file a document because of failure to pay a filing fee constitutes “Extortion”.

**Preamble to the Constitution**: *We the people of the United States, in order to ... establish justice ... do ordain and establish this Constitution for the United States of America.*

*"Living as we do under a common government, charged with the great concerns of the whole Union, every citizen of the United States from the most remote states or territories, **is entitled to free access** not only to the principal departments established at Washington, but also **to its judicial tribunals and public offices in every state in the Union.**" Crandell v. Nevada, 6 Wall 35*

**American Jurisprudence Constitutional Law §326**: *Free Justice and Open Courts; Remedy for All Injuries. In most state Constitutions there are provisions, varying slightly in terms, which stipulate that justice shall be administered to all without delay or denial; without sale or prejudice; and, that the courts shall always be open to all alike. These provisions are based largely upon the Magna C[h]arta, Chap. 40, which provides: **"We will sell to no man. We will not deny to any man either justice or right."** The chief purpose of the Magna C[h]arta provision was to prohibit the King from selling justice by imposing fees on litigants through his courts; and, to deal a death blow to the attendant venal and disgraceful practices of a corrupt judiciary in demanding oppressive gratuities for giving or withholding decisions in pending causes. It has been appropriately said that in a free government the doors of litigation are already wide open; and, must constantly remain so. The extent of the*

*constitutional provision has been regarded as broader than the original confines of the Magna C[h]arta; and, such constitutional provision has been held to prohibit the selling of justice not merely by magistrates but by the State itself.*

*“Plaintiff should not be charged fees, or costs for the lawful and constitutional right to Petition this Court in this matter in which he is entitled to relief, as it appears that the filing fee rule was originally implemented for fictions and subjects of the State and should not be applied to the Plaintiff who is a natural individual and entitled to relief.”*

**Hale v. Henkel 201 U.S. 43**

We are aware of, and are investigating and documenting, the widespread subversion of the Constitution for the United States of America by the Federal Judiciary and their intimidation upon respondent; and, we have the ear of many U.S. Marshals, FBI Agents and County Sheriffs as we continue to build our case, separating the wheat from the chaff; indictments are imminent. We have been filing papers in all ninety-four (94) Federal District Courts in an effort to provide our servants with the needed education with respect to their duties under the Constitution; and, to provide our servants with the opportunity to obey the Law of the Land; their continued resistance is the necessary evidence of their crimes; therefore, when the time is ripe, law enforcement will act; and, opportunity to amend will no longer be available.

**ORDERED AND ADJUDGED** that this Tribunal finds respondent in Contempt of Court. This Court is gracing respondent with Opportunity to Amend Error by providing Proof of Filing of the above said papers by time-stamping the Title Page of each of the aforesaid Documents filed with this Court; and, mailing to the above address. Respondent has three (3) days to obey; or, face imminent, serious legal consequences.

THE COURT January 27, 2016

(seal)



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Grand Jury Foreman

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**UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF OREGON**

Mark O. Hatfield US Courthouse, 1000 Southwest 3<sup>rd</sup> Avenue, Room 740, Portland, OR 97204-2802

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**Tribunal: - Unified United States Common Law Grand Jury<sup>1</sup>:**

P.O. Box 59; Valhalla, New York 10595

We the People, UUSCLGJ,  
CORAM NOBIS<sup>2</sup>  
Sureties of the Peace  
Against  
Magistrate Patricia Sullivan,  
Respondent

**Assigned:** Magistrate Patricia Sullivan

**CASE NO. 1776-1789-2015**, de jure

**WRIT MANDAMUS SHOW CAUSE**

**WE COMMAND:** Magistrate Patricia Sullivan to show proof of filings concerning Case Number 1776-1789-2015 or Show Cause by what authority you do not respond to this Order.

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<sup>1</sup> “**THE GRAND JURY** is an institution separate from the courts over whose functioning the courts do not preside... the Grand Jury is mentioned in the Bill of Rights but not in the body of the Constitution. It has not been textually assigned, therefore, to any of the branches described in the first three (3) Articles. It is a constitutional fixture in its own right. In fact, the whole theory of its function is that it belongs to no branch of the institutional government, serving as a kind of buffer or referee between the Government and the People... The Grand Jury’s functional independence from the Judicial Branch is evident, both in the scope of its power to investigate criminal wrongdoing and in the manner in which that power is exercised. ‘Unlike [a] [c]ourt, whose jurisdiction is predicated upon a specific case or controversy, the Grand Jury can investigate merely on suspicion that the law is being violated; or, even because it wants assurance that it is not.’” United States v. John H. Williams, 112 S. Ct. 1735, 504; U.S. 36, 118, L. Ed. 2d, 352, (1992).

<sup>2</sup> **CORAM NOBIS:** Before us ourselves (the King’s Bench). Applied to Writs of Error directed to another branch of the same court, e. g., from the full bench to the court at nisi prius. 1 Archb. Pr. K. B. 234.




As the assigned Magistrate in this case you have a duty to act and speak;<sup>3</sup> Silence when you have a duty to speak is fraud. Speaking through an Attorney is not speaking.

Attached is a copy of Contempt of Court with Opportunity to Amend served upon Chief Clerk Mary L. Moran. Respondent has three (3) days to obey.

THE COURT January 27, 2016

(seal)



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Grand Jury Foreman

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<sup>3</sup> “Silence can only be equated with fraud where there is a legal or moral duty to speak, or where an inquiry left unanswered would be intentionally misleading. . .” U.S. v. Tweel, 550 F.2d 297, 299. See also U.S. v. Prudden, 424 F.2d 1021, 1032; Carmine v. Bowen, 64 A. 932

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**UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF OREGON**

Wayne L. Morse U.S. Courthouse, 405 East 8<sup>th</sup> Avenue, Eugene, OR 97401

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**Tribunal - Unified United States Common Law Grand Jury<sup>1</sup>**

P.O. Box 59; Valhalla, New York 10595

**TO -** Magistrate Judge Michael R. Hogan (retired), Chief Judge Ann L. Aiken, Harney County Sheriff David Glerup (retired), U.S. Marshal Russel E. Burger, U.S. Attorney Amy E. Potter, U.S. Attorney Frank R. Papagni, Jr.

**District Court -** Magistrate Judge Patricia Sullivan, assigned by UUSCLGJ  
[NOTE: *Written approval from UUSCLGJ required for any reassignment*]

**Court of Origin - UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON, de facto**

**CASE NO. 6:10-CR-60066-aa**, statutory

Dwight Lincoln Hammond, Steven Dwight Hammond and William Joseph Goode,

Petitioner

Against

Magistrate Judge Michael R. Hogan (retired), Chief Judge Ann L. Aiken, Harney County Sheriff David Glerup (retired), U.S. Marshal Russel E. Burger, U.S. Attorney Amy E. Potter, U.S. Attorney Frank R. Papagni, Jr.,

Respondents

**Assigned: Magistrate Judge Patricia Sullivan**

**FEDERAL CASE NO. 1776-1789-2015**, de jure

**CORAM NOBIS<sup>2</sup>**

**Writ Mandamus Coram Ipso Rege<sup>3</sup>**

**CONTEMPT OF COURT**

**THE GREAT WRIT OF LIBERTY** is “*the writ of habeas corpus and subjiciendum, issuing at common law out of courts of Chancery, King’s Bench, Common Pleas, and Exchequer.*” Ex parte Kelly, 123 N.J. Eq. 489,

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<sup>1</sup> “**The grand jury** is an institution separate from the courts over whose functioning the courts do not preside... the grand jury is mentioned in the Bill of Rights, but not in the body of the Constitution. It has not been textually assigned, therefore, to any of the branches described in the first three (3) Articles. It is a constitutional fixture in its own right. In fact, the whole theory of its function is that it belongs to no branch of the institutional government, serving as a kind of buffer or referee between the Government and the people... The grand jury’s functional independence from the judicial branch is evident, both in the scope of its power to investigate criminal wrongdoing; and, in the manner in which that power is exercised. ‘Unlike [a] [c]ourt, whose jurisdiction is predicated upon a specific case or controversy, the grand jury can investigate merely on suspicion that the law is being violated; or, even because it wants assurance that it is not.’” United States v. John H. Williams, 112 S.Ct. 1735, 504; U.S. 36, 118, L.Ed.2d, 352, (1992).

<sup>2</sup> **CORAM NOBIS**: Before us ourselves, (the King, i.e., in the King’s Bench) applied to Writs of Error directed to another branch of the same court, e.g., from the full bench to the court at nisi prius. 1 Archb. Pr. K. B. 234.

<sup>3</sup> **KING’S BENCH**: The supreme court of common law in England; being so called because the king formerly sat there in person; the style of the court being “Coram Ipso Rege”.

198 A. 203, 207. “In the United States, habeas corpus exists in two forms: common law and statutory. The Constitution for the United States of America acknowledges the Peoples’ right to the common law of England as it was in 1789. It does not consist of absolute, fixed and inflexible rules, but broad and comprehensive principles based on justice, reason, and common sense.” Miller v. Monsen, 37 N.W. 2d 543, 547, 228 Minn. 400. “This is the well-known remedy for deliverance from illegal confinement, called by Sir William Blackstone the most celebrated writ in the English law, and the great and efficacious writ in all manner of illegal confinement.” 3 Bl. Comm. 129.

**US Constitution Article I Section 9.** The privilege of the Writ of Habeas Corpus shall not be suspended.

**28 USC 2243.** Issuance of Writ; Return; Hearing; Decision: A court, justice or judge entertaining an Petition for a Writ of Habeas Corpus shall forthwith award the Writ or issue an Order directing the respondent to Show Cause why the Writ should not be granted unless it appears from the Petition that the Petitioner or person detained is not entitled thereto. The Writ or Order to Show Cause shall be directed to the respondent having custody of the Petitioner detained. It shall be returned within three (3) days unless for good cause additional time, not exceeding twenty (20) days, is requested and granted.

This court of justice has taken judicial notice of the Federal Rules of Civil Procedure, Title 28, United States Code, insofar as it is not repugnant to the common law. F.R.C.P. Rule 55 regarding default<sup>4</sup> is applied here.<sup>5</sup> The record shows that: on December 31, 2015, the *Petition* was filed; a *Writ of Habeas Corpus to Show Cause* issued; the *Petition* and *Writ* were duly served upon the respondents; no Return was filed; on January 8, 2015, a *Notice of Default* was filed. No claim may be made that the State court was unaware of this court’s proceedings; nor, may the respondents claim they were unaware of the consequences for failure to make a Return on the *Writ of Habeas Corpus*. Simply stated: the parties against whom a Judgment for Affirmative Relief is sought, have failed to plead or otherwise defend, as provided by these rules; and, that fact has been brought before the court by Affidavit in accordance with F.R.C.P. Rule 55(a).

On January 8, 2015, the Grand Jury filed a Default and Memorandum of Decision of the Default (see attached); and, thereby, the de facto court was ordered to **ABATE AT LAW** all proceedings in and relating to UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON, de facto, CASE NO. 6:10-CR-60066-aa, against Dwight Lincoln Hammond, Steven Dwight Hammond and William Joseph Goode.

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<sup>4</sup> Federal Rules of Civil Procedure, Rule 55. Default: (a) Entry. When a party against whom a Judgment for Affirmative Relief is sought, has failed to plead, or otherwise defend, as provided by these rules; and, that fact is made to appear [has been brought before the court] by Affidavit or otherwise, the clerk shall enter the party's Default. (b) Judgment: Judgment by Default may be entered as follows: (1) By the Clerk: When the plaintiff's claim against a defendant is for a sum certain, or for a sum which can, by computation, be made certain, the clerk, upon request of the plaintiff, and upon Affidavit of the amount due, shall enter Judgment for that amount and costs, against the defendant, if the defendant has been defaulted for failure to appear, and is not an infant or incompetent person. (2) By the Court: In all other cases, the party entitled to a Judgment by Default, shall apply to the court therefor; but, no Judgment by Default shall be entered against an infant, or incompetent person, unless represented in the action by a general guardian, committee, conservator, or other such representative, who has appeared therein. If the party against whom Judgment by Default is sought, has appeared in the action, the party, or, if appearing by representative, the party's representative, shall be served with written Notice of the Application for Judgment at least three (3) days prior to the Hearing on such Application. If, in order to enable the court to enter Judgment; or, to carry it into effect; it is necessary to take an account, or to determine the amount of damages, or to establish the truth of any averment by evidence, or to make an investigation of any other matter; the court may conduct such Hearings; or, Order such references, as it deems necessary and proper; and, shall accord a right of trial by jury to the parties, when, and as required, by any statute of the United States. (c) Setting Aside Default: For good cause shown, the court may set aside an Entry of Default; and, if a Judgment by Default has been entered, may likewise set it aside, in accordance with Rule 60(b).

<sup>5</sup> Courts of record have an inherent power, independently of statutes, to make rules for the transaction of business. 1 Pet. 604, 3 Serg. & R. Penn. 253; 8 id. 336, 2 Mo. 98.

The above-named de facto Court ignored the Habeas Corpus; and, thereby, unlawfully continues the de facto Court's restraint upon Dwight Lincoln Hammond, Steven Dwight Hammond and William Joseph Goode which places Magistrate Judge Michael R. Hogan (retired), Chief Judge Ann L. Aiken, Harney County Sheriff David Glerup (retired), U.S. Marshal Russel E. Burger, U.S. Attorney Amy E. Potter, U.S. Attorney Frank R. Papagni, Jr. in contempt of this court.

This Court is gracing Magistrate Judge Michael R. Hogan (retired), Chief Judge Ann L. Aiken, Harney County Sheriff David Glerup (retired), U.S. Marshal Russel E. Burger, U.S. Attorney Amy E. Potter, U.S. Attorney Frank R. Papagni, Jr. with an opportunity to amend their error and abate at law immediately all proceedings in and relating to UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON, de facto, CASE NO. 6:10-CR-60066-aa, against Dwight Lincoln Hammond, Steven Dwight Hammond and William Joseph Goode.

THE COURT, January 29, 2016

(seal)



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Unified United States Common Law Grand Jury Administrator

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**UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF OREGON**

Mark O. Hatfield US Courthouse, 1000 SW 3<sup>rd</sup> Avenue, Room 740, Portland, OR 97204-2802

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William Joseph Goode, 3900 Stockton Hill Road, Suite B-184, Kingman, AZ 86409;  
Next Friend acting on behalf of Petitioner, Rule 17, 28 U.S.C.

**Tribunal: Unified United States Common Law Grand Jury<sup>1</sup>:**

P.O. Box 59; Valhalla, New York 10595; Fax: (888) 891-8977

**TO:** Chief Judge Michael W. Mosman, assigned by UUSCLGJ

[NOTE: *Written approval from UUSCLGJ required for any reassignment*]

**Court of Origin:** UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON,  
de facto;

**CASE NO. 3:16-cr-00051-AA**, statutory

Dylan Wade Anderson, Sandra Lynn Pfeifer Anderson, Sean Larry Anderson, Jeff Wayne Banta, Jason Charles Blomgren, Ammon Edward Bundy, Ryan C. Bundy, Brian D. Cavalier, Blaine Cooper, Shawna Cox, Travis Cox, Duane Leo Ehmer, Eric Lee Flores, David Lee Fry, Wesley Kjar, Corey Omar Lequieu, Kenneth Medenbach, Joseph D. O'Shaughnessy, Jason Patrick, Ryan Waylen Payne, Jon Eric Ritzheimer, Jake Ryan,

**Assigned: Chief Judge Michael W. Mosman  
FEDERAL CASE NO. 1776-1789-2015,  
de jure**

**CORAM NOBIS<sup>2</sup>**

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<sup>1</sup> *"THE GRAND JURY is an institution separate from the courts over whose functioning the courts do not preside... the grand jury is mentioned in the Bill of Rights, but not in the body of the Constitution. It has not been textually assigned, therefore, to any of the branches described in the first three (3) Articles. It is a constitutional fixture in its own right. In fact, the whole theory of its function is that it belongs to no branch of the institutional government, serving as a kind of buffer or referee between the Government and the people... The grand jury's functional independence from the judicial branch is evident, both in the scope of its power to investigate criminal wrongdoing; and, in the manner in which that power is exercised. 'Unlike [a] [c]ourt, whose jurisdiction is predicated upon a specific case or controversy, the grand jury can investigate merely on suspicion that the law is being violated; or, even because it wants assurance that it is not.'"* United States v. John H. Williams, 112 S. Ct. 1735, 504; U.S. 36, 118, L. Ed. 2d, 352, (1992)

<sup>2</sup> **CORAM NOBIS:** Before us ourselves, (the King, i.e., in the King's Bench) applied to Writs of Error directed to another branch of the same court, e.g., from the full bench to the court at nisi prius. 1 Archb. Pr. K. B. 234.

Peter T. Santilli, Geoffrey A. Stanek, Darryl William Thorn, Neil Wampler and Scott A. Willington,

Petitioner

Against

Judge Anna J. Brown, Magistrate Judge John Acosta, Judge Stacie F. Beckerman, Judge Dustin Pead, U.S. Marshal for Oregon State Russel Burger, FBI Special Agent in Charge for Oregon State Gregory T. Bretzing, Oregon State Police Superintendent Richard Evans Jr., Oregon State Governor Kate Brown, U.S. Attorney Billy J. Williams, U.S. Attorney Ethan D. Knight, Assistant U.S. Attorney Geoffrey A. Barrow, Assistant U.S. Attorney Craig Gabriel,

Respondents

## Writ of Habeas Corpus Order to Show Cause And Writ Certiorari<sup>3</sup>

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**AMERICAN JURISPRUDENCE CONSTITUTIONAL LAW §326:** Free Justice and Open Courts; Remedy for All Injuries: In most of the State Constitutions there are provisions, varying slightly in terms, which stipulate that justice shall be administered to all without delay or denial; without sale or prejudice; and, that the courts shall always be open to all alike. These provisions are based largely upon the Magna C[h]arta, Chap. 40, which provides: “*We will sell to no man. We will not deny to any man either justice or right.*” The chief purpose of the Magna C[h]arta provision was to prohibit the King from selling justice by imposing fees on litigants through his courts; and, to deal a death blow to the attendant venal and disgraceful practices of a corrupt judiciary in demanding oppressive gratuities for giving or withholding decisions in pending causes. It has been appropriately said that in a free government the doors of litigation are already wide open; and, must constantly remain so. The extent of the constitutional provision has been regarded as broader than the original confines of Magna C[h]arta; and, such constitutional provision has been held to prohibit the selling of justice, not merely by magistrates, but by the State itself.

Judge Anna J. Brown, Magistrate Judge John Acosta, Magistrate Judge Stacie F. Beckerman, Judge Dustin Pead, U.S. Marshal for Oregon State Russel Burger, FBI Special Agent in Charge for Oregon State Gregory T. Bretzing, Oregon State Police Superintendent Richard Evans Jr., Oregon State Governor Kate Brown, U.S. Attorney

<sup>3</sup> **WRIT CERTIORARI:** Latin meaning to be informed of; to be made certain in regard to; the name of a Writ of Review or Inquiry. Leonard v. Willcox, 101 Vt. 195, 142 A. 762, 766; Nissen v. International Brotherhood of Teamsters, Chauffeurs, Stablemen & Helpers of America, 229 Iowa 1028, 295 N.W. 858.

30 Billy J. Williams, U.S. Attorney Ethan D. Knight, Assistant U.S. Attorney Geoffrey A. Barrow, Assistant U.S. Attorney Craig Gabriel: Please take **NOTICE** that on **April 19, 2016**, a **PETITION FOR WRIT OF HABEAS CORPUS** was filed in the above-entitled court.

35 **EMERGENCY HEARING – PAPERS DUE: April 26, 2016; RESPONDENTS ARE TO RESPOND BY FAX TO: (888) 891-8977 AND MAIL TO: P.O. Box 59; Valhalla, New York 10595.**

Judge Anna J. Brown, Magistrate Judge John Acosta,  
Magistrate Judge Stacie F. Beckerman and Judge Dustin Pead  
40 UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON  
Mark O. Hatfield US Courthouse  
1000 SW 3<sup>rd</sup> Avenue, Room 740, Portland, OR 97204-2802

U.S. Marshal for the District of Oregon Russel Burger  
1000 SW 3<sup>rd</sup> Avenue, Room 401, Portland, OR 97204

45 FBI Special Agent in Charge Gregory T. Bretzing  
Office of FBI Special Agent in Charge for Oregon State  
9109 NE Cascades Parkway, Portland, OR 97220

Oregon State Police Superintendent Richard Evans, Jr.  
Oregon State Police Headquarters  
50 255 Capitol Street NE, 4<sup>th</sup> Floor, Salem, OR 97310

Oregon Governor Kate Brown  
State Capitol Building  
900 Court Street NE, Suite 160, Salem OR 97301

55 U.S. Attorney Billy J. Williams  
U.S. Attorney Ethan D. Knight  
Assistant U.S. Attorney Geoffrey A. Barrow  
Assistant U.S. Attorney Craig Gabriel  
Offices of the U.S. Attorneys for Oregon State  
1000 SW 3<sup>rd</sup> Avenue, Suite 600, Portland, OR 97204-2902

60 **IT APPEARING THAT THE APPLICANT IS ENTITLED THERETO**, Judge Anna J. Brown et al. are directed, in accordance with 28 U.S.C. §2243, to forthwith release the party, herein-named as Petitioner, from custody. If Petitioner is not forthwith released from custody, then within three (3) calendar days after service of this Writ, Judge Anna J.  
65 Brown et al. shall make a Return, certifying the true nature and cause of the detention; and, shall Show Cause why the Writ should not be granted; Faxing and mailing the same

no later than 5pm on the last day of the above-stated, three-day (3) period allowed for response.

Judge Anna J. Brown et al. must each state in his Return, plainly and unequivocally:

- 70 1) Whether or not he has the party, herein-named as Petitioner, in his custody, or under his power, or restraint.
- 2) If he has the Petitioner in his custody, or power, or under his restraint, he must state the authority, and cause of such imprisonment, or restraint.
- 75 3) If the Petitioner is detained by virtue of any sworn Writ, Warrant or other written authority, a sworn copy thereof must be annexed to the Return; and, the original produced and exhibited to the Court or Magistrate on the Hearing of such Return. All unsworn documentary evidence will be refused for cause as hearsay.
- 80 4) If the respondent upon whom the Writ is served had the Petitioner in his power, or custody, or under his restraint at any time prior, or subsequent to the date of the Writ of Habeas Corpus; but, has transferred such custody, or restraint to another, the Return must state particularly to whom, at what time and place, for what cause, and by what authority such transfer took place.
- 85 5) The Return must be signed and sworn to by the respondent making the same; and, except when such respondent is a sworn public officer and makes such Return in his official capacity, it must be verified by his oath.
- 6) The applicant or the Petitioner detained, may, under oath, deny any of the facts set forth in the Return or allege any other material facts.
- 7) The Return and all suggestions made against it, may be amended, by leave of court, before or after being filed.
- 90 8) When the Writ or Order is returned, a day shall be set for a Hearing that is not more than three (3) days after the Return, unless for good cause additional time is allowed.
- 9) Because the Petition presents issues of fact, as well as issues of law, if Petitioner is constrained by actual physical force, then the Jailer is required to produce, at the
- 95 Hearing, the body of the Petitioner detained.
- 10) Was the grand jury instructed that code violations are law?
- 11) What documented proof of a crime was submitted to the grand jury?
- 12) Was the grand jury advised of their right of nullification?
- 100 13) Did the jury members fill out a questionnaire before being chosen? If so, provide a copy.
- 14) Was the Indictment approved as to form without the signature of a Grand Jury Foreman?
- 15) Why is the Indictment, written by a BAR Attorney, telling a story and offering no authenticated evidence and/or sworn statements from any injured party?
- 105 16) Are there any Affidavits from a witness?
- 17) Are there any Affidavits from an injured party?



18) Answer all charges in Petitioner's Petition.

19) Rebut Petitioner's Affidavit.

110 The Court is to notify this body (UUSCLGJ) by Fax and mail; and, William Joseph  
Goode by mail; to inform them as to the time and date of the Hearing to be held at the  
above-said courthouse. At the Hearing, Chief Judge Michael W. Mosman shall  
summarily hear and determine the facts; shall dispose of the matter as law and justice  
require under American Jurisprudence, a/k/a the rules of common law, not chancery; and,  
115 shall Fax; and, mail by United States Post Office a certified copy of Decision  
immediately (within 24 hours) to the Unified United States Common Law Grand Jury for  
judicial review.

If respondents default and therefore schedule no Hearing, then Chief Judge Michael W.  
Mosman shall confirm release of Petitioner and abatement; and, inform the Unified  
United States Common Law Grand Jury of the same by Fax and mail.

120 THE COURT dated April 19, 2016.

(seal)

  
\_\_\_\_\_  
Grand Jury Administrator

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**UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF OREGON**

Mark O. Hatfield US Courthouse, 1000 SW 3<sup>rd</sup> Avenue, Room 740, Portland, OR 97204-2802

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William Joseph Goode, 3900 Stockton Hill Road, Suite B-184, Kingman, AZ 86409;  
Next Friend acting on behalf of Petitioner, Rule 17, 28 U.S.C.

**TO: Unified United States Common Law Grand Jury**

P.O. Box 59; Valhalla, New York 10595; Fax: (888) 891-8977

**RE: UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON, de facto;  
CASE NO. 3:16-cr-00051-AA, statutory**

Dylan Wade Anderson, Sandra Lynn Pfeifer  
Anderson, Sean Larry Anderson, Jeff Wayne  
Banta, Jason Charles Blomgren, Ammon Edward  
Bundy, Ryan C. Bundy, Brian D. Cavalier, Blaine  
Cooper, Shawna Cox, Travis Cox, Duane Leo  
Ehmer, Eric Lee Flores, David Lee Fry, Wesley  
Kjar, Corey Omar Lequieu, Kenneth Medenbach,  
Joseph D. O'Shaughnessy, Jason Patrick, Ryan  
Waylen Payne, Jon Eric Ritzheimer, Jake Ryan,  
Peter T. Santilli, Geoffrey A. Stanek, Darryl  
William Thorn, Neil Wampler and Scott A.  
Willington,

Petitioner

Against

Judge Anna J. Brown, Magistrate Judge John  
Acosta, Magistrate Judge Stacie F. Beckerman,  
Judge Dustin Pead, U.S. Marshal for Oregon State  
Russel Burger, FBI Special Agent in Charge for  
Oregon State Gregory T. Bretzing, Oregon State  
Police Superintendent Richard Evans Jr., Oregon  
State Governor Kate Brown, U.S. Attorney Billy  
J. Williams, U.S. Attorney Ethan D. Knight,  
Assistant U.S. Attorney Geoffrey A. Barrow,  
Assistant U.S. Attorney Craig Gabriel,

Respondents

**FEDERAL CASE NO. 1776-1789-2015**

# Petition for Habeas Corpus for Cause<sup>1</sup>

10

**AMERICAN JURISPRUDENCE CONSTITUTIONAL LAW §326:** Free Justice and Open Courts; Remedy for All Injuries: In most of the state Constitutions there are provisions, varying slightly in terms, which stipulate that justice shall be administered to all without delay or denial; without sale or prejudice; and, that the courts shall always be open to all alike. These provisions are based largely upon the Magna C[h]arta, Chap. 40, which provides: “*We will sell to no man. We will not deny to any man either justice or right.*” The chief purpose of the Magna C[h]arta provision was to prohibit the King from selling justice by imposing fees on litigants through his courts; and, to deal a death blow to the attendant venal and disgraceful practices of a corrupt judiciary in demanding oppressive gratuities for giving or withholding decisions in pending causes. It has been appropriately said that in a free government the doors of litigation are already wide open; and, must constantly remain so. The extent of the constitutional provision has been regarded as broader than the original confines of Magna C[h]arta; and, such constitutional provision has been held to prohibit the selling of justice, not merely by magistrates, but by the State itself.

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**COMES NOW** Dylan Wade Anderson, Sandra Lynn Pfeifer Anderson, Sean Larry Anderson, Jeff Wayne Banta, Jason Charles Blomgren, Ammon Edward Bundy, Ryan C. Bundy, Brian D. Cavalier, Blaine Cooper, Shawna Cox, Travis Cox, Duane Leo Ehmer, Eric Lee Flores, David Lee Fry, Wesley Kjar, Corey Omar Lequieu, Kenneth Medenbach, Joseph D. O’Shaughnessy, Jason Patrick, Ryan Waylen Payne, Jon Eric Ritzheimer, Jake Ryan, Peter T. Santilli, Geoffrey A. Stanek, Darryl William Thorn, Neil Wampler and Scott A. Willington, hereinafter referred to as Petitioner, People of the United States, in this court of record under Article III Section 2 of the Constitution whereby the judicial power shall extend to all cases in law arising under the Constitution; and, Article IV Section 4 whereby the United States shall guarantee to every State in this Union a Republican Form of Government and shall protect each of them against invasion of rights. The jurisdiction being the SUPREME LAW OF THE LAND under Article VI Clause 2 Petitioner hereby petitions the Unified United States Common Law Grand Jury,<sup>1</sup> hereinafter referred to as judicial tribunal,<sup>2</sup> for the right of Writ of Habeas Corpus<sup>3</sup> to

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<sup>1</sup> The sureties of the peace of faithful service: Magna Carta, paragraph 49.

<sup>2</sup> **JUDICIAL TRIBUNAL:** ...having attributes; and, exercising functions independently of the person of the magistrate designated generally to hold it. Jones v. Jones, 188 Mo.App. 220, 175 S.W. 227, 229; Ex parte Gladhill, 8 Metc. Mass., 171, per Shaw, C.J.; Ledwith v. Rosalsky, 244 N.Y. 406, 155 N.E. 688, 689; Black’s 4<sup>th</sup>, 425, 426.

<sup>3</sup> The privilege of the Writ of Habeas Corpus shall not be suspended. US Constitution Article I Section 9.

40 inquire into the cause of imprisonment and restraint of Liberty of said petitioner who is  
not subject to the jurisdiction of the following custodians:

Judge Anna J. Brown, Magistrate Judge John Acosta,  
Magistrate Judge Stacie F. Beckerman and Judge Dustin Pead  
45 UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON  
Mark O. Hatfield US Courthouse  
1000 SW 3<sup>rd</sup> Avenue, Room 740, Portland, OR 97204-2802

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Assistant U.S. Attorney Craig Gabriel  
Offices of the U.S. Attorneys for Oregon State  
1000 SW 3<sup>rd</sup> Avenue, Suite 600, Portland, OR 97204-2902

65 **NOTICE IS HEREBY GIVEN** to the Court and all interested parties that Case No.  
3:16-cr-00051-AA (statutory) in the de facto UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON is removed to the de jure UNITED STATES  
DISTRICT COURT FOR THE DISTRICT OF OREGON, common law, for Habeas  
70 Corpus for Cause.

**PETITIONER MAY PROSECUTE A WRIT OF HABEAS CORPUS  
TO INQUIRE INTO THE CAUSE OF THE RESTRAINT**

75 1) Application for a Writ of Habeas Corpus shall be in writing, signed and verified by the  
person for whose relief it is intended; or, by someone acting on his behalf. 28 U.S.C.  
§2242.

2) Every person unlawfully committed, detained, confined or restrained of his Liberty or Property, under any pretense whatsoever, may prosecute a Writ of Habeas Corpus to inquire into the cause of such imprisonment or restraint.

80        *“In the United States Habeas Corpus exists in two forms: Common Law and Statutory. The Constitution for the United States of America acknowledges the Peoples’ right to the common law of England as it was in 1789. It does not consist of absolute, fixed and inflexible rules; but, broad and comprehensive principles based on justice, reason and common sense...”*  
85        Miller v. Mosen, 37 N.W. 2d 543, 547, 228 Minn. 400.

**28 U.S.C. §2243**: Issuance of Writ; Return; Hearing; Decision: A court justice, or court judge [tribunal] entertaining an Application for a Writ of Habeas Corpus, **shall forthwith award the Writ**; or, issue an Order directing the respondents to Show Cause why the Writ should not be  
90        granted; unless it appears from the Application that the Applicant, or person detained, is not entitled thereto. The Writ, or Order to Show Cause, shall be directed to the person having custody of the person detained. It shall be returned within three (3) days.

95        The privilege of the Writ of Habeas Corpus shall not be suspended... United States Constitution Article I Section 9.

100        3) This Habeas Corpus is prosecuted because the taking of the People into custody was without due process in a court of law, a/k/a court of record. The respondents’ court acted under statutes; and, therefore, was not a court of record; but, rather, a nisi prius court. In this way jurisdiction was fraudulently acquired without petitioner volunteering or knowingly agreeing to the proceeding.

      4) Respondents gathered a biased statutory jury; a jury not under common law; a jury under a court not of record, i.e., not at law<sup>4</sup>; a jury which has no power to fine or imprison.<sup>5</sup>

105        5) No State can deprive any person of life, Liberty, or property, without due process of law; nor, deny any person within its jurisdiction the equal protection of the laws. Any court that ignores due process is not a common law court. Such action of a court that

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<sup>4</sup> **AT LAW**: This phrase is used to point out that a thing is to be done according to the course of the common law; it is distinguished from a proceeding in equity. Black’s 4<sup>th</sup>.

<sup>5</sup> **COURTS OF RECORD AND COURTS NOT OF RECORD**: “...the former [Courts of Record] being those whose acts and judicial proceedings are enrolled, or recorded, for a perpetual memory and testimony; and, which have power to fine or imprison for contempt. Error lies to their judgments; and, they generally possess a seal. Courts Not of Record are those of inferior dignity, which have no power to fine or imprison; and, in which the proceedings are not enrolled or recorded.” 3 Bl. Comm. 24; 3 Steph. Comm. 383; *The Thomas Fletcher*, C.C.Ga., 24 F. 481; Ex parte Thistleton, 52 Cal 225; Erwin v. U.S., D.C.Ga., 37 F. 488, 2 L.R.A. 229; Heininger v. Davis, 96 Ohio St. 205, 117 N.E. 229, 231.

deprives or denies due process of law proves that court to be unlawful; and, consequently, having no legal authority over the Petitioner without his consent.

110 Pursuant to Supreme Court Annotated Statute: *“The State citizen is immune from any and all government attacks and procedure.”* Dred Scott v. Sanford, 60 U.S. 19 How. 393. The Supreme Court has stated clearly: *“...every man is independent of all laws, except those prescribed by nature. He is not bound by any institutions formed by his fellowmen [fellowman] without his consent.”* Cruden v. Neale, 2 N.C. 338 2 S.E. 70.

- 115 6) The nisi prius court is, in fact, a nisi prius court falsa because respondents have taken unlawful dominion of Petitioner so as to deprive him of his court of law. Petitioner should be immediately released so that he may return to the jurisdiction of his own court. Any charges of incompetence are fraud on the court. See Affidavit(s) attached.
- 120 7) Petitioner herein declares: He has seen no sworn documentary evidence from a competent fact witness to lawfully assert a challenge to his competency as one of the People; no servant has the authority to declare differently without evidence in a court of law; government servants cannot restrain or incarcerate people because they disagree with them.

125 Any constitutional provision intended to confer a benefit should be liberally construed in favor of the clearly intended and expressly designated beneficiary. *“Then [that] a constitution should receive a literal interpretation in favor of the Citizen is especially true with respect to those provisions which were designed to safeguard the Liberty and security of the Citizen in regard to person and property.”* 16Am Jur 2d, Sec. 97; Byars v. United States, 273 U.S. 128.

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- 8) Petitioner has been subjected to unlawful imprisonment or restraint. Petitioner is thus petitioning through his authorized agent, his next friend for a Writ of Habeas Corpus to demand that his Liberty be restored.

135 **BECAUSE THE RESPONDENTS’ COURT SHOULD HAVE BEEN  
A COURT OF RECORD BUT INSTEAD FRAUDULENTLY  
CONCEALED ITS JURISDICTION UNDER COLOR OF LAW  
A WRIT OF HABEAS CORPUS SHOULD ISSUE**

- 140 9) The Constitution for the United States of America Article III Section I grants that judges, both of the Supreme and inferior courts, shall hold their offices during good

behavior.<sup>6</sup> No judge may act without jurisdiction; and, all lawful jurisdictions must be ordained and established<sup>7</sup> by the People.

145 10) The Constitution for the United States of America Article IV Section 4 guarantees a  
Republican Form of Government<sup>8</sup> and protection against domestic Violence. When a  
judge enforces acts beyond his authority under color of law,<sup>9</sup> judicial immunity is  
lost.<sup>10</sup> Such actions are nothing less than lawless violence.<sup>11</sup> Likewise, legislative  
jurisdiction that is not authorized by the United States Constitution is as inoperative  
as though it had never been passed;<sup>12</sup> and, judges proceeding without jurisdiction are  
150 indictable for treason.<sup>13</sup> Judges are expected to know the law.

11) The Constitution for the United States of America Article III Section 2 authorizes two  
(2) jurisdictions: Law and Equity.<sup>14</sup> A court of equity follows the forms and

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<sup>6</sup> **GOOD BEHAVIOR:** “Good behavior” means conduct that is authorized by law. “Bad behavior” means conduct such as the law will punish. State v. Hardin, 183 N.C. 815, 112 S.E. 593, 594; Orderly and Lawful Conduct. Huyser v. Com., 25 Ky. L. Rep. 608, 76 S.W. 175; In re Spenser, 22 Fed.Cas. 921; “Good behavior” means conduct conformable to law; or, to the particular law theretofore breached. Ex parte Hamm, 24 N.M. 33, 172 P. 190, 191, L.R. A.1918D, 694; Baker v. Commonwealth, 181 Ky. 437, 205 S.W. 399, 401.

<sup>7</sup> **U.S. CONSTITUTION PREAMBLE:** “*We the people of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare and secure the Blessings of Liberty to ourselves and our Posterity do ordain and establish this Constitution for the United States of America.*”

<sup>8</sup> **U.S. CONSTITUTION ARTICLE IV SECTION 4:** “*The United States shall guarantee to every State in this Union a Republican Form of Government; and, shall protect each of them against Invasion; and, on Application of the Legislature or of the Executive (when the Legislature cannot be convened) against domestic Violence.*”

<sup>9</sup> **COLOR OF LAW:** The appearance or semblance of legal right without the substance. Black’s 4<sup>th</sup>; State v. Brechler, 185 Wis. 599, 202 N.W. 144, 148; “*Misuse of power [is power] possessed by virtue of State law; and, [is] made possible only because [the] wrongdoer is clothed with authority of State; [and,] is action taken under ‘color of State law’.*” Atkins v. Lanning, 415 F. Supp. 186, 188.

<sup>10</sup> “*When a judge knows that he lacks jurisdiction, or acts in the face of clearly valid statutes expressly depriving him of jurisdiction, judicial immunity is lost.*” Rankin v. Howard, (1980) 633 F.2d 844, cert. Den.; Zeller v. Rankin, 101 S.Ct. 2020, 451 U.S. 939, 68 L.Ed 2d 326.

<sup>11</sup> “*No judicial process, whatever form it may assume, can have any lawful authority outside of the limits of the jurisdiction of the court or judge by whom it is issued; and, an attempt to enforce it beyond these boundaries is nothing less than lawless violence.*” Ableman v. Booth, 21 Howard 506 (1859).

<sup>12</sup> “*An unconstitutional act is not law; it confers no right; it imposes no duties; it affords no protection; it creates no office; it is, in legal contemplation, as inoperative as though it had never been passed.*” Norton v. Shelby County, 118 U.S. 425 p. 442.

<sup>13</sup> “*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.*” Cohen v. Virginia (1821) 6 Wheat. 264; U.S. v. Will, 449 U.S. 200.

<sup>14</sup> **U.S. CONSTITUTION ARTICLE III SECTION 2:** The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority.

155 procedure of chancery as distinguished from common law.<sup>15</sup> A “court of equity” and a “court of chancery” are synonymous.<sup>16</sup> A court of law means court of common law,<sup>17</sup> a court for the People. In alleged<sup>18</sup> criminal cases, when judges claim that they are bound by legislation authorized by the Constitution as they act under equity, rather than law, they commit fraud on the court. The Law of the Land is common law,<sup>19</sup> not equity; and, judges in every State are bound thereby.

160 12) Equity courts are nisi prius<sup>20</sup> courts; courts not of record; courts proceeding according to statutes. They have no power to fine or imprison; and, to do so is a crime. Courts of law are courts of record and proceed according to common law. When the Petitioner was falsely charged, Petitioner objected to the nisi prius court, verbally on the record and in writing, thereby rejecting equity jurisdiction; and, proceeding according to common law.

165 13) Under Common Law the following maxims apply:

*“For there to be a crime, there must to be a victim (corpus delicti). In the absence of a victim there can be no crime.”*

*“For a crime to exist there must be an injured party. There can be no sanction or penalty imposed upon one because of this exercise of Constitutional rights.”* Sherar v. Cullen, 481 F. 945.

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<sup>15</sup> **COURT OF EQUITY:** A court which has jurisdiction in equity; which administers justice and decides controversies in accordance with the rules, principles and precedents of equity; and, which follows the forms and procedure of chancery; as distinguished from a court having the jurisdiction, rules, principles and practice of the common law. Thomas v. Phillips, 4 Smedes & M., Miss., 423.

<sup>16</sup> **“EQUITY” AND “CHANCERY”:** “Court of Equity” and “Court of Chancery” are constantly used as synonymous in the United States. It is presumed that this custom arises from the circumstance that the equity jurisdiction, which is exercised by the courts of the various States, is assimilated to that possessed by the English courts of chancery. Indeed, in some of the States, it is made identical therewith by statute, so far as conformable to our institutions. Wagner v. Armstrong, 93 Ohio St. 443, 113 N.E. 397, 401.

<sup>17</sup> **AT LAW:** Is used to point out that a thing is to be done according to the course of the common law; it is distinguished from a proceeding in equity. Black’s 4<sup>th</sup>.

<sup>18</sup> *“The law itself is on trial quite as much as the cause which is to be decided.”* Harlan F. Stone, 12<sup>th</sup> Chief Justice U.S. Supreme Court, 1941.

<sup>19</sup> **U.S. CONSTITUTION ARTICLE VI:** This Constitution and the Laws of the United States which shall be made in Pursuance thereof; and, all Treaties made, or which shall be made, under the Authority of the United States, shall be the Supreme Law of the Land; and, the judges in every State shall be bound thereby, anything in the Constitution or Laws of any State to the Contrary notwithstanding.

<sup>20</sup> **NISI PRIUS:** Where courts bearing the name “nisi prius” exist in the United States, they are instituted by statutory provision. “Nisi prius” is a Latin term. “Prius” means “first”. “Nisi” means “unless”. A “nisi prius” procedure is a procedure to which a party FIRST agrees UNLESS he objects. A rule of procedure in courts is that if a party fails to object to something, then it means he agrees to it. A nisi prius procedure is a procedure to which a person has failed to object. A “nisi prius court” is a court which will proceed unless a party objects. The agreement to proceed is obtained from the parties first. Bouvier’s Law; Black’s 5<sup>th</sup>.



- 14) Constitutions must be construed to reference the common law; summary proceedings are null and void.<sup>21</sup> *“as to the construction with reference to Common Law, an important cannon of construction is that constitutions must be construed to reference to the Common Law.” The Common Law permitted destruction of the abatement of nuisances by summary proceedings; and, it was never supposed that a constitutional provision was intended to interfere with this established principle; and, there is no common law of the United States in a sense of a national customary law as distinguished from the common law of England, adopted in the several States. In interpreting the Federal Constitution, recourse may still be had to the aid of the Common Law of England. It has been said that without reference to the common law, the language of the Federal Constitution could not be understood.”* 16Am Jur 2d, Sec. 114.
- 15) Respondent Judge Anna J. Brown, Magistrate Judge John Acosta, Magistrate Judge Stacie F. Beckerman and Judge Dustin Pead acted without constitutional authority, thereby without jurisdiction and under color of law, using unconstitutional statutes and summary proceedings that are null and void under common law. Furthermore, respondent Judge Anna J. Brown, Magistrate Judge John Acosta, Magistrate Judge Stacie F. Beckerman and Judge Dustin Pead refused to identify the jurisdiction they were operating under, which clearly was not under common law; and, therefore, was under equity, a court not of record, a court without the power to imprison, a court without the consent of Petitioner, a court thereby acting under fraud; therefore, a Writ of Habeas Corpus should issue.

**BECAUSE NO JURISDICTIONAL BASIS FOR CUSTODY  
HAS BEEN PROFFERED OR STATED  
A WRIT OF HABEAS CORPUS SHOULD ISSUE**

- 16) Broad Meaning of Jurisdiction on Habeas Corpus: For purposes of the Writ of Habeas Corpus, as for purposes of prohibition or certiorari, the term “jurisdiction” is not limited to its fundamental meaning; and, in such proceedings, judicial acts may be restrained or annulled if they are determined to be in excess of the court’s powers, as defined by constitutional provision, statute or rules developed by courts.
- 17) The Liberty of the People is restrained by the CUSTODIANS:

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<sup>21</sup> **SUMMARY PROCEEDINGS:** Summary proceedings are those matters, which when in dispute, are decided without the intervention of a jury. Summary proceedings must be authorized by the legislature; except, perhaps, in cases of contempt, because summary proceedings are unknown to the common law. When cases are to be adjudged promptly, without any unnecessary form, the proceedings are said to be summary. In no case can the party be tried summarily, unless such a proceeding is authorized by legislative authority; except, perhaps, in the case of contempt, because the common law is a stranger to such a mode of trial. Bovier’s Law; 4 Bl. Com. 280; 20 VIN. Ab. 42; Boscawen on Conv.; Paley on Convict.; vide Convictions.

- 205 a. Petitioner is in custody by color of the authority of the UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON, and/or the custodians; and, is or was committed for trial before some court thereof. 28 U.S.C. §2241 (c) (1).
- b. Petitioner is in custody, in violation of the Constitution or laws of the United States. 28 U.S.C. §2241(c) (3).
- 210 18) Although the true cause of custody of Petitioner has not been stated by the respondents, Petitioner, on information received, believes that the claim of authority is under color of law, in violation of the constitution of the United States of America. The true basis for jurisdiction by the custodians has never been proffered or stated. Petitioner, as the People, never knowingly or voluntarily agreed to such jurisdiction.
- 215 Petitioner disputed, and continues to dispute, any false allegation that such agreement was made.
- 19) The jurisdictional facts leading up to the custody and restraint are unknown to Petitioner. The jurisdictional facts by which the custodians presume authority to continue to deprive Petitioner of a court of record are unknown to petitioner.
- 220 20) Petitioner, on information and belief, alleges that the custodians are funded in whole or in part by the UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON. Thus motivated, they are acting under color of law as contractual agents of their principal, the UNITED STATES OF AMERICA.
- 21) The court lacks Personam Jurisdiction because it proceeds under statutes; is, therefore, a nisi prius court not of record; and, does not have Petitioner's consent.
- 225 22) Petitioner did not consent; and, therefore, is immune from any and all government attacks and procedures.<sup>22</sup>
- 23) Petitioner is independent of all laws, except those prescribed by nature; and, is not bound by any institutions formed by his fellowman without Petitioner's consent.<sup>23</sup>
- 230 24) The custodians do not state and the proceedings do not show any lawful authority or jurisdictional facts enabling the custodians to lawfully take dominion over a People of the United States. Lacking such jurisdiction, their actions can only be under color of law, violating due process, in order to execute their own private agendas, whatever those may be. Therefore, a Writ of Habeas Corpus should issue.

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<sup>22</sup> SUPREME COURT ANNOTATED STATUTE: "*The state citizen is immune from any and all government attacks and procedure.*" Cruden v. Neale, 2 N.C. 338 2 S.E. 70; Dred Scott v. Sanford, 60 U.S. 19 How. 393.

<sup>23</sup> "...every man is independent of all laws, except those prescribed by nature. He is not bound by any institutions formed by his fellowman without his consent." Cruden v. Neale, 2 N.C. 338 May Term 1796.

**BECAUSE PETITIONER WAS DEPRIVED OF LIBERTY  
WITHOUT DUE PROCESS  
A WRIT OF HABEAS CORPUS SHOULD ISSUE**

240 25) Respondents proceeded as a court of equity, which is not a court of record; and,  
therefore, had no power to imprison Petitioner.

245 **CONFIRMATIO CARTARUM:**<sup>24</sup> “...sovereign People shall not be taken, or  
imprisoned, or disseised, or outlawed, or exiled, or anywise destroyed... but  
by lawful judgment of his peers, or by the law of the land.” Magna Carta,  
Chapter 39, sometimes referred to as Chapter 29.

26) Petitioner responded *Obsta Principiis*<sup>25</sup> from the beginning; and/or, continues the  
same, against said first of all courts not of record, state or federal.

27) Petitioner was denied due process of law, which denial of due process of law violated  
Petitioner’s unalienable rights as protected by the 5<sup>th</sup> Amendment:

250 “No person shall be... deprived of life, Liberty or property without due  
process of law. Due course of law: this phrase is synonymous with due  
process of law, or ‘law of the land’; and, means law in its regular course of  
administration through courts of justice.” *Kansas Pac. Ry. Co. v. Dunmeyer*  
19 Kan 542; “Law in its regular course of administration through courts of  
255 justice [courts of record] is due process.” Leeper v. Texas, 139 U.S. 462, 11  
S.Ct. Rep 577, 35 L. Ed 225.

28) Petitioner was deprived of his unalienable right of due process in a “court of law”,  
a/k/a common law, as secured by the 5<sup>th</sup> Amendment; and, therefore, a Writ of  
Habeas Corpus should issue.

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**BECAUSE PETITIONERS WERE THE VICTIMS OF BARRATRY  
MAINTENANCE AND CHAMPERTY  
A WRIT OF HABEAS CORPUS SHOULD ISSUE**

265 29) Petitioner charges all respondents with conspiracy to execute common barratry,<sup>26</sup>  
maintenance<sup>27</sup> and Champerty.<sup>28</sup>

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<sup>24</sup> **CONFIRMATIO CARTARUM 1297:** The Magna Carta must be accepted as the common law by  
government. The Magna Carta is the supreme law. All other contrary law and judgments are void.

<sup>25</sup> **OBSTA PRINCIPIIS:** (Latin) Withstand beginnings; resist the first approaches or encroachments. *J.  
Bradley, Boyd v. U.S.*, 116 U.S. 635, 6 S.Ct. 535, 29 L. Ed. 746.

<sup>26</sup> **BARRATRY:** In criminal law. Also spelled “Barretry”. The offense of frequently exciting and stirring  
up quarrels and suits, either at law or otherwise. 4 Bla. Com. 134; *State v. Batson*, 220 N.C. 411, 17

**BECAUSE CUSTODIANS HAVE ENGAGED IN PROSECUTORIAL  
VINDICTIVENESS, A WRIT OF HABEAS CORPUS SHOULD ISSUE.  
BURDEN IS UPON RESPONDENTS TO REBUT PRESUMPTION**

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30) The court not of record, that has no power to restrain, imprison, take property or fine, is holding Petitioner for the action of the statutorily instructed and reactive grand jury.

31) Petitioner objects to the jurisdiction and process of the court not of record.

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32) The court not of record that has no power to restrain, imprison and take property or fine; and, in violation of its own corporate charter, has, therefore, unlawfully restrained the liberty or property of Petitioner.

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33) Respondents, in violation of 18 U.S.C. §241;<sup>29</sup> 18 U.S.C. §242;<sup>30</sup> 42 U.S.C. §1983;<sup>31</sup> and, 42 U.S.C. §1985;<sup>32</sup> exceeded their jurisdiction; acted under color of law, using statutes to willfully subject Petitioner to retaliatory incarceration and/or restraint while conspiring to deprive Petitioner of Petitioner's rights; and, acted to injure,

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S.E.2d 511, 512, 513; “*Common barratry is the practice of exciting groundless judicial proceedings.*” Pen.Code Cal. §158; Lucas v. Pico, 55 Cal. 128; Corn. v. McCulloch, 15 Mass. 229; Ex parte McCloskey, 82 Tex.Cr.R. 531, 199 S.W. 1101, 1102.

<sup>27</sup> **MAINTENANCE:** Consists in maintaining, supporting or promoting the litigation of another. “*Act of maintaining, keeping up, supporting; livelihood; means of sustenance.*” Federal Land Bank of St. Louis v. Miller, 184 Ark. 415, 42 S.W. 2d 564, 566.

<sup>28</sup> **CHAMPERTY:** is a bargain to divide the proceeds of litigation between the owner of the liquidated claim and a party supporting or enforcing the litigation. Draper v. Lebec, 219 Ind. 362, 37 N.E.2d 952, 956.; A bargain by a stranger with a party to a suit, by which such third person undertakes to carry on the litigation at his own cost and risk, in consideration of receiving, if successful, a part of the proceeds or subject sought to be recovered. Small v. Mott, 22 Wend, NY, 405; Gilman v. Jones, 87 Ala. 691, 5 So 785, 7 So 48, 4 L.R.A. 113; Jamison Coal & Coke Co. v. Goltra, C.C.A.Mo., 143 F.2d 889, 895, 154 A.L.R. 1191.; The purchase of an interest in a thing in dispute, with the object of maintaining and taking part in the litigation. 7 Bing. 378.

<sup>29</sup> **18 USC §241 CONSPIRACY AGAINST RIGHTS:** If two (2) or more persons conspire to injure, oppress, threaten, or intimidate any person, in any State, in the free exercise or enjoyment of any right, they shall be fined under this title, or imprisoned not more than ten (10) years, or both.

<sup>30</sup> **18 USC §242 DEPRIVATION OF RIGHTS UNDER COLOR OF LAW:** Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person, in any State... to the deprivation of any rights... shall be fined under this title, or imprisoned not more than one (1) year, or both.

<sup>31</sup> **42 USC §1983 CIVIL ACTION FOR DEPRIVATION OF RIGHTS:** Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State... subjects, or causes to be subjected, any... person within the jurisdiction thereof, to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law.

<sup>32</sup> **42 USC §1985 CONSPIRACY TO INTERFERE WITH CIVIL RIGHTS:** If two (2) or more persons in any State or Territory conspire for the purpose of depriving, either directly or indirectly, [of] any rights, the party so injured or deprived may have an action for the recovery of damages against any one (1) or more of the conspirators.

oppress, threaten and intimidate Petitioner in an attempt to prevent the free exercise and enjoyment of Petitioner's unalienable rights of Liberty and due process.

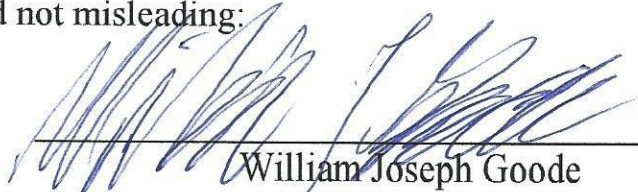
- 285 34) Respondents, in violation of 18 U.S.C. §2382,<sup>33</sup> acted treasonously when they imprisoned or restrained Petitioner and concealed both their actions and the hidden-court, bond-chattel, moneymaking enterprise operating under color of law; all acting knowingly in concert, with none dissenting.
- 290 35) Demand is now made to make full material fact disclosure; to see financial books of the Court Registry Investment System; make disclosure of the bid bond, payment bond and the performance bond underwritten against this case; and, make an offer of proof in the aforesaid matters. Demand is also made to show how the court is not profiteering by way of Petitioner's incarceration; show with clean hands how it does not have a strong financial interest to incarcerate the Petitioner and deprive Petitioner of his constitutionally-protected due process rights; and, further explain how the court is not operating constitutionally infirm and not committing honest-services fraud against We the People.
- 295 36) Respondents exceeded their authority thereby acting under color of law to injure Petitioner.
- 300 37) Petitioner has not waived common law venue; and, insists on proceeding in a court of record, which is Petitioner's unalienable right.
- 38) Petitioner maintains position as natural (wo)man; and, not a person or corporation.

This application for a Writ of Habeas Corpus is signed and verified by Petitioner or on behalf of Petitioner by Next Friend, acting on his behalf.<sup>34</sup> 28 U.S.C. §2242.

305 **Next Friend:** *"A next friend is a person who represents someone who is unable to tend to his or her own interest."* Federal Rules of Civil Procedures Rule 17, 28 U.S.C.A.

I, William Joseph Goode, affiant, being of lawful age, qualified and competent to testify to; and, having firsthand knowledge of the aforementioned facts; do hereby affirm that the following facts are true, correct and not misleading:

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\_\_\_\_\_  
William Joseph Goode

<sup>33</sup> **18 USC §2382 MISPRISION OF TREASON:** Whoever having knowledge of treason, conceals, and does not make known the same to some judge, is guilty of treason for contempt against the sovereign; and, shall be fined under this title, or imprisoned not more than seven (7) years, or both.

<sup>34</sup> **NEXT FRIEND:** Based on Title 28 USC §454 1940 ed. (R.S. §754). Words "*or by someone acting in his behalf*" were added. This follows the actual practice of the courts, as set forth in United States ex rel. Funaro v. Watchorn, C.C. 1908, 164 F. 152; Collins v. Traeger, C.C.A. 1928, 27 F.2d 842, and cases cited.



**NOTARY**

315 In Utah State, Kane County, on this 18<sup>th</sup> day of April, 2016,  
before me, the undersigned notary public, Sylvia Johnson,  
personally appeared William Joseph Goode, to me known to be the living man described  
herein who executed the foregoing instrument and has sworn before me that he executed  
the same as his free will act and deed.

(Notary seal)



Sylvia Johnson  
Notary  
My commission expires: 05/16/16

## Affidavit of Shawna Cox

5 I, Shawna Cox, Affiant, being of lawful age, qualified and competent to testify to, and having firsthand knowledge of the following facts, do hereby swear that the following facts are true, correct and not misleading:

10 **On Friday January 1<sup>st</sup>, 2016**, 5:30 am, I traveled to Burns, Oregon, to participate in a protest rally for the Dwight Hammond family. Dwight and Steven Hammond are ranchers sent back to federal prison for a second time (double jeopardy) for fires they started to improve grazing on their range and to protect their homes from a wildfire. I picked up my cousin, along the way. We had sleeping bags, blankets and warm clothing, because we were planning to sleep in my van. (We were raised to be very frugal and didn't want to waste money on a motel room. We were taught not to be whimps).

15 I called my friend, Ammon Bundy, to find out if Pete Santilli knew about the rally. I was informed he was in Burns. We arrived in Burns after 10 pm that night. We posted some flyers outside of some businesses about the Rally the next day at the Safeway. Being 14 degrees below zero at 11:00 pm, we decided to stay in a motel room in Burns.

20 **On Saturday January 2<sup>nd</sup>**, I tried to phone Ammon to find out where in Bend the rally caravan was suppose to start to parade to Burns. No reply. Just after 8 am we decided to head to Bend to join the caravan back to Burns. Just outside of Bend I got a text message from Ammon, that they are at the Fairgrounds in Burns, not in Bend. We turned around and went back to Burns, arriving at 12 noon, just in time to join in the Rally with our flags, poster signs, flowers for the Hammonds, and loose change for the Sheriff's office.

30 I finally caught up with Ammon in the Rally, and towards the end he told me to follow him to the Malheur Wildlife Refuge. Not knowing what the Refuge was or where it was, I told him I would have to follow someone. We had not heard of any meeting back at the Fairgrounds afterwards. Nor did we know anything about what took place at the Fairgrounds before the Rally.

35 As we found ourselves in a small caravan of vehicles headed toward the Refuge, we noticed an American bald eagle perched on a telephone pole above us as we passed. Having no idea where we were headed, it was very good to see some of my old friends, from the Bundy Ranch Saga in 2014, were there to greet us. They had gone on ahead. They told us they had found the doors to the first two buildings open, and

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the keys to everything else were in there. Later I discovered that you can't lock those old doors in one building for sure. The other building couldn't lock, except for a deadbolt, which we could find no key for, but it was already open.

45 We were shocked by how many buildings were actually there! There were three complete houses, totally empty and cleaned out of food and most supplies, but still had TV and cable connected. Heaters and lights were still on. We moved our things into room #1 of one house called "Coyote House". There was a man already in room #3 and no one was in room #2 yet.

50 In the bunkhouse / kitchen I had four ladies who helped me unload food and begin to set up housekeeping. There was a 50# bag of potatoes that were frozen and thawing out from the back of someone's truck. I grabbed a large kettle and put the potatoes on the stove to boil. While they were cooking I assigned a lady, Melissa, to be in charge of the kitchen and cooking with others to help. Another man, Neil Wampler, was also  
55 made our early morning cook and kitchen help.

I made a quick trip to town to the grocery store to buy milk, flour, toilet paper, celery, spices etc. to finish the soup. I filled some propane tanks and bought some small  
60 propane canisters. I also purchased some warm socks, gloves, and snow bibs. When I returned, we ladies finished making the soup. It was very cold outside and people were getting hungry.

Some media had come down from the entrance at the highway, and were walking  
65 through the Refuge. About a half a dozen men with large media cameras came into the kitchen to see what we were doing. They must have been hungry, because they came right over to the stove where I was stirring the soup, and began to take close up pictures of my boiling soup. The soup was hot and fogged up their lenses. They retreated to defog their lenses and returned. They asked what we were doing and I  
70 replied, "Making soup!" They wanted to know why? I told them that there are a lot of cold and hungry people here. I asked them if they were hungry and invited them to eat with us. They declined, even though I knew they really wanted some. I organized people, who made sleeping arrangements for those arriving.

75 **On Sunday January 3<sup>rd</sup>** at 7 am, for breakfast we had biscuits and gravy. At 8 am we had a meeting at what had been designated our headquarters. We spent the rest of the day organizing and welcoming people arriving. We took time finding beds and housing for everyone.

80 **On Monday January 4<sup>th</sup>**, at 7 am we had breakfast, prayer, and a "meet & greet" of people. On the TV that was still hooked up, we watched Fox News. Mr. Coulson from the FBI said, "This group (referring to us) is serious in their disdain of federal government." I replied, "Only with corrupt government!" Mr. Coulson also states



85 that "The FBI will just wait it out and let it end peacefully, because we have learned from Waco and Ruby Ridge. We have people with patience and cool heads." The FBI thus seemed to believe they could negotiate with us.

At 8 am we had a meeting at HQ. We held prayer and I take notes of the meeting. Duties were assigned and many others were added over time. We were to be careful  
90 not to allow others to speak for the group, especially to the media. We chose a name for the group: Citizens for Constitutional Freedom (C4CF). We decided on a mission Statement: To restore and defend the Constitution.

C4CF held a press conference at 11:00 am. Ammon spoke and I read our "Redress of  
95 Grievance" for the Hammonds. This was a list of grievances compiled by Ammon on 11 December and posted on the Bundy Blog. It was subsequently signed by 10s of thousands of people. The list had been addressed and served to 1) Harney County Sheriff David Ward, 2) Commissioner Dan Nichols, 3) Commissioner Pete Runnels, 4) County Justice of the Peace Donna Thomas, 5) District Attorney Tom Colahan, 6)  
100 State Attorney General Ellen Rosenblum and 7) Oregon State Governor Kate Brown. None of those government officials responded to this Redress of Grievances. Thus our action of taking over the Malheur Wildlife Refuge.

Local ranchers met a group of us at 12 noon at the back gate. Ammon and Brian  
105 Cavalier rode with the ranchers in their truck. I rode with an older gentleman and a body guard in a car following them. I did an interview on the Kate Dalley show out of St. George, Utah, as we are traveling to a nearby ranch. I was on the show live to explain what and why we were here at the Resource Center. We met with the Potters at their ranch, as they showed us how they had been fenced out more and more over  
110 the years. The fencing had stopped them from grazing their cattle.

As we traveled across the wide open land of snow and ice, the car I'm riding in runs into the back of the truck ahead of us, as they slowed down to look at something on a side road. There was some damage to the car, but not much to the truck. At last we  
115 arrived at John Whitsle's home in Frenchglen, about 30 miles south of the Resource Center. John shares two videos with us about the burning of the ranchers and the Hammonds. He also told us about the other witnesses who saw the BLM burning weeds with drip torches around the edges of the Hammonds' ranch that day, when fire was threatening the Hammond Ranch home. The ranchers, Whitsles and friends, said  
120 they offered the information to the Hammonds' attorneys and the prosecuting attorney, but they never came to collect it for any trials.

John and his family told us of all the abuses they had received from the federal  
125 government (BLM and Refuge) over the past years, that have driven them totally out of business. "What else do we have to lose?" they asked. They also told us of others that can testify and some of their stories.

As we were leaving with videos and photos, I received a text on my phone from a friend in Salt Lake City. The Mormon Church has just put out a statement about the takeover of the Refuge. My contact had verified it and is truly shaken up.

130 Back at the Resource Center, after much discussion, fasting and praying, Ammon & Ryan Bundy and LaVoy came out with a consensus that it would be very dangerous for us to leave so early in our mission, because we knew that by so doing the federal government would come back with a vengeance upon the people of Harney County  
135 who dared to speak out and testify against them. C4CF had given the people its word that we would stand with them, beside them and behind them until they could stand alone. C4CF couldn't leave yet.

140 At 4:30 pm I received a text message from Harry Barber, a personal friend and head of BLM in Kanab, Utah. He had missed our meeting last week.

145 I had been going through buildings, with someone's help, looking for file folders, trying to find everything we could on the Hammonds. We were just getting a feel for where we would find the information. We couldn't access any Refuge computers, so we had to find the hard copies and make copies of those. Rod Johnson, a local citizen, came with his oldest son to visit us and brought homemade soup! It was great.

150 **On Tuesday January 5<sup>th</sup>**, at 7 am we had breakfast. We had homemade bread being made in the kitchen. Cooking, cleaning and organizing was a full time job. At 8 am we had our regular meeting in our HQ.

At 11:00 am we had a press conference, where Ammon explained our Exit Plan.

155 Many people were beginning to come to visit C4CF. There were lots of press for sure and many came from all over to interview everyone.

160 In the afternoon some of the locals came, including a County Commissioner, Dan Nichols, whom I met for the first time, with two other men. Ammon asked Mr. Nichols why the Commissioners never responded to the "Redress of Grievances" that they, by law were to respond within 10 days. He told us that the fed's had told them not to respond.

165 I also met members of the "Committee of Safety" (COS), who C4CF was working with. We had some people, who were there to help, that had to go back to their jobs, as people rotated in and out.

It was that evening, just after dark, when we got word that C4CF was going to be attacked. It was from a supposedly very reliable source. Suddenly people went into a

panic. I had no idea what we should do, as we had not even discussed such a scenario.  
170 I asked Ammon what he wanted me to do. He told me to get the women out now!

We did not know what time they were attacking, so I drove my car to the kitchen and  
told all the women they had 5 minutes to get in my car as it was leaving and that we  
needed them to leave. I only had two takers. The others decided to stick it out.  
175 The two women got in my truck and we headed into town.

On leaving the Resource Center, we saw nothing out of the ordinary and no one was  
moving around. We found a motel in town and got a room. We watched for things  
online that were unfolding at the Resource Center.

180 Online in the motel, we saw LaVoy's stand that he took at the Refuge entrance. He  
was sitting in a chair with blanket over his lap and a tarp wrapped around his  
shoulders. He told the media, if there was a warrant for his arrest, this was where they  
could find him.

185 We cried, waited, and prayed for the safety of everyone there. We kept getting texts  
and phone calls from family members and friends who also were watching live  
stream. We were so thankful for Pete Santilli who had the capability and integrity to  
stay to course and report live. We called out to others to see where the backup people  
190 were located, who were on their way.

After a few hours we discovered that some of our guys were in town checking with  
the police and locating the feds. We found Ryan Payne in town with a number of  
others. He had approached the police and had a conversation with them in the parking  
195 lot of McDonalds. It turned out it was a psych-op to test us to see how C4CF would  
react in a threatening situation. Now they knew that C4CF wasn't leaving and were  
not going to be scared off.

Ryan Payne and I went back to the Resource Center.

200 Rod Johnson came back with more local people to be taught the Constitution and  
share their feelings. The schools in Burns had been closed due to Judge Grasty's,  
Sheriff Ward's and the fed's fear mongering about how dangerous it was for them to  
go to school, 30 miles away from where we were at the Resource Center. Presumably  
205 for the children's' own protection, a chain link fence had been placed around the  
school building.

Rod had told his wife to bring their children on a field trip out to the Resource Center  
to meet us and judge for themselves why they should or shouldn't go to school. They  
210 were very precocious children and we loved meeting them. They were at the  
Resource Center entrance at the highway, up top, during the press conference but we

didn't know who they were at first and would have loved to have had them speak to the press.

215 **On Wednesday January 6<sup>th</sup>**, after our 8 am meeting at HQ, there was a small group of local people from Burns who had returned with their friends to see for themselves what was happening at the Resource Center. They came to meet us, the so called  
220 “Armed Militants”, to ask questions and get answers. I always asked them where they came from and why they had come. We invited them in and we were always very grateful for the locals who were brave to come and see for themselves, and not believe  
the lies that were being put out by the media and their own local friends and government officials.

Bruce from Pacific Patriots Network (PPN) was working on our new website created  
225 for us: <http://www.Citizens4ConstitutionalFreedom.com>

This group of local residents wanted to go before the media and cameras and bear testimony of the truth to everyone. We all walked up top to the entrance to the Resource Center and tried to gather the media that was still there to interview them  
230 since they got there too late for the Press Conference at 11:00 a.m.

We learned there was to be meeting at the Fairgrounds, and we asked them if they thought we should attend. They were a little worried about us showing up at the meeting even though they intended to take a stand and make a statement. I asked  
235 them if they felt that I would be a threat being a woman. They all said they thought it would be fine if I came. I didn't know where the Fairgrounds were, so I asked if I could follow them in. They agreed.

At 3:00 pm that afternoon a couple of men from Washington brought us some five  
240 gallon buckets of fresh oysters from their farm to donate to C4CF. I welcomed them, but had to run into town for the meeting at the Fairgrounds. So I was only able to talk to them for just a couple of minutes.

One of them was named Jimi. I asked him why they had come and he told me that the Spirit had told him he needed to come and help us. The Spirit bore witness to me  
245 right then that he was suppose to be here and was a very important piece of this puzzle.

I followed the young people into town. We arrived at the Fairgrounds about 4:15 pm  
250 and saw many vehicles and people there. I could tell the group I was with was getting nervous. I asked them, as we walked in, if I should sit away from them if I made them uncomfortable. They said No, it was OK, but I felt they were scared as we walked through the crowded building to find a place to stand. There were not only Harney

255 County Citizens, but visitors from outside the County and lots and lots of media. I found a chair I could sit in to keep my distance.

260 The Fairground meeting had been called by Judge Grasty and Sheriff Ward. The meeting began at 5 pm. I took video footage of the meeting until my battery on my cell phone went dead. I hadn't brought my camera from home with me. I noticed the man, Jimi from Washington, was there at the meeting.

265 The people I was with did get up to speak. However, they were so nervous that they decided to speak together, instead of individually. Jesse said his piece, and I was a little shocked at a couple of things that he said. He said, while he agreed with the general idea of what we were doing, he didn't like the way it happened, but I'd heard this conflicting viewpoint before, and thus it bothered me. Then I realized the people I was with had never seen this many people in one place before, except for the County Fair. They still did a really good job.

270 Huffingtonpost.com, Staff Reporter Dana Liebelson reports, 7 January 2016:

**Locals Rally Against Militants in Oregon: 'Knock This Crap Off'**

Quotes from the news article:

"Burns, Ore. – Hundreds of locals from Harney County, Oregon, packed a fairgrounds building ..."

275 "But even though the attendees disagreed with the occupiers' aggressive tactics, some said they were grateful to them for drawing attention to the community's economic struggles.

280 " 'Let's just knock this crap off and go back to being friends and neighbors,' said lifelong resident Jesse Svejcar. He said he disagreed with the protesters, but added: " 'I will thank them, if nothing else, they gave a lot of good people in this county a voice.' "

285 "... the community seemed to have a complicated relationship with the Bundy brothers. Some shared the protesters' concerns about federal land access, and the imprisonment of the two local ranchers. And ranchers seeking federal grazing permits and leases see the government as blocking their efforts to make a living.

" 'I don't agree with the way that this has all turned out,' said Bill Winn, who said his family had lived in the area since the 1800s. 'I do appreciate this being put before America.... I'm glad those guys did it,' he added.

290 "The protesters have claimed the community is behind them.

" 'We haven't had anyone come out here and tell us that they want us to go home,' said a man at the wildlife refuge on Tuesday, who declined to give his

name. He said the protesters were getting food from locals, including hamburgers and jerky.

295 "On Tuesday evening, Michael Stettler, from Christmas Valley, Oregon, said occupiers received six pizzas from an address in town.

"The sheriff said he was unimpressed by the claims. 'If one person gives them a Snickers bar, they're going on national media and claiming that the community supports them,' Ward told Oregon Public Broadcasting."

300 " 'There is a time to go home, we recognize that,' Ammon Bundy said at a news conference Wednesday morning. 'We don't feel it's quite time yet.' "

During the meeting I was there to watch and listen to try and get a feel for what the public really was feeling. It was truly amazing to me, as I listened to the clapping, mostly as Sheriff Ward got up to conduct the meeting. I didn't know any of the people there. The tone of the meeting was really a springboard for a political platform for the Sheriff to launch his campaign for an election. Over the years I have participated in and conducted many political campaigns. I could see it was pretty orchestrated as to where people sat and who was allowed to speak. I felt the fear of many, and just listened to what they were saying. The people who sat on chairs, especially up front and center, were family and friends of Judge Grasty and Sheriff Ward. Those who stood around the outside were more likely to be supportive of the people at the Resource Center. Then there were those who were caught in the middle who couldn't decide or didn't know. Everyone seemed to say the same thing at the beginning of their speech: "I don't like how the people at the refuge did it, BUT....." and continue.

310 The clapping meter at the end came out that there were 1/3 who were opposed to the people being at the Resource Center, 1/3 in support of the things the people at the Resource Center were doing, and 1/3 of the people who hadn't decided yet.

320 I was discouraged and felt like all these people at the Resource Center, who were risking their lives, their securities, their families, their homes, their jobs to help these citizens of Harney County, were unappreciated. It made me feel like crying and I became angry inside. Why are we here? These people don't deserve this help but then again there were those who really wanted us to stay. How could C4CF desert them?

330 When I got back to the Resource Center I reported my findings at our evening meeting. When I told Ammon that there were only 1/3 who really liked what C4CF was doing, he got encouraged and was happy. He said the education was working and he was very encouraged and happy about it. That took me back from feeling sorry for him. I received a text later that evening from Lyndy pleading, "I don't want them to go", referring to "The Bundy Bunch".

335 **On Thursday January 7<sup>th</sup>** the next morning, I reported back to Lyndy: "We are  
staying. Everything will be okay. We have Faith, God will provide." A young man  
of 10 years I believe, named Monte, came with his mother and family to do an  
interview with Ammon about the Constitution and what was happening at the  
Resource Center. We were so impressed with him! He asked great questions and we  
could tell his parents had taught him well. He will make a great rancher and leader in  
340 his community one day!

LaVoy's brother, Guy, came to visit with some friends, Todd, John, Steve, Janalee,  
and Sharla from Utah. They were coming to see what was happening and talk us into  
leaving. We met in the Media Center, as we called it, where David Fry and I had set  
345 up his hot spot and laptop. It was great place to meet people, as it was the first  
building along the roadway and provided a small conference room for small meetings.  
At one point LaVoy and Guy began to argue some. It was awesome how even though  
they didn't agree on some things, LaVoy rolled his chair close to Guy's and reached  
out and they hugged each other.

350 The person in charge of the trash had called the trash company to come and empty the  
trash bins. At 12:54 we gave her \$250 to give to the trash company to pay for it. We  
were told we would have to sign up for it and pay a deposit if we wanted them to  
come and pick up the trash on a regular basis. We agreed and paid them the \$250, but  
355 never saw them again. For this reason we needed to burn as much of the cardboard  
and other things as possible. Supplies were still coming in. We had no room for all  
the meat. Because it was so cold outside, we could set the meat outside in cardboard  
boxes when we ran out of freezer and ice chest room.

360 We heard rumors were that the Sheriff was on his way out to the Resource Center. It  
was another psych-op.

I went into town with one of the women to the COS Meeting at the Senior Center,  
where Judge Grasty finally let them have a meeting. The building was rather small for  
365 all the people who came, but at least they had a place. It was packed and they allowed  
everyone to attend and speak, not just residents of Harney County. It was a great  
meeting and people got to say the things they wanted without being fearful! There  
was lots of media in there also. I felt like there really were people who cared about  
their community and they could pull themselves together and maybe be strong enough  
370 to make a difference together! I was really encouraged. The COS asked for other  
volunteers to be on the various sub-committees. The COS added 25 more people to  
their membership that night.

**Friday January 8<sup>th</sup>**, 7 am we had breakfast and met with everyone who wasn't on a  
375 watch shift. We brought everyone up to date on what's happening. At 8 am we had  
our meeting at HQ. We knelt in prayer, taking turns on leading the prayer each day.

Things seemed to be starting out well. Of course we didn't really have much access to things going on in the media.

380 As more people would come, I would reach out to them for help in locating their ranches on the maps and helping me to search for files. I needed help, because I didn't know the names of any of the ranchers. They would know the local ranchers and their history much better than I. They did come and help.

385 C4CF taught many people that day. People were coming from across the nation saying the Lord sent them, or they would say that they felt like they were supposed to come and help. It was amazing! Todd and John from Utah stayed to listen and learn.

I was still busy making copies of files in the Refuge Main Office, where myself and a  
390 friend were trying to get all the information on the Hammonds and unwind their story. We were in the basement where we found a large copy machine. It was really a challenge because, as we made copies, the machine would keep having problems and jam a lot. Good thing we knew a little about copy machines. The Refuge must have had a lot of trouble with that machine over time, because on the shelves there were  
395 more than 20 of the ink cartridges that were no good either. My friend was able to use some strapping tape to hold one cartridge together for a little while, but there were no new ones and we had to go on line and try to order one. We reached out for help and had one brought in. It cost us \$250 and was the wrong one! So we had to use the little copy machines after that. We had a system going where we would locate a file,  
400 copy it and then return it to its location.

At 4:30 pm we received word that Tom Shaffer and his wife from Princeton, Oregon were at the front gate. They were personal representatives of the Hammond Family, and wanted to speak with Ammon. We were all so busy that we hardly had time to eat  
405 or sleep.

I looked at my text messages late at night, when I would get to bed about 11:30 pm. That was the time I would try to check my messages and reply. I had received a text at 2:30 from a friend, "Pls leave right now. It's a No Win situation!" I replied, "We are  
410 OK, safe and making great headway. Not to worry. God is with us." Friend replies, "I will pray for you and a peaceful solution." I had no idea what is going on out in the world in the media, but obviously every time something bad goes out, I was receiving lots of worried messages.

415 **On Saturday January 9<sup>th</sup>**, I woke up as usual, about 5 am. I would then report into my husband. He called a little later this morning and let me know that he had just shipped my laptop and camera. Up to this point I couldn't get much done without them. When I had left home in Utah, I didn't know we were going to be doing this and I wasn't prepared with any kind of equipment.



420 Later that evening some state legislators & representatives from four states met with  
us and voiced their concerns and listened to our story! Our meeting was interrupted by  
a retired Army general all dressed in 18<sup>th</sup> century clothing. He presented Ammon with  
his personal Bronze Star and a signed copy of the Declaration of Independence, as this  
gentleman was a great grandson of one of the original signers. Ammon was very  
425 humbled and didn't want to accept it, but he did. He was overwhelmed with gratitude.  
After a visit with the general in private, Ammon came back to the meeting in the  
conference center which ended shortly afterwards. Todd, John, and Wes Kjar left back  
to Utah that night.

430 **On Sunday January 10<sup>th</sup>** we decided to take a day off as it was Sunday and we all  
needed a rest. Ammon went home to Idaho. Ryan Bundy was going to go to church  
in Crane with a couple of other people. I wanted to go to Burns for Church. Melissa  
locked her keys in her car and Ryan was dressed for church, but spent the time it took  
to break into her car. So they didn't get to church in Crane, and Ryan decided to go to  
435 Burns with me instead. I had brought a wool skirt from home, thinking I might be laid  
over on Sunday January 3<sup>rd</sup> on the way home and would attend church with my  
children in Salt Lake, so I at least had a skirt to wear to church. However, I had to  
borrow a shirt from one of the other ladies. I also had to borrow a curling iron for my  
hair, as I hadn't brought one of those either.

440 We were a little bit late to church, as the roads were very icy and I couldn't drive very  
fast. I met a woman there who had been at the meeting at the Senior Center the other  
night and had been sitting next to me. She welcomed us in and wanted to chat, but I  
told her we really just came to worship today. I said I would answer any questions  
445 she would like, if she would come to the Resource Center. There are very good  
people in Burns and mixed in them were also a few upset and angry people as well.

I felt it's OK that they just didn't know or understand why C4CF was at the Resource  
Center, and that was the reason we knew we had to educate them. All Christians  
450 should believe in the Constitution which was inspired by God! Our very Freedom  
depends on it! We just have to show them that we love them and that is why we are  
here!!

I wished that they only knew how much each individual at the Resource Center was  
455 sacrificing for them. These patriotic Americans at the Resource Center are putting  
everything (family, jobs, fortunes, their lives and their sacred honor) on the line to  
help them!! My heart breaks because I want them to understand how much we love  
them and how much God loves them! We are doing no wrong! We are being civilly  
disobedient to make the changes that will not and cannot be otherwise accomplished  
460 due to the corruption of the federal courts and justice system. We have all tried for  
many many years. You cannot compromise with the Devil. We just keep losing  
ground.

465 Later in the evening I noticed I had missed a text from my Bishop back home asking me "As a Friend I am asking you to come home." I replied, "Very Busy, I will call you later." At 11:33 pm I texted him again, saying, "I'll Call Later been very busy."

470 **On Monday January 11<sup>th</sup>**, 7 am breakfast and prayer. I visited with all the people helping and new comers. At 8 am we hold our HQ meeting. We have prayer and updates. Bruce from PPN, who is working on our website and donation button, called me to get some info. I worked with him to get the info he needed. We renamed the Refuge to the Harney County Resource Center.

475 I set up an appointment for Ammon to speak on the "Common Sense Show", a very large radio station in Phoenix, Arizona, with Dave Hodges. The appointment was set up for 7:30 pm and I was standing by to hand Ammon the phone as he was talking to people at the Head Quarters. I counted down the minutes with my fingers – 4–3–2–1 and no call came in. I waited 10 minutes and was very puzzled because they had been holding on the phone. I hung up and received a text from a listener in the Phoenix area, who told me the station had totally gone down and all they could hear was static. I called the station back and the secretary was frantic! "For some reason they (FBI we assume) overloaded the satellite system and not only crashed their station, but crashed their internet and their FaceBook communications as well. Dave was outraged!! They must be afraid of Ammon speaking out!! Dave said he would not advertise so far ahead next time, but he was going to get Ammon on for sure!"

480  
485 **On Tuesday January 12<sup>th</sup>**, 7 am breakfast, then we had our usual 8 am HQ meeting. We discussed our exit plan and wanted the COS to set up a meeting with the local people so we could explain our "Exit Plan". I contacted the COS Committee member Melody Molt. She said she was going to get back to us on a place to hold the meeting.

Ammon did speak on the "Common Sense Radio" station, out of Phoenix, AZ on this day! It was very powerful!

495 Later in the day I called Melody and asked if they had found a place yet. She said, "Not yet. Grasty won't let us hold a meeting in any public or county building." We decided that maybe we could find a big enough place for the people if we were to clean out the fire station garage. It needed to be cleaned and organized for the meeting. If we could just move the fire trucks out for a short time, we might be able to make that work. We began the clean up the fire station garage. It was so dirty that everyone wore dust masks and gloves.

500 Retired after 14 years of service, Ron Aharnes honors Ammon with his Duty Badge from Reno Police Department. Picture and video were taken by me.

505

Shortly after Ron honored Ammon, a vehicle pulling a trailer full of groceries from Idaho came in. The driver also gave us some money. We were very grateful to these wonderful people who took the time and effort to show their support!

510 I took a photo with Jimi that day. He had been staying for a few days, because I had asked him not to leave. I knew the Lord had sent him and we needed his help, wonderful knowledge and experience.

**Wednesday January 13<sup>th</sup>**, 7 am breakfast, prayer and "meet & greet" with everyone.  
515 Then we held our 8 am HQ meeting. We held prayer and updates. Local neighbors and communities were coming to throw a bar-b-que for us on the coming Friday.

I started uploading videos with David Fry and it was taking hours to do just one.

520 There were a lot of different media who we allowed in to do documentaries. We had a man by the name of Jesse, who was working with Direct TV. He interviewed many many people. When a 73 year old rancher came to visit, he stayed for dinner. He began to tell us about all the old ranchers and the way things use to be. It was very valuable inside information and he was a gracious, good and kind man. I interviewed  
525 him part of the time, but I had to get more photos of the others in the kitchen area, and help get plates made for those who were either at the office or on duty who hadn't eaten yet.

530 A gentleman arrived in the morning to help do the mapping. He brought his own computer and hotspot. LaVoy had found an old 1931 map of the Refuge. It was very fragile, so we had to be very very careful with it. We took photos of it to document it.

At 5:00 pm Melissa returns from Burns with her SUV stuffed full of mail. I received the package from my husband with my camera and laptop. My husband had sent  
535 everything in my backpack with my laptop, including the flash drives of my first book and the workings of my second book. This became a problem, because the feds later seized those flash drives with the laptop. I received a text that my job replacement at the Resource Center was still traveling from California. They never did arrive.

540 **Thursday January 14<sup>th</sup>**, 7 am breakfast, prayer and meet & greet. Then we held our 8 am HQ meeting with prayer and updates.

Melody called back and said she had 12 offers for places to hold the meeting. She tells us that people are "beginning to come out of the wood work."  
545

I had reached out to local residents asking for help in searching and identifying the files and ranchers associated with the Refuge. A couple of ladies came and helped me. I took pictures of the door that had been taken off the closet in the hall of the

550 Refuge Main Office building for some reason. No one of C4CF took that door off the hinges, as it had been removed before we arrived. On the interior of the door was a chart. We had found a list of weapons at the Refuge, but we never found any of those weapons. Neither could we find any 2015 records. Then we decided to gather up all the flash drives, because some of their laptops were missing and we couldn't access them anyway. But now, as I had my own laptop, we now finally had a way to check  
555 the flash drives for the data we were looking for.

We also had to carry files to the Media Center, where we could scan them, as the Refuge copy machine quit working like I stated earlier. (Line 398 above) We were mostly looking for names of people and contact information for them.

560 **Friday January 15<sup>th</sup>**, 7 am breakfast, prayer, meet & greet. We had our 8 am HQ meeting, prayer and department head reports. That afternoon we needed help to set up tables if needed for the bar-b-que planned in the afternoon.

565 At 9:09 am I replied to Melody Molt's text and set up the meeting I felt "The sooner the better, we want to go home!" I asked her to contact Buck Taylor for the use of the Fairgrounds.

I received a reply back from Melody, who says the meeting may happen in a week.  
570 Jimi had drawn up a request letter to Judge Grasty, Sheriff Ward and the School Board to call up a Grand Jury. I asked Melody if the COS had signed the letter. She said not yet, as the COS was still looking it over. We just needed a 4 signature majority vote from the COS.

575 At 10:02 we received a call informing us that we should listen to Ron Paul. The call suggested the Hammond Property was worth \$2 Trillion.

Someone at the Resource Center received a call to inform us that Kenneth Medenbach from the Resource Center had been arrested for driving a Refuge vehicle into town to the Safeway store. He had been a really good help with clean up and fix up and we  
580 didn't know why he had decided to do that.

At 3:03 pm I received a text message: "We just issued a pardon for the two Hammonds from the USO Fam. It will be published sometime today." I replied,  
585 "Email me a copy." I never received the copy.

At 4:30 local people bring a wonderful bar-b-que, complete with potato salad. We didn't need to do anything they said. But we still tried to set up tables and did all we could to help. They expressed how grateful they were to us for everything! We  
590 totally enjoyed it and their company. This is truly a great community of kind and caring people. We were invited to attend their churches.

595 **On Saturday January 16<sup>th</sup>**, before breakfast, I found I was having more car problems with my battery. I think it was from being so cold and not running it too much, as I usually just drove it from one end of the Resource Center to the other and make short stops. It doesn't have enough time to recharge in between but now it has finally given out. Ammon is on his way back from Idaho, and I text him asking to pick up a battery for me. He asks for the number on the battery.

600 Saturday 7 am breakfast, prayer, meet & greet and laundry. Then we hold our 8 am HQ meeting.

605 New faces arrive daily and there is one who drives me to town to be at the Santilli call out at the airport or something. We get there late and I stop to talk to a COS member. We never make it to the rally, but we go to town to run errands and he helps me to buy a new battery.

610 At 1:20 I text Melody: "I haven't heard from you. Are You OK?" She replies: "Fine, Thanks to you folks. I've been talking to legislators from other states about our local government oppression. It's getting the attention of Congress!!! I'm awaiting more calls." Me: "Fantastic. Have you a meeting date and time yet? We are here to help you." Melody: "After I talk to Pam. We will get guidance on how to proceed with law behind us."

615 **On Sunday January 17<sup>th</sup>**, 5:45 am I text my husband: "Everything is good here. Americans are waking up!"

At 9 am LaVoy, Ryan Bundy, Melissa and myself attended church in Crane. I rode with LaVoy, as I was still having some car problems.

620 About 2-3 pm non-denominational church services were held in the Conference Center. There were a couple of different preachers there.

625 **On Monday January 18<sup>th</sup>**, 7 am breakfast, prayer, meet & greet, then our 8 am HQ meeting with prayer and updates.

I set up an interview for Ammon with Jesse from Direct TV to complete his series. Jesse told me the series won't be out until about October or some time. He said he was leaving that morning right after the interview, as his time was up.

630 At 3:50 I left for the KrisAnne Hall meeting to be held at the Fairgrounds at 5 - 7 p.m. Neil Wampler really wanted to go, as he is a big fan of hers.

I arrived about 4:15 and the place was already 1/3 full. KrisAnne explained the same things that C4CF was teaching about with the Constitution, only she gave a little more

635 in depth for those who already have some understanding of it. I saw a few people  
glaze over a bit and a few afterwards, who didn't quite get all that she was saying, but  
were still very interested. I sat next to an older lady I had met at church, who must be  
very well known in the community. It seemed many people stopped to talk with her  
and her husband, who was ill and didn't get out much of the time. I personally loved  
640 it!! The place had just over 350 people in attendance that night.

Judge Grasty had never allowed COS the use of any public facilities for their  
meetings. Thus, I can only reason that he only allowed a couple of citizens the use of  
the Fairgrounds for the KrisAnne Hall events, because Grasty had never heard of Kris  
645 Anne Hall.

A lady, who seemed to be lost as she looked like she was living out of her car, had a  
dog she'd brought in and wanted to follow us to the Resource Center. We asked Neil  
to ride back with her in her car, in case she got lost and couldn't follow us. He was  
650 gracious and agreed to do it. I had friends there, who were giving us a large bag of  
carrots. I looked for the truck, so we could load the carrots. The lady and Neil  
followed us back. We arrived back at the Resource Center about 8 pm.

We held our 8 pm evening HQ meeting. We held prayer and some discussion.

655 **On Tuesday January 19<sup>th</sup>**, 7 am breakfast, prayer, meet & greet then our 8 am HQ  
meeting with prayer and updates

At 5:39 pm I text my son: "This is the 2nd American Revolution, We are restoring the  
660 Constitution!"

The second meeting of KrisAnne Hall was held 5 - 7 pm. Ammon and others decided  
to attend and quietly came and stood in the back. I rode in with Jon Ritzheimer and  
Ryan Bundy. There were over 450 people this night. It was amazing how the people'  
665 eyes were beginning to open. On the way in we stopped to pick up some cots and  
airbeds. After the meeting there was no time for questions today because Kris Ann  
had security with her always. She left the meeting early.

Judge Grasty decided to have another meeting of his own. He kept trying to call his  
670 own meetings and create his own "Committee of Safety", trying to override the  
citizens of Harney County that had already formed one. Grasty had called his meeting  
from 6-8 pm, in conflict with KrisAnne's meeting.

As we left the Fairground meeting, Ammon said he thought we should go and attend  
675 the rest of Grasty's townhall meeting and just observe. We did just that. Ammon and  
company arrived just ahead of us. Everyone made sure we had no weapons on them  
as we headed for the Burns High School gym. There were federal officers and

deputies all around inside and outside the High School. Ammon entered the Gym before we did. He was told that there was no standing in the ends of the Gym because  
680 all the media was there and we needed to be seated in the bleachers. Ammon walked into the Gym past all the security and went up in the bleachers to sit like he was told. Judge Grasty was speaking at the time.

We came in the opposite door and were seated in the bleachers just across from  
685 Ammon and friends. I videotaped the meeting. Grasty was nervous and instructed the people that they were not to say anything good about Ammon or anyone from the Resource Center. He continued "Except, I do have to say that the only reason we have all this media and national attention is because of the Bundy's! That being said you are not to say anything good about them!" Then he again instructed the people that no  
690 one but Harney County Residents could speak.

The bleachers were very sparse to say the least. The basketball floor was yellow taped off to keep people off the newly polished floor, but also was only about 2/3 the length of the room. I would guess there were only about 150 people there before we came.  
695

At the one end of the ball court were special chairs set up with a table for Grasty and Sheriff Ward etc. There were a number of local preachers and others, with Grasty and Ward, who I imagine had been invited by Grasty to attend. A couple of them got up to speak.  
700

The local residents were making some statements you could tell were rehearsed. One teenage girl really cried out how afraid she was to go to school and how her friend had asked her when were they ever going to be able to go back to school again. None of us from the Resource Center had ever done anything to anyone to cause Grasty to  
705 keep the schools closed for the children's safety. We were 30 miles away.

Some verbal attacks were directed at Ammon and were very cruel and mean. I wanted to jump to my feet in his defense, but because some of our group had already been ejected from the building, I did not. Pete Santilli had already been ejected from the meeting. I hurt for Ammon as he sat there quietly and just listened, not moving or reacting to the jabs at him and his character being falsely maligned. He still just sat quietly.  
710

A young woman behind us stood up and read her three pages of notes she had prepared previously. She was only allowed one minute to speak, but because she was doing a very good job, the two girls on either side of her spoke out and said that they would give her their minutes so she could finish. At the end of her report she said, "And I have never met or seen a Bundy." After she sat down, Ryan Bundy who was sitting in front of her stood up, turned around, tipped his hat, offered her his hand and  
715

720 said, "Hi, I'm Ryan Bundy, nice to meet you." The three girls stammered, blushed and  
smiled.

One of the preachers, who was assigned to speak, got up and said something to the  
effect of "Not to compare the two, but there was another who was falsely accused and  
725 killed by the masses." As he nodded towards Ammon, he went on to compare the  
town to a chocolate chip cookie recipe. He explained how we need all the ingredients  
to make a perfect cookie, not just some nuts and chips etc. It was a wonderful speech  
in indirect support of Ammon. There were some there who called the Sheriff on the  
carpet about all the lies that the people were being told and demanded to know who  
730 was lying. The Sheriff did not reply.

As we filed out past all the law enforcement officers, Ammon shook their hands.  
There were others there in the parking lot, who had bumper stickers that said  
"Clemency for the Hammonds". I asked one of my local friends if they had any more  
735 of those as we would love to have some. After sharing some food with us they said  
they would check on the stickers.

**On Wednesday January 20<sup>th</sup>**, 7 am breakfast, prayer, meet & greet, then our 8 am  
HQ meeting with prayer and updates.

740 In the afternoon Jon Ritzheimer and I went to town to pick up more bird seed for the  
bird feeders and pick up the mail at the post office. We left some mail we knew to be  
junk mail for the postmaster to throw into the dumpster. The truck was so full, we  
could hardly get all the mail in between the back seat and the covered bed. We also  
745 had to stop and get some groceries that day, but didn't have much room. I bought a  
bunch of day old bakery items the store was getting ready to throw out. I knew we  
would eat them quickly, so I bought them along with milk, fresh vegetables and fruit.

**On Thursday January 21<sup>st</sup>**, 7 am breakfast, prayer, meet & greet, then our 8 am HQ  
750 meeting with prayer and updates. I mentioned that we have got to bring everyone,  
who had come to help, to the understanding of what we are teaching and what the  
latest news was about C4CF. We needed to boost their spirits with TRUTH! We set  
the time for a meeting at 4 pm at the Firehouse. It was also mentioned that the C4CF  
website is still being worked on.

755 I received a phone call from a business in southern Utah. They emailed me my  
contract to sign and return. I still have to try to do some business from here. I hadn't  
been able to take care of any business, because I had been gone so long from my home  
and business.

760 I called a friend to see if he / she is coming back to the Resource Center to help me  
with the scanning.



Starting at 9:03 am the following dialog took place between me and a local woman:

765 9:03 am – A local woman sends a message: “I’m not sure why I get the feeling something’s going down soon, but please be careful and take care of yourself. People frustrate me around here.

10:44 Me – Are you or any local people being threatened by fed agents?

770 Local: No, just lots of heightened rumors. Nothing new really, just drama surrounding the airport and hospital... I think it’s more government fear mongering, but I can’t pinpoint it.

Me – Heard the hospital was setting up by Fed’s for casualties. Have you heard anything? OK. We have no fear. The Lord is with us.

775 Local: My friend is head surgical nurse - Dan Winn (counselor that pulled Ryan) says they were told to increase blood supply at hospital because auditors found they were short and some outdated inventory - it “leaked” and people panic. I’ve also heard the feds took control of some rooms at the hospital but it’s just rumor. I’ll ask Dan if it’s true.

Is everyone Ok?

780 Me – Yes. Absolutely, good here. We pray constantly, and the angels stand with us. But the Lord gave us brains and it’s good to know the directions we are being attacked from.

12:28 Me – The word is they intend to strike us tomorrow. We are not afraid, the Lord is with us. We pray constantly.

Local: Who will strike you?

785 Me – We know things will get worse before they get better. We are getting close to some nerves of people who control this land. They will lose lots of \$.

790 LaVoy took Blaine Cooper into the basement of the Media Center with David Fry and Tom. They were to video where LaVoy had found how some of the native Paiute artifacts were being stored away. They were not being put on display. Nor were they being given back to the Paiutes to whom they rightfully belong. LaVoy lives next door to the Paiute Tribe in Arizona and understood how important their artifacts are to them. He believes that the Paiutes would be upset to see how the federal government has just boxed up their heritage, including skeletons and left them in a dark basement. 795 They were stored in boxes covered in mouse nests, feces and dust. He called out to the Paiutes to come and see for themselves, and would like them to come and claim them or get them out on display where they should be.

800 At 4:00 pm our meeting was held at the Firehouse. The meeting was to give a Constitutional presentation and a news update to C4CF people at the Resource Center.

Cots were set up inside the new room that was being mocked-up with a concrete floor and exposed plumbing, etc. We hung plastic tarps to divide the sleeping quarters from the fire trucks, etc. We held the meeting with as many as could get there. I videotaped it.

805 I finally met the retired military nurse, who had been contacting me for days. It's great to put faces on names and voices.

810 The Beacon newspaper of Roseburg, Oregon, reported there were black helicopters landing there in Roseburg. We watched via Pete Santilli's live stream video, as Ammon went unarmed to the Harney County Airport to meet with the FBI face to face. The FBI in-charge would only talk to Ammon on a cell phone, but refused to come and shake hands with Ammon at the airport. Ammon shook the hands of the officers there and explained that we were occupying the Resource Center, until they  
815 release the Hammonds from prison and give back the Refuge and lands to the People of Harney County to whom it belongs.

820 A couple of men had come to my aide in the Media Center. Together they helped me to get our FaceBook page up and running. We still couldn't get in contact with the person who had control of our donation site. We tried all day and only got an "I'll call you later" reply. The two of them were very tired afterward, and slept sitting up in chairs in the Media Center for a little while.

825 **On Friday Jan. 22<sup>nd</sup>**, 7:00 am breakfast, prayer, meet & greet and then our 8 am HQ meeting with prayer and updates. Ryan Bundy shows us all the 40+ airline tickets of Ammon's that he used traveling back and forth between Idaho and Arizona in the last few months. Each and every time each ticket had to be punched when they did a strip search on him. That is 6 times each card.

830 Starting at 9:38 I had another dialog with a person from the local community.

9:38 a.m. Local – How is everyone this morning?

Me – It was the FBI. We will meet with them again today. We cannot let them isolate us from the people and public. Everything is good this morning.

Local – Great. Glad it was only hype. Hang in there!

835 Me – Not hype. The Lord is protecting us.

Me – Deputy stated today that the sheriff did call in the fed's to do his job. That means you have NO sheriff! The people better get a sheriff immediately to replace him. If you believe the Constitution was created by the hand of God then it is as important as scripture. Read "The Declaration of Independence" and then read Article 1, Sec. 8, Clause 17 of the Constitution, and Article 4,  
840 Sec. 3, Clause 2.

Today will be a wonderful Day. God is still in charge.  
We all need to pray for the Sheriff to understand his job and have the strength to do it.

845 Local – OK. Will do. So strange and unbelievable.

Me – God said it would not be easy, but it would be worth it!

Local – God is blessing you all and we’re praying for you too. This is surreal!  
I have been praying for help to get the TRUTH out in the public. The media keeps spreading lies and twisting the facts. We need social media desperately.

850 A young father stopped in to check on us. He said the Lord really urged him, telling him he needed to stop in on his way past to work and see how he could help. He was welcomed in and invited to eat etc with us. He saw and mostly felt that we truly needed his help. I was thrilled when the young man decided to come to our HQ  
855 meeting and offer his services.

**Saturday January 23<sup>rd</sup>**, 7 am breakfast, prayer, meet & greet, then our 8 am HQ meeting with prayer and updates.

860 A meeting was set up for 4 pm for Ranchers to sign Nullification of Contracts with Government Agencies BLM, Forest Service etc. Adrian Sewell from New Mexico had flown in to sign and we would have the Sharp Family here to sing as our entertainment.

865 The young father, who had visited the day before, though very humble, he explained that we needed to have better communication with the world, which was very true. We asked him if he could build a website for us. He humbly replied that he had not done so in about 5 years, at which some said that was too long in the computer world because everything changes so fast.

870 I had been praying for more help, because we only had David Fry for Internet expertise. LaVoy was using David so much, that I could barely get him for very long, even though he was excellent when I could get him. I agreed that I would take this humble young father and vet him. When he started working on the computer I found out he wasn’t just good, he was great!! He downloaded my photos and videos after he  
875 spent all day long working on the new website getting hosting etc.

I was to contact all the ranchers with the names and phone numbers I had collected so far. I was to invite them to come to a preliminary meeting to see our presentation at 2 pm, if they could make it.

880 I delegated the phone calls to Jeanette, as I was busy with another person who had arrived the night before and was now setting up our FaceBook page.

I had to leave him working while I went to help with the ranchers Constitution presentation by Ammon. At 2:00 pm we had our preliminary meeting with ranchers to help them understand how important it was to nullify their contracts with the BLM etc. When it was time for the signing and the unveiling of our new Harney County Resource Center big sign we challenged the ranchers to come out and sign. They never did. I believe it was because they were so deathly afraid of the consequences from the federal government's heavy hand.

At 4:00 pm the formal meeting began. There were hundreds of people there. Of course we even had the protesters, who had been making themselves known up at the highway entrance. There were at least 3 protestors I know of with signs. Ryan Bundy took one of their signs and turned its meaning around to support the ranchers and to "Keep Public Land Public". That was exactly what it should have said, only the "Public" is the local "Public", not the public who don't live in the area, not the public that has an outside corporate vested interest in these public lands.

We had a notary public lined up to sign the letters. We were really thrilled with Adrian and his choice to stand up and be counted. In fact he said he was now LaVoy & Jeanette Finicum's new adopted son.

That evening Ammon left to go back home to Idaho for a couple of days.

**On Sunday January 24<sup>th</sup>**, LaVoy, Jeanette, Adrian Sewell and I went to town to go to church. I decided to go to the Burns LDS church again, because I had been talking to one of my friends from there and I already told them I was coming. So they dropped me off there and they all went on to the "Calvary Church". They wanted to make new friends and Jeanette didn't bring a dress for the LDS service.

I walked into church and my friend was there with her son. Her husband was one of the speakers that day. It was a really good meeting and fun to meet more of the family. It turned out perfect because as soon as they got finished I was ready to go.

LaVoy texted me later that evening, that I had left my glasses in his truck when we got back from church.

Jeanette had to leave to take Adrian back to the airport in Idaho to fly home. She didn't really want to go, but she also needed to get home because their youngest daughter was playing her last basketball game. Being a senior in high school made it a big deal. Jeanette told me that LaVoy's birthday was on Wednesday and asked if I could give him a gift from her. I told her that I was happy to do that for her!

**Monday January 25<sup>th</sup>**, 7 am breakfast, prayer, meet & greet, then our 8 am regular HQ meeting. We made an executive decision to change our name to **People** for

Constitutional Freedom instead of **Citizens**. That way we could have total control of our own website, instead of going through a third party, PPN. It seemed we were never able to contact them and they could not release control of the website to us.

930 In the afternoon Gary Hunt (a writer I didn't know) had returned and this time he brought a professional scanner. Todd introduced himself and his company and said he was here to help get these records scanned in and recorded. He told me that he had been scanning professionally for many years and had done mostly government contracts. I was happy to have him but was a little skeptical at first. I vetted him and  
935 decided the Lord must have sent him because we were overwhelmed and had a lot of work still to do. I had him park his truck and trailer in the campground area until morning.

**Tuesday January 26<sup>th</sup>**, 7 am breakfast, prayer, meet & greet, then our regular 8 am  
940 HQ meeting with prayer and updates. Ammon had returned back to the Resource Center. He was somewhat upset that we had voted to change our name in mid-stream. I explained that we had put out our name before we had secured our domains the first time with PPN, and that created a problem for us to control our own web and donation site. I explained it was already changed and things were working smoothly now. I  
945 had paid for it and we were up and running.

Gary Hunt was there again and wanted to get maps copied now that we had a copier, which could do that. I told him he could come over after we got things set up in the Refuge Main Office Building. We kept that building pretty secured, so nobody would  
950 mess with anything. I helped Todd set up his big heavy scanners in one of the back offices. I went down stairs and got 11 files to begin scanning first as soon as he got everything all set up. I asked him how much time it would take to set up, and he told me it would be most of the day. I told him I had many other things I had to go and do, but if and when he needed help he should call me. I gave him my phone number.

955 I went back to the Media Center where I was online with our web designer to work out the website he was building for C4CF.

Jeanette called and said she wished she could be here but I assured her that she was in  
960 the right place supporting her daughter in her ball game and schooling. I told her to be sure and cheer loudly for her.

I was looking for Ryan when I saw LaVoy come out of his office area with a Reporter. The reporter showed me the picture he had just taken of LaVoy standing outside the  
965 office door with his head bowed down.

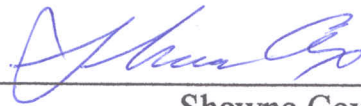
I hurried into the garage, where the Sharp family was busy running around getting ready to head for John Day to the meeting to sing. As they scampered about I was

970 trying to see what I could do to help them. I went looking for a couple of the Sharp children, who were still trying to get ready. As they jumped into the Sharp family van and were backing out, they suddenly realized they were still missing two people, the youngest and the oldest.

975 One of the guys jumped into the 4-wheeler and went to the Bunkhouse and retrieved the youngest Sharp boy. But the oldest, Victoria, was still in the shower. The COS vehicle left first for John Day. The second vehicle with Wyoming ranchers went 10 minutes later. It was to be followed by the Sharp Family, who were running a couple of minutes late, and Mark McConnell was hollering at them to hurry up. Mrs. Sharp did not appreciate Mark swearing at her and her children, but they finally got on the  
980 road.

The next in line was LaVoy's truck. I was standing next to Ryan Bundy, when he was loading the projector and speakers into the back of the truck. The truck bed was already full of camping gear and bags. I helped him close the tailgate. Victoria finally  
985 showed up and we had her jump into the back seat next to Ryan Bundy.

Looking around, LaVoy said he couldn't find David who was supposed to go with them to video the Sharp Family and the meeting. I told him I had a camera and I would go with them. I was waiting to go home that night. But I couldn't go until my  
990 replacement arrived around 9 pm. Then I could leave as soon as I got back from John Day and got my replacement up to speed. My car was parked next to LaVoy's truck, so I grabbed my camera, trail mix, jerky and dried mangos and put them in the LaVoy's truck. I locked my car and jumped into the back seat, next to Victoria in  
995 LaVoy's truck.



Shawna Cox

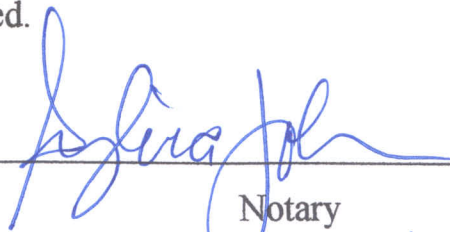
**NOTARY**

1000 In Utah State, Kane County, on this 5<sup>th</sup> day of April, 2016, before me, ~~Sylvia Johnson~~ Sylvia Johnson, the undersigned Notary Public, personally appeared Shawna Cox, known to me to be the living woman described herein, who executed the forgoing instrument, and has sworn before me that she executed the same as her free will, act and deed.

1005

(Notary seal)





Notary

My commission expires: 05/16/16

## Affidavit of William Joseph Goode

I, William Joseph Goode, Affiant, being of lawful age, qualified and competent to testify to, and having firsthand knowledge from Shawna Cox, who was at the Refuge from start to finish, do hereby swear that the following facts are true, correct and not misleading:

(Shawna withheld from me some names of people mentioned in this Affidavit.)

On Saturday, January 2, 2016 Shawna Cox caught up with friend, Ammon Bundy, at the rally for the Hammond Family in Burns, Oregon. Towards the end of the rally, he told her to follow him to the Malheur Wildlife National Refuge. Not knowing what the Refuge was or where it was, she told him she would have to follow.

Shawna found herself in a small caravan of vehicles headed toward the Refuge. Another group had gone on ahead. They told the new arrivals that they had found the doors to the first two buildings open, and the keys to everything else were inside. Later Shawna discovered that they couldn't lock the old doors in one building securely. The other building couldn't be locked at all, except with a deadbolt, for which they could find no key, but was already open.

They were shocked by how many buildings there were. There were three complete houses, totally empty and cleaned out of food and most supplies, but which still had TV and cable connected. Heaters and lights were on. She moved her things into room #1 of the one called "Coyote House". There was a man already in room #3, and no one was in room #2 yet.

In the bunkhouse / kitchen Shawna had four ladies help her unload food and begin setting up housekeeping. There was a 50# bag of potatoes, frozen and thawing, from the back of someone's truck. She grabbed a large kettle and put the potatoes on the stove to boil. While they were cooking, she assigned a lady named Melissa to be in charge of the kitchen and cooking, with others to help. Neil Wampler was designated the early morning cook and kitchen help.

Shawna made a quick trip to town to the grocery store for milk, flour, toilet paper, and celery and spices to finish the soup. She filled some propane tanks and bought some small propane canisters. She purchased warm socks, gloves and snow bibs as well. When she returned, the ladies finished making the soup. It was very cold outside and people were getting hungry.

Some media had come down from the entrance at the highway, and were walking through the Refuge. About a half dozen men with large media cameras came into the kitchen to see what they were doing. The media group must have been hungry because they came right over to the stove where Shawna was stirring the soup, and began to take close up pictures of Shawna's boiling soup. The soup was hot and fogged their lenses. They



retreated to defog their lenses and then returned. They asked what she was doing and she replied, *"Making soup!"* They wanted to know why. Shawna told them that there were a lot of cold and hungry people there. She asked them if they were hungry and invited them to eat with the group. They declined. Shawna organized people who made sleeping arrangements for those arriving.

On Sunday, January 3, 2016 at 7am, for breakfast the Refuge arrivals had biscuits and gravy. At 8am they had a meeting at what had been designated their headquarters. They spent the rest of the day organizing and welcoming people as they arrived. They took time finding beds and housing for everyone.

On Monday, January 4, 2016 at 7am the new arrivals had breakfast, prayer and a *"meet & greet"* with the people there. On the TV that was still hooked up, they watched Fox News. Mr. Coulson from the FBI said, *"This group (referring to the new arrivals) is serious in their disdain of federal government."* Shawna replied, *"Only with corrupt government!"* Mr. Coulson also stated: *"The FBI will just wait it out and let it end peacefully, because we have learned from Waco and Ruby Ridge. We have people with patience and cool heads."* The FBI thus seemed to believe they could negotiate with the group.

At 8am the new arrivals had a meeting at HQ. They held prayer and Shawna took notes. Duties were assigned; many others were added over time. The group was to be careful not to allow others to speak for the group, especially to the media. The group chose a name for itself: Citizens for Constitutional Freedom (C4CF). They decided on a mission Statement: To restore and defend the Constitution.

C4CF held a Press Conference at 11:00am. Ammon spoke and Shawna read their *"Redress of Grievances"* for the Hammonds. This was a list of grievances compiled by Ammon on December 11, 2015, and posted on the Bundy Blog. It was subsequently signed by 10s of thousands of people. The list had been addressed and served on the following seven (7) government officials: Harney County Sheriff David Ward, Commissioner Dan Nichols, Commissioner Pete Runnels, County Justice of the Peace Donna Thomas, District Attorney Tom Colahan, State Attorney General Ellen Rosenblum and Oregon State Governor Kate Brown. None of those government officials responded to this Redress of Grievances. That lack of response was the reason for the action of occupying the Malheur Wildlife Refuge.

Local ranchers met with some from C4CF at 12 noon at the back gate. Ammon Bundy and Brian Cavalier rode with ranchers in their truck. Shawna rode with an older gentleman and bodyguard in a car following. She did an interview on the Kate Dalley Show out of St. George, Utah, while traveling to a nearby ranch. She was on the show live to explain what and why they were there at the Refuge. They met with the Potters at their ranch, who showed the C4CF group how they had been fenced out more and more over the years. The fencing had stopped the Potters from grazing their cattle.



The group drove south to arrive at John Witzel's home in Frenchglen, about 30 miles south of the Refuge. John shared two videos with them about the burning of the ranches of the Hammonds and others. He also told them about the witnesses who saw the BLM  
80 burning weeds with drip torches around the edges of the Hammonds' ranch that day when fire threatened the Hammond Ranch home. The ranchers, Witzels and friends said they offered the information to the Hammonds' attorneys and the prosecuting attorney, but they never came to collect it for the trials.

John and his family told the C4CF group of all the abuses they had received from the  
85 federal government (BLM and Refuge) over the past years that had driven them totally out of business. "*What else do we have to lose?*" they asked. They also told the C4CF group of others that could testify, and some of their stories.

As the group was leaving with videos and photos, Shawna received a text on her phone from a friend in Salt Lake City. The Mormon Church had just put out a statement about  
90 the takeover of the Refuge. Her contact had verified it and was truly shaken up.

Back at the Resource Center, after much discussion, fasting and praying, Ammon & Ryan Bundy and LaVoy came out with a consensus that it would be very dangerous for C4CF to leave so early in their mission, because they knew that by so doing, the federal government would come back with a vengeance upon the people of Harney County who  
95 dared to speak out and testify against them. C4CF had given the people its word that it would stand with them, beside them and behind them until they could stand alone. C4CF couldn't leave yet.

Shawna had been going through buildings, with someone's help, looking for file folders, trying to find everything they could on the Hammond affair. They were just getting a feel  
100 for where they would find the information. They couldn't access any Refuge computers, so they had to find the hard copies from which to make copies.

Rod Johnson, a local citizen, came with his oldest son to visit those at the Refuge and brought homemade soup! It was much appreciated.

On Tuesday, January 5, 2016 at 7am, breakfast. The group had homemade bread made  
105 from the kitchen. Cooking, cleaning and organizing were full time jobs. At 8am they had their regular meeting in their HQ.

At 11:00am they had a Press Conference during which Ammon explained the C4CF Exit Plan.

Many people were beginning to come to visit C4CF. There were lots of press for sure and  
110 many came from all over to interview everyone.

In the afternoon some of the locals came, including a County Commissioner, Dan Nichols, whom Shawna met for the first time, with two other men. Ammon asked Mr.

115 Nichols why the Commissioners never responded to the “*Redress of Grievances*” that they, by law, were to respond to within 10 days. He told C4CF that the feds had told them not to respond.

Shawna also met members of the “*Committee of Safety*” (COS), with whom C4CF was working. C4CF had some people who were there to help, but had to go back to their jobs, so people rotated in and out.

120 It was that evening, just after dark, when the group got word that C4CF was going to be attacked. It was from a supposedly very reliable source. Suddenly people went into a panic. Shawna had no idea what to do, as the group had not even discussed such a scenario. She asked Ammon what he wanted her to do. He told her to get the women out now!

125 The group did not know what time to expect the attack, so Shawna drove her car to the kitchen and told all the women they had 5 minutes to get in her car, as it was leaving and that they needed them to leave. She only had two takers. The others decided to stick it out. The two women got in her truck and they headed into town.

130 On leaving the Refuge, they saw nothing out of the ordinary, and no one was moving around. They found a motel in town and got a room. They watched for things online that were unfolding at the Resource Center.

Online in the motel, the women saw LaVoy’s stand that he took at the Refuge entrance. He was sitting in a chair with blanket over his lap and a tarp wrapped around his shoulders. He told the media:

*“If there’s a Warrant for my arrest, this is where they can find me.”*

135 The women cried, waited and prayed for the safety of everyone there at the Refuge. The women kept getting texts and phone calls from family members and friends who were watching live stream. They were thankful for Pete Santilli who had the capability and integrity to stay the course to report live. They called out to others to see where the backup people were located who were on their way.

140 After a few hours the group of women discovered that some of the guys from the Refuge were in town checking with the police and locating the feds. They found Ryan Payne in town with a number of others. He had approached the police and had a conversation with them in the parking lot of McDonalds. It turned out it was a psych-op to test C4CF to see how they would react in a threatening situation. Now they knew that C4CF wasn’t  
145 leaving and was not going to be scared off.

Ryan Payne and Shawna went back to the Refuge.

Rod Johnson came back with more local people who wanted to be taught the Constitution and share their feelings. The schools in Burns had been closed due to the fearmongering

150 of Judge Grasty, Sheriff Ward and the feds about how dangerous it was for children to go to school, 30 miles away from the Refuge. A chain link fence had been placed around the school building, presumably for the protection of the children.

Rod had told his wife to bring their children on a field trip out to the Refuge to meet everyone, so they could judge for themselves whether they should or shouldn't go to school. They were very precocious children and people at the Refuge loved meeting them. Rod's family was at the Refuge entrance at the highway, up top, during the Press Conference, but C4CF hadn't known who they were at first and would have loved to have had them speak to the press.

On Wednesday, January 6, 2016 C4CF held its regular 8am meeting at HQ.

160 Bruce from Pacific Patriots Network (PPN) was working on C4CF's new website, created for them: <http://www.Citizens4ConstitutionalFreedom.com>

165 There was a small group of local people from Burns who had returned with their friends to see for themselves what was happening at the Refuge. They came to meet those at the Refuge, the so-called "*Armed Militants*", to ask questions and get answers. Shawna always asked them where they came from and why they had come. C4CF invited them in. They were always grateful for the locals, who bravely came to see for themselves, rather than believe the lies being put out by the media, their own local friends and government officials.

170 This particular group of local residents wanted to go before the media and cameras to bear testimony of the truth to everyone. Everyone walked to the entrance of the Refuge and gathered what media was still there to interview the locals, since they had arrived too late for the 11:00am Press Conference.

175 C4CF learned there was to be a meeting at the Fairgrounds, and asked the locals if they thought people from the Refuge should attend. The locals were a little worried about people from the Refuge showing up at the meeting, even though they intended to take a stand and make a statement. Shawna asked if they felt that she would be a threat, being a woman. They all said they thought it would be fine if Shawna came. Shawna didn't know where the Fairgrounds was, so asked if she could follow them in. They agreed.

180 At 3:00pm that afternoon a couple of men from Washington brought five gallon buckets of fresh oysters from their farm to donate to C4CF. Shawna welcomed them, but had to run into town for the meeting at the Fairgrounds. So Shawna was only able to talk with them for just a couple of minutes.

One of them was named Jimi. Shawna asked him why they had come. He told her that the Spirit had told him he needed to come to help the group at the Refuge.

185 Shawna followed the young people into town. They arrived at the Fairgrounds about  
4:15pm and saw a lot of vehicles and people there. Shawna could tell that the group she  
was with was getting nervous. She asked them, as they walked in, whether she should sit  
away from them in the event, if she was making them uncomfortable. They said, “No.” It  
was OK, but Shawna felt they were scared as they walked through the crowded building  
190 to find a place to stand. There were Harney County Citizens and visitors from outside the  
County along with lots of media. Shawna found a chair to keep her distance.

The Fairgrounds meeting had been called by Judge Grasty and Sheriff Ward. The  
meeting began at 5pm. Shawna took video footage of the meeting, until the battery on her  
cell phone went dead. She hadn’t brought her camera from home. She noticed Jimi from  
Washington was at the meeting.

195 The people Shawna was with got up to speak. However, they were so nervous they  
decided to speak together, instead of individually. Jesse said his piece. Shawna was a  
little shocked at a couple of things he said. While he agreed with the general idea of what  
was being done, he didn’t like the way it happened. Shawna had heard this conflicting  
viewpoint before. It bothered her. Then she realized these people had never seen this  
200 many people in one place before, except for the County Fair. Still they did a good job.

Quotes from the news article:

[Huffingtonpost.com](http://Huffingtonpost.com), Staff Reporter Dana Liebelson, 7 January 2016:

### **Locals Rally against Militants in Oregon: ‘Knock This Crap Off’**

205 *“Burns, Ore. – Hundreds of locals from Harney County, Oregon, packed a  
fairgrounds building ...”*

*“But even though the attendees disagreed with the occupiers’ aggressive  
tactics, some said they were grateful to them for drawing attention to the  
community’s economic struggles.*

210 *“‘Let’s just knock this crap off and go back to being friends and neighbors,’  
said lifelong resident Jesse Svejcar. He said he disagreed with the  
protesters, but added: ‘I will thank them, because if nothing else, they gave a  
lot of good people in this county a voice.’*

215 *“... the community seemed to have a complicated relationship with the  
Bundy brothers. Some shared the protesters’ concerns about federal land  
access, and the imprisonment of the two local ranchers. And ranchers  
seeking federal grazing permits and leases see the government as blocking  
their efforts to make a living.*

220 “I don’t agree with the way that this has all turned out,’ said Bill Winn, who said his family had lived in the area since the 1800s. ‘I do appreciate this being put before America... I’m glad those guys did it,’ he added.

“The protesters have claimed the community is behind them.

225 “‘We haven’t had anyone come out here and tell us that they want us to go home,’ said a man at the wildlife refuge on Tuesday, who declined to give his name. He said the protesters were getting food from locals, including hamburgers and jerky.

“On Tuesday evening, Michael Stettler, from Christmas Valley, Oregon, said occupiers received six pizzas from an address in town.

230 “The sheriff said he was unimpressed by the claims. ‘If one person gives them a Snickers bar, they’re going on national media and claiming that the community supports them,’ Ward told Oregon Public Broadcasting.”

“‘There is a time to go home. We recognize that,’ Ammon Bundy said at a news conference Wednesday morning. ‘We don’t feel it’s quite time yet.’”

235 During the meeting Shawna was there to watch and listen to try to get a feel for what the public was feeling. She heard the clapping as Sheriff Ward got up to conduct the meeting. She didn’t know any of the people there. She felt the tone of the meeting was actually a springboard for a political platform for the Sheriff to launch his re-election campaign. Over the years Shawna had participated in and conducted many political campaigns. She could see this meeting was pretty orchestrated, as far as where people sat and who was allowed to speak. She felt the fear of many, and listened to what they were saying. The people who sat on chairs, especially up front and center, were family and friends of Judge Grasty and Sheriff Ward. Those who stood around the outside were more likely to be supportive of the people at the Resource Center. Then, there were those caught in the middle, who were undecided or uninformed. Everyone seemed to say the same thing, beginning their speech with: “I don’t like how the people at the refuge did it, BUT...”

245 The clapping meter at the end revealed a third of the people opposed to the people occupying the Resource Center, a third in support of the things the people at the Resource Center were doing, and a third who hadn’t yet decided.

250 Shawna was discouraged and felt all these people at the Resource Center, who were risking their lives, their securities, their families, their homes and their jobs to help these citizens of Harney County, were unappreciated. It made her feel like crying. She became angry inside. “Why are we here?” she asked herself. She felt those people at the meeting didn’t deserve the help from C4CF, but then again there were those who wanted C4CF to stay. How could C4CF desert them?

255 When Shawna got back to the Resource Center, she reported her findings at the evening meeting. When she told Ammon that only a third of the people really liked what C4CF was doing, he got encouraged and happy. He said it appeared the education was working and that he was encouraged and happy about that. This helped Shawna recover from feeling sorry for Ammon. She received a text later that evening from a local friend, Lyndy, pleading, *"I don't want them to go,"* referring to *"The Bundy Bunch"*.

260 On Thursday, January 7, 2016 the next morning, Shawna reported back to Lyndy that C4CF was staying.

265 A young man of about 10 years Shawna thought, named Monte, came with his mother and family to do an interview with Ammon about the Constitution and what was happening at the Refuge. Shawna and the others were very impressed with him! He asked great questions and one could tell his parents had taught him well.

270 LaVoy's brother, Guy, came to visit with friends Todd, John, Steve, Janalee and Sharla from Utah. They came to see what was happening and talk C4CF into leaving. They all met in the Media Center, as it had been called, where David Fry and Shawna had set up David's hot spot and laptop. It was a great place to meet people as it was the first building along the roadway and provided a small conference room for small meetings. At one point LaVoy and Guy began to argue some. It was awesome how even though they didn't agree on some things, LaVoy rolled his chair close to Guy's and reached out and they hugged each other.

275 The person in charge of the trash had called the trash company to come and empty the trash bins. At 12:54 Shawna gave her \$250 to pay the trash company. They were told they would have to sign a contract and pay a deposit if they wanted the trash company to come and pick up the trash on a regular basis. They agreed and paid the trash company the \$250, but never saw them again. For this reason those at the Refuge needed to burn as much of the cardboard and other things as possible. Supplies were still coming in. There was no room for all the meat in the freezers. Because it was so cold outside, the meat could be set outside in cardboard boxes, when there was no more freezer space or ice chest room.

280 C4CF heard rumors that the Sheriff was on his way out to the Refuge. It was another psych-op.

285 Shawna went with one of the women into town to the COS Meeting at the Senior Center, where Judge Grasty finally let them have a meeting. The building was rather small for all the people who came, but at least they had a place. It was packed and they allowed everyone to attend and speak, not just residents of Harney County. It was a great meeting and people got to say what they wanted to say without being fearful! There was lots of media there as well. Shawna felt like there were people who cared about their community and that they could pull themselves together and become strong enough to make a

difference! She was very encouraged. The COS asked for other volunteers to be on the various sub-committees. The COS added 25 people to their membership that night.

295 Friday, January 8, 2016, 7am breakfast and meet & greet with everyone who wasn't on a watch shift. Everyone was brought up to date on what was happening. At 8am the HQ meeting was held. Things seemed to be starting off well. Of course those at the Refuge didn't have much access to things going out in the media.

300 As more people came, Shawna reached out to them for help in locating their ranches on the maps and searching for their files. Shawna needed help because she didn't know the names of the ranchers. Those coming in knew the local ranchers and their history much better than she. They came and helped.

305 C4CF taught many people that day. People came from across the nation, saying they felt they were supposed to come and help. It was amazing! Todd and John from Utah stayed to listen and learn.

Shawna was still busy making copies of files in the Refuge Main Office where she and a friend were trying to get information on the Hammonds to unravel their story. They found in the basement a large copy machine; but, it posed a challenge because it kept jamming. Shawna felt it was good they knew a little about copy machines. She felt the Refuge must have had a lot of trouble with the machine over time because the shelves held more than 310 20 ink cartridges that were no good. Her friend was able to use some strapping tape to hold one cartridge together for a little while; but, there were no new ones so they had to go on line to try to order one. They reached out for help and had one brought in. It cost them \$250; but, turned out to be the wrong one! So they had to use the little copy machines after that. They had a system where they would locate a file, copy it and then 315 return it to its location.

320 At 4:30pm C4CF received word that Tom Shaffer and his wife from Princeton, Oregon, were at the entrance on the highway. They were personal representatives of the Hammond Family, and wanted to speak with Ammon. Everyone was so busy they hardly had time to eat or sleep.

On Saturday, January 9, 2016 before breakfast, Shawna's husband called to let her know he had just shipped her laptop and camera. Up to that point she hadn't been able to get much done without her equipment. When she had left home in Utah, she hadn't known she was going to be doing this, and wasn't prepared with equipment.

325 Later that evening some state legislators & representatives from four states met with C4CF and voiced their concerns and listened to C4CF's story! The meeting was interrupted by a retired Army general all dressed in 18<sup>th</sup> century clothing. He presented Ammon with his personal Bronze Star and a signed copy of the Declaration of Independence, as this gentleman was a great-grandson of one of the original signers. 330 Ammon was very humbled, didn't want to accept it, but did. He was overwhelmed with

330 gratitude. After a visit with the general in private, Ammon came back to the meeting in  
the conference center which ended shortly afterwards. Todd, John and Wes Kjar left to  
return to Utah that night.

On Sunday, January 10, 2016 all decided to take a day off as it was Sunday and they all  
needed a rest. Ammon went home to Idaho. Ryan Bundy was going to go to church in  
335 Crane with a couple of other people. Shawna wanted to go to Burns for church. Melissa  
had locked her keys in her car. Ryan was dressed for church, but took time to open her  
car. After that they didn't get to church in Crane. Ryan decided to go to Burns with  
Shawna instead.

They were a little bit late to church, as the roads were icy and Shawna couldn't drive too  
340 fast. At church Shawna met a woman, who had been at the Senior Center meeting the  
other night and had sat next to her. She welcomed them in and wanted to chat, but  
Shawna told her they had come to worship. Shawna said she would answer any questions  
the lady had, if she came to the Refuge. There are very good people in Burns, and mixed  
in with them were a few upset, angry folks as well.

345 On Monday, January 11, 7am, breakfast and prayer; Shawna visited with all the people,  
who were helping and with the newcomers. At 8am they held their HQ meeting with  
prayer and updates. Bruce from PPN, who was working on the website and donation  
button, called Shawna to get some information. She worked with him to get the  
information he needed. C4CF renamed the Refuge to the Harney County Resource  
350 Center.

Shawna set up an appointment for Ammon to speak on the "*Common Sense Show*", a  
very large radio station in Phoenix, Arizona, with Dave Hodges. The appointment was set  
for 7:30pm. Shawna was standing by to hand Ammon the phone as he was talking to  
people at HQ. Shawna counted down the minutes with her fingers: 4-3-2-1, but no call  
355 came in. Shawna waited 10 minutes. She was puzzled, because they had been holding on  
the phone. She hung up and received a text from a listener in the Phoenix area, who told  
her the station had totally gone down and all they could hear was static. She called the  
station. The secretary was frantic! "*For some reason they, the FBI we assume,*  
*overloaded the satellite system and not only crashed the station, but crashed the station's*  
360 *internet and Facebook communications as well.*" Dave was outraged!! "*They must be*  
*afraid of Ammon speaking out!!*" Dave said he would not advertise so far in advance next  
time, but he was going to get Ammon on for sure!

On Tuesday January 12, 2016, 7am, breakfast, then the usual 8am HQ meeting. They  
discussed their "*Exit Plan*" and wanted the COS to set up a meeting with the local  
365 people, so C4CF could explain the Exit Plan. Shawna contacted COS member Melody  
Molt. She said she would get back to Shawna about a place to hold the meeting.



Ammon spoke on the “*Common Sense Radio*” station, out of Phoenix, Arizona! It was very powerful!

370 Later in the day Shawna called Melody to ask whether they had found a place. She said, “*Not yet. Grasty won’t let us hold a meeting in any public or county building.*” C4CF decided that maybe they could find a big enough place for the people if the fire station garage was cleaned out. It needed to be cleaned and organized. The fire trucks would have to be moved for a short time; then they might be able to make that work. They began the cleaning. It was so dirty everyone working on it wore dust masks and gloves.

375 Retired after 14 years of service, Ron Aharnes honored Ammon with his Duty Badge from the Reno Police Department. Shawna took pictures and a video.

Shortly after Ron honored Ammon, a vehicle pulling a trailer full of groceries from Idaho came in. The driver gave C4CF some money. The group was grateful to these wonderful people who took the time and effort to show their support!

380 Shawna took a photo with Jimi that day. He had been staying for a few days, because she had asked him not to leave.

Wednesday, January 13, 2016, 7am, breakfast, prayer and “*meet & greet*”; then the 8am HQ meeting with prayer and updates. Local neighbors and communities were coming to throw a bar-b-que for C4CF the coming Friday.

385 Shawna started uploading videos with David Fry. It took hours to do just one.

390 A lot of different media were allowed in to do documentaries. A man by the name of Jesse in the Resource Center was working with Direct TV. He interviewed many people. When a 73-year-old rancher came to visit, he stayed for dinner. He began to tell everyone about all the old ranchers and the way things used to be. It was very valuable inside information and he was a gracious, good and kind man. Shawna interviewed him part of the time, but she had to get more photos of the others in the kitchen area, and help get plates made for those who were either at the office or on duty who hadn’t eaten yet.

395 A gentleman arrived in the morning to help do the mapping. He brought his own computer and hotspot. LaVoy had found an old 1931 map of the Refuge. It was very fragile, so it had to be handled with great care. Photos were taken of it to document it.

400 At 5:00pm Melissa returned from Burns with her SUV stuffed full of mail. Shawna received the package from her husband with her camera and laptop. Her husband had sent everything in her backpack with her laptop, including the flash drives of her first book and the workings of her second book. This became a problem, because the feds later seized those flash drives with the laptop. Shawna received a text that her job replacement at the Resource Center was still traveling from California. They never arrived.

Thursday, January 14, 2016, 7am breakfast, prayer and meet & greet; then the 8am HQ meeting with prayer and updates.

405 Melody called Shawna back and said she had twelve (12) offers for places to hold the meeting. She said that people were *“beginning to come out of the wood work.”*

410 Shawna had reached out to local residents, asking for help in searching and identifying the files and ranchers associated with the Refuge. A couple of ladies came and helped her. She took pictures of the door that had been taken off the closet in the hall of the Refuge Main Office building for some reason. No one of C4CF took the door off the hinges; it had been removed before anyone from C4CF had arrived. On the interior of the door was a chart. A list of weapons at the Refuge was found, but C4CF never found the weapons. Neither could anyone find any 2015 records. Shawna had decided to gather up all the flash drives, because some of their laptops were missing and they couldn't access them anyway. However now, as Shawna had her own laptop, they finally had a way to  
415 check the flash drives for the data they were looking for.

Shawna also had to carry files to the Media Center, where she could scan them, as the Refuge copy machine had quit working as stated earlier. They were mostly looking for names of people and their contact information.

420 Friday, January 15, 2016, 7am breakfast, prayer, meet & greet. At the 8am HQ meeting, prayer and department head reports were heard. That afternoon the group needed help to set up tables for the bar-b-que planned in the afternoon.

At 9:09am Shawna replied to Melody Molt's text and set the meeting. Shawna felt *“The sooner the better.”* *“We want to go home!”* Shawna told Melody. Shawna asked her to contact Buck Taylor for the use of the Fairgrounds.

425 Shawna received a reply back from Melody, who said the meeting may happen in a week. Jimi had drawn up a request letter to Judge Grasty, Sheriff Ward and the School Board to call up a Grand Jury. Shawna asked Melody if the COS had signed that letter. Melody said, *“Not yet,”* as the COS was still looking it over. Only a 4-signature majority vote from the COS was needed.

430 At 10:02 C4CF received a call informing them that they should listen to Ron Paul. The call suggested the Hammond Property was worth \$2 Trillion.

435 Someone at the Resource Center received a call informing them that Kenneth Medenbach from the Resource Center had been arrested driving a Refuge vehicle into town to the Safeway store. He had been a big help with clean up and fix up. No one knew why he had decided to do that.

At 3:03pm Shawna received a text message: *"We just issued a pardon for the two Hammonds from the USO Fam. It will be published sometime today."* Shawna replied, *"E-mail me a copy"*. She never received the copy.

440 At 4:30 local people brought a wonderful bar-b-que, complete with potato salad. They said the people at the Resource Center didn't need to do anything, but the group set up tables and tried to do all they could to help. The locals expressed how grateful they were to C4CF for everything! People at the Resource Center totally enjoyed it and their company. This is truly a great community of kind and caring people. People at the Resource Center were invited to attend their churches.

445 On Saturday, January 16, 2016, 7am, breakfast, prayer, meet & greet and laundry. Then the 8am HQ meeting was held.

New faces arrived daily and someone drove Shawna to town to be at the Santilli call out at the airport. She got there late and stopped to talk to a COS member. They never made it to the rally, but they went to town to run errands and she bought a new car battery.

450 At 1:20 Shawna texted Melody: *"I haven't heard from you. Are You OK?"*

Melody replied: *"Fine, Thanks to you folks. I've been talking to legislators from other states about our local government oppression. It's getting the attention of Congress!!! I'm awaiting more calls."*

Shawna: *"Fantastic. Have you a meeting date and time yet? We are here to help you."*

455 Melody: *"After I talk to Pam. We will get guidance on how to proceed with law behind us."*

On Sunday, January 17, 2016, 5:45am Shawna texted her husband: *"Everything is good here. Americans are waking up!"*

460 At 9am LaVoy, Ryan Bundy, Melissa and Shawna attended church in Crane. Shawna rode with LaVoy, as she was having some car trouble.

About 2-3pm non-denominational church services were held in the Conference Center. There were a couple of different preachers there.

On Monday, January 18, 2016, 7am, breakfast, prayer, meet & greet, then the 8am HQ meeting with prayer and updates.

465 Shawna set up an interview for Ammon with Jesse from Direct TV to complete his series. Jesse told Shawna the series wouldn't be out until about October some time. He said he was leaving that morning right after the interview as his time was up.

At 3:50 Shawna left for the KrisAnne Hall meeting to be held at the Fairgrounds from 5-7pm. Neil Wampler wanted to go as he is a big fan of hers.

470 Shawna arrived about 4:15 and the place was already a third full. KrisAnne explained the  
same things that C4CF was teaching about the Constitution, only she spoke a little more  
in depth for those who already had some understanding. Shawna saw a few people glaze  
over a bit and a few afterwards, who didn't quite get all that she was saying, but were still  
475 very interested. Shawna sat next to an older lady she had met at church, who must be very  
well known in the community. To Shawna it seemed many people stopped to talk with  
her and her husband, who was ill and didn't get out much. Shawna personally loved the  
event!! The place had just over 350 people in attendance that night.

Judge Grasty had never allowed COS the use of any public facilities for their meetings.  
Thus, Shawna could only reason that Grasty had allowed citizens the use of the  
480 Fairgrounds for the KrisAnne Hall events, only because he had never heard of KrisAnne  
Hall.

A lady, who seemed lost, looked as though she was living out of her car and, had a dog  
she had brought in. She wanted to follow Shawna's group to the Resource Center. Neil  
was asked to ride back with her in her car, in case she got lost and couldn't follow  
485 Shawna. He was gracious and agreed to do so. Shawna had friends at the event afterward,  
who donated a large bag of carrots. Shawna looked for the truck to load the carrots. The  
lady and Neil followed Shawna back. Shawna arrived back at the Resource Center about  
8pm.

Their 8pm evening HQ meeting was held with prayer and some discussion.

490 On Tuesday, January 19, 2016, 7am, breakfast, prayer, meet & greet then the 8am HQ  
meeting with prayer and updates.

At 5:39pm Shawna texted her son: *"This is the 2<sup>nd</sup> American Revolution. We are  
restoring the Constitution!"*

The second meeting of KrisAnne Hall was held from 5-7pm. On the way in they stopped  
495 to pick up some cots and airbeds. Ammon and others decided to attend and quietly came  
and stood in the back. Shawna rode in with Jon Ritzheimer and Ryan Bundy. There were  
over 450 people that night. It was amazing how the people's eyes were beginning to  
open. After the meeting there was no time for questions, because KrisAnne had security  
with her at all times, and left the meeting quickly after her talk.

500 Judge Grasty decided to have another meeting of his own. He kept trying to call his own  
meetings and create his own *"Committee of Safety"*, trying to override the citizens of  
Harney County that had already formed one. Grasty had called his meeting from 6-8pm,  
in conflict with KrisAnne's meeting.

As we left the Fairgrounds, Ammon said he thought some should go and attend the rest of  
505 Grasty's town hall meeting just to observe. Shawna and others with Ammon did just that.  
Ammon and company arrived just ahead of the others. Everyone made sure they had no

weapons on them, as they headed for the Burns High School gym. There were federal officers and deputies all around inside and outside the High School. Ammon entered the Gym before the others. He was told there was no standing at the ends of the Gym, because all the media was there. Therefore the group needed to be seated in the bleachers. Ammon walked into the Gym past all the security and went up into the bleachers to sit as he had been told. Judge Grasty was speaking at the time.

Shawna and others went in the opposite door and were seated in the bleachers just across from Ammon and friends. Shawna videotaped the meeting. Grasty was nervous and instructed the people that they were not to say anything good about Ammon or anyone from the Resource Center. He continued *“Except, I do have to say that the only reason we have all this media and national attention is because of the Bundy’s! That being said you are not to say anything good about them!”* Then he again instructed the people that no one but Harney County Residents could speak.

The bleachers were very sparse to say the least. The basketball floor was yellow taped off to keep people off the newly polished floor, but also was only about 2/3 the length of the room. Shawna guessed there were only about 150 people there before the group with her arrived.

At the one end of the ball court special chairs were set up with a table for Grasty and Sheriff Ward, etc. There were a number of local preachers and others with Grasty and Ward, who Shawna imagined had been invited by Grasty to attend. A couple of them got up to speak.

The local residents were making statements that appeared to Shawna to have been rehearsed. One teenage girl cried out about how afraid she was to go to school, and how her friend had asked her when they were ever going to be able to go back to school again. No one from the Resource Center had ever done anything to anyone to cause Grasty to keep the schools closed for the children’s safety. The Resource Center was 30 miles away.

Some verbal attacks were directed at Ammon which were quite cruel and mean. Shawna wanted to jump to her feet in his defense, but because some of her group had already been ejected from the building, she did not. Pete Santilli had already been ejected from the meeting. She hurt for Ammon as he sat there quietly and just listened, not moving or reacting to the jabs at him and his character being falsely maligned. Ammon still just sat quietly.

A young woman behind us stood up and read her three pages of notes she had prepared previously. She was only allowed one minute to speak, but because she was doing a very good job, the two girls on either side of her spoke out and said that they would give her their minutes so she could finish. At the end of her report she said, *“And I have never met or seen a Bundy.”* After she sat down Ryan Bundy, who was sitting in front of her, stood

545 up, turned around, tipped his hat, offered her his hand and said, *“Hi, I’m Ryan Bundy, nice to meet you.”* The three girls stammered, blushed and smiled.

One of the preachers, who was assigned to speak, got up and said something to the effect of *“Not to compare the two, but there was another who was falsely accused and killed by the masses.”* As he nodded towards Ammon, he went on to compare the town to a  
550 chocolate chip cookie recipe. He explained how all the ingredients were needed to make a perfect cookie, not just some nuts and chips, etc. It was a wonderful speech in indirect support of Ammon. There were some there who called the Sheriff on the carpet about all the lies the people were being told, and demanded to know who was lying. The Sheriff did not reply.

555 As those from the Resource Center filed out past all the law enforcement officers, Ammon shook their hands. There were others in the parking lot who had bumper stickers that said *“Clemency for the Hammonds”*. Shawna asked one of her local friends if they had any more of those, as she would love to have some. After sharing some food with Shawna’s group, they said they would check on the stickers.

560 On Wednesday, January 20, 2016, 7am, breakfast, prayer, meet & greet, then the 8am HQ meeting with prayer and updates.

In the afternoon Jon Ritzheimer and Shawna went to town to pick up more bird seed for the bird feeders and to pick up the mail at the post office. They left some mail they knew to be junk mail for the postmaster to throw into the dumpster. The truck was so full they  
565 could hardly get all the mail in between the back seat and the covered bed. They had to stop for groceries as well, but didn’t have much room. Shawna bought a bunch of day old bakery items the store was about to throw out, knowing such items would be eaten quickly. She also bought milk, fresh vegetables and fruit.

On Thursday, January 21, 2016, 7am, breakfast, prayer, meet & greet, then the 8am HQ  
570 meeting with prayer and updates. Shawna mentioned that everyone who had come to help at the Resource Center had to be brought to the understanding of what was being taught and what the latest news was about C4CF. Their spirits needed boosting with TRUTH! A meeting at 4pm at the Firehouse was set up. It was mentioned that the C4CF website was still being worked on.

575 Shawna called a friend to see if he/ she was coming back to the Resource Center to help with the scanning.

Starting at 9:03am the following dialogue took place between Shawna and a local woman:

580 9:03am A **local woman** sends a message: *“I’m not sure why I get the feeling something’s going down soon, but please be careful and take care of yourself. People frustrate me around here.”*

10:44 **Shawna:** *Are you or any local people being threatened by fed agents?*

585

**Local:** *No, just lots of heightened rumors. Nothing new really, just drama surrounding the airport and hospital... I think it is more government fearmongering, but I can't pinpoint it.*

**Shawna:** *Heard the hospital was setting up by Feds for casualties. Have you heard anything? Ok. We have no fear. The Lord is with us.*

590

**Local:** *My friend, Head Surgical Nurse Dan Winn (the counselor that pulled Ryan), says they were told to increase blood supply at hospital because auditors found they were short and some inventory was outdated. It "leaked" and people panic. I've also heard the feds took control of some rooms at the hospital, but it's just rumor. I'll ask Dan if it's true. Is everyone Ok?*

595

**Shawna:** *Yes, absolutely good here. We pray constantly, and the angels stand with us. But, the Lord gave us brains and it's good to know from what directions we are being attacked.*

12:28 **Shawna:** *The word is they intend to strike us tomorrow. We are not afraid, the Lord is with us. We pray constantly.*

**Local:** *Who will strike you?*

600

**Shawna:** *We know things will get worse before they get better. We are getting close to some nerves of people who control this land. They will lose lots of \$.*

605

LaVoy took Blaine Cooper into the basement of the Media Center with David Fry and Tom. They were to video where LaVoy had found how some of the native Paiute artifacts were being stored away. They were not being put on display. Nor were they being given back to the Paiutes, to whom they rightfully belong. LaVoy lived next door to the Paiute Tribe in Arizona and understood how important their artifacts were to them. He believed that the Paiutes would be upset to see how the federal government had just boxed up their heritage, including skeletons and left them in a dark basement. They were stored in boxes covered in mouse nests, feces and dust. He called out to the Paiutes to come and see for themselves, and that he would like them to come and claim them or get them out on display where they should be.

610

615

At 4:00pm the meeting was held at the Firehouse to give a Constitutional presentation and news update to C4CF people at the Resource Center. Cots were set up inside the new room that was being mocked up with a concrete floor and exposed plumbing, etc. Plastic tarps were hung to divide the sleeping quarters from the fire trucks, etc. The meeting was held with as many as could get there. Shawna videotaped it.

Shawna finally met the retired military nurse, who had been contacting her for days. It was great for Shawna to be able to put faces on names and voices.

620 *The Beacon Newspaper* of Roseburg, Oregon, reported there were black helicopters landing in Roseburg. People at the Resource Center watched via Pete Santilli's live stream video as Ammon went unarmed to the Harney County Airport to meet with the FBI face to face. The FBI Special Agent In-Charge talked to Ammon on a cell phone, but refused to come and shake hands with Ammon. Ammon shook hands with the officers  
625 there. He explained that C4CF was occupying the Resource Center until the Hammonds were released from prison and the Refuge and lands were given back to the People of Harney County to whom they belonged.

A couple of men had come to Shawna's aid in the Media Center. Together they helped get the C4CF Facebook page up and running. The two (2) men were tired afterward and  
630 slept sitting up in chairs in the Media Center for a little while. Shawna still couldn't get in contact with the person who had control of their donation site. She tried all day, only to get an, "I'll call you later" reply.

On Friday, January 22, 2016, 7:00am, breakfast, prayer, meet & greet and then the 8am  
635 HQ meeting with prayer and updates. Ryan Bundy showed all the 40+ airline tickets Ammon had used traveling back and forth between Idaho and Arizona during the last few months. Each and every time his ticket had to be punched when a strip search was done on him, 6 times for each card.

Starting at 9:38, Shawna had another dialogue with a person from the local community.

9:38am **Local:** How is everyone this morning?

640 **Shawna:** It was the FBI. We will meet with them again today. We cannot let them isolate us from the people and the public. Everything is good this morning.

**Local:** Great. Glad it was only hype. Hang in there!

**Shawna:** Not hype. The Lord is protecting us.

645 **Shawna:** Deputy stated today that the sheriff did call in the feds to do his job. That means you have NO sheriff! The people better get a sheriff immediately to replace him. If you believe the Constitution was created by the hand of God then it is as important as scripture. Read "*The Declaration of Independence*" and then read Article 1 Section 8 Clause 17 of the  
650 Constitution, and Article 4 Section 3 Clause 2. Today will be a wonderful Day. God is still in charge. We all need to pray for the Sheriff to understand his job and have the strength to do it.

**Local:** Ok... will do... so strange and unbelievable...



**Shawna:** God said it would not be easy, but it would be worth it!

655 **Local:** God is blessing you all and we're praying for you too. This is surreal!  
I have been praying for help to get the TRUTH out in the public. The media  
keeps spreading lies and twisting the facts. We need social media  
desperately.

660 A young father stopped in to check on the people at the Resource Center. He said the  
Lord really urged him, telling him he needed to stop in on his way to work to see how he  
could help. He was welcomed in, invited to eat with the group, etc. He saw and mostly  
felt that C4CF truly needed his help. Shawna was thrilled when the young man decided to  
come to the HQ meeting and offer his services.

665 Saturday, January 23, 2016, 7am, breakfast, prayer, meet & greet, then the 8am HQ  
meeting with prayer and updates.

A meeting was set for 4pm for Ranchers to sign Nullification of Contracts with  
Government Agencies, BLM, Forest Service, etc. Adrian Sewell from New Mexico had  
flown in to sign and the Sharp Family was to sing for entertainment.

670 The young father, who had visited the day before, though very humble, explained that  
C4CF needed to have better communication with the world, which was very true. He was  
asked if he could build a website for us. He humbly replied that he had not done so in  
about 5 years, which some said that was too long in the computer world because  
everything changes so fast.

675 Shawna had been praying for more help, because the Resource Center only had David  
Fry for Internet expertise. LaVoy was using David so much that Shawna couldn't have  
his help much, even though he was excellent when she could use him. Shawna agreed  
that she would take this humble young father and vet him. When he started working on  
the computer Shawna found out he wasn't just good, he was great!! He downloaded her  
680 photos and videos after he had spent all day working on the new website, getting hosting,  
etc.

Shawna was to contact all the ranchers with the names and phone numbers she had  
collected thus far. She was to invite them to come to a preliminary meeting to see the  
presentation at 2pm if they could make it.

685 Shawna delegated the phone calls to Jeanette, as Shawna was busy with another person  
who had arrived the night before and was now setting up our Facebook page. Shawna had  
to leave him working while she went to help with the ranchers' Constitution Presentation  
by Ammon. At 2:00pm the preliminary meeting was held with ranchers to help them  
understand how important it was to nullify their contracts with the BLM, etc. When it  
690 was time for the signing and the unveiling of the big, new Harney County Resource  
Center's sign, ranchers were challenged to come out to sign. They never did. Shawna

believed it was because they were so deathly afraid of the consequences from the federal government's heavy hand.

695 At 4:00pm the formal meeting began. There were hundreds of people there. Of course even the protesters attended, who had been making themselves known up at the highway entrance. There were at least three (3) protestors with signs whom Shawna knew of. Ryan Bundy took one of their signs and turned its meaning around to support the ranchers to "Keep Public Land Public". That was exactly what it should have said; the "Public" should mean the local "Public", not the public who didn't live in the area, not the public that had an outside corporate vested interest in these public lands.

700 A notary public was lined up to notarize the letters. C4CF was really thrilled with Adrian and his choice to stand up to be counted. In fact, he said he was now LaVoy & Jeanette Finicum's newly adopted son.

That evening Ammon left to go back home to Idaho for a couple of days.

705 On Sunday, January 24, 2016 LaVoy, Jeanette, Adrian Sewell and Shawna went to town for church. Shawna decided to go to the Burns LDS church again, because she had been talking to one of her friends from there and she had already told them she was coming. So they dropped Shawna off and the others went on to the "Calvary Church". They wanted to make new friends and Jeanette hadn't brought a dress for the LDS service.

710 Shawna walked into the church and her friend was there with her son. Her husband was one of the speakers that day. It was a good meeting and fun to meet more of the family. It turned out perfect because as soon as they got finished she was ready to go.

LaVoy texted Shawna later that evening that she had left her glasses in his truck when they got back from church.

715 Jeanette had to leave to take Adrian back to the airport in Idaho to fly home. She hadn't wanted to leave, but she needed to return home because their youngest daughter was playing her last basketball game. Being a senior in high school, it was a big deal. Jeanette told Shawna that LaVoy's birthday was on Wednesday and asked whether Shawna could give him a gift from Jeanette. Shawna told Jeanette that she would be happy to do that for her!

720 Monday, January 25, 2016, 7am, breakfast, prayer, meet & greet, then the 8am regular HQ meeting. An executive decision was made to change the group name to People for Constitutional Freedom (P4CF) instead of Citizens. That way the group would have total control of its own website, instead of going through a third party, PPN. It seemed C4CF were never able to contact PPN and PPN could not release control of the website to  
725 C4CF.

725 In the afternoon Gary Hunt (a writer Shawna had not known) had returned. This time he brought a professional scanner. Todd introduced himself and his company and said he had come to help get records scanned and recorded. He told Shawna that he had been scanning professionally for many years, having done mostly government contracts. Shawna was happy to have him; but, was a little skeptical at first. Shawna vetted him and decided to use him, because she was overwhelmed and still had a lot of work to do.  
730 Shawna had Todd park his truck and trailer in the campground area until morning.

Tuesday, January 26, 2016 7am, breakfast, prayer, meet & greet; then, the regular 8am HQ meeting with prayer and updates. Ammon had returned to the Resource Center. He was somewhat upset that the group had voted to change its name in mid-stream. Shawna explained that the group had put out its name before they had secured its domain. That  
735 had created a problem for the group, as they could not control their own web and donation site. Shawna explained that since it was changed, things were working smoothly. She had paid for it, and P4CF's website was up and running.

Gary Hunt was there again and wanted to get maps copied now that they had a copier adequate to the task. Shawna told him he could come over after things were set up in the  
740 Refuge Main Office Building. That building was kept pretty secured, so nobody would mess with anything. Shawna helped Todd set up his big heavy scanners in one of the back offices. She went downstairs and got eleven (11) files for scanning as soon as he got everything set up. She asked him how much time it would take to set up, and he told her it would be most of the day. She told him she had many other things to do; but, if and  
745 when he needed help he should call her, and gave him her phone number.

Shawna went back to the Media Center where she was online with the web designer to work out the website he was building for "*People for Constitutional Freedom*".

Jeanette called and said she wished she could be there, but Shawna assured her that she was in the right place supporting her daughter in her ball game and schooling. Shawna  
750 told her to be sure and cheer loudly for her.

Shawna was looking for Ryan when she saw LaVoy come out of his office area with a Reporter. The reporter showed her the picture he had just taken of LaVoy standing outside the office door with his head bowed down.

Shawna hurried into the garage, where the Sharp family was busy running around getting  
755 ready to head for John Day to the meeting to sing. As they scampered about Shawna was trying to see what she could do to help them.

Shawna went looking for a couple of the Sharp children who were still trying to get ready. As the Sharps jumped into the Sharp family van to back out, they suddenly realized they were still missing two children, the youngest and the oldest. One of the guys  
760 jumped into the 4-wheeler, went to the Bunkhouse and retrieved the youngest Sharp boy. But the oldest, Victoria, was still in the shower.

765 The first ones to leave for John Day were in the COS vehicle. The second vehicle to leave held the Wyoming ranchers who departed 10 minutes later. They were to be followed by the Sharp Family, but they were running a couple of minutes late. Victoria had said she would go in LaVoy's truck.

Mark McConnell was hollering at them to hurry up. Mrs. Sharp did not appreciate Mark swearing at her and her children, but they finally got on the road.

770 The next in line was LaVoy's truck. Shawna was standing next to Ryan Bundy, while he was loading the projector and speakers into the back of the truck. The truck bed already held much camping gear and bags. She helped him close the tailgate. Victoria finally showed up and was directed to jump into the back seat next to Ryan Bundy.

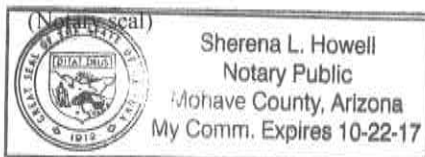
775 Looking around, LaVoy said he couldn't find David, who was supposed to go with them to video the Sharp Family and the meeting. Shawna told LaVoy that she had a camera and would go with them. Shawna was preparing to go home that night, but couldn't leave until her replacement arrived around 9pm. She figured she could leave as soon as she got back from John Day and had her replacement up to speed. Shawna's car was parked next to LaVoy's truck, so she grabbed her camera, trail mix, jerky and dried mangos, and put  
780 them in LaVoy's truck. She locked her car and jumped into the back seat of LaVoy's truck next to Victoria.



785 William Joseph Goode

### NOTARY

790 In Arizona State, Mohave County, on this 12 day of April, 2016, before me, Sherena L Howell, the undersigned Notary Public, personally appeared William Joseph Goode, known to me to be the living man described herein, who executed the forgoing instrument, and has sworn before me that he executed the same as his free will, act and deed.



Notary

My commission expires: 10/22/2017



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**Features:**  
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## Available Actions

DATE & TIME	STATUS OF ITEM	LOCATION
April 25, 2016 , 10:27 am	<b>Delivered</b>	<b>PORTLAND, OR 97204</b>
Your item was delivered at 10:27 am on April 25, 2016 in PORTLAND, OR 97204.		
April 23, 2016 , 10:28 am	Business Closed	PORTLAND, OR 97204
April 22, 2016 , 8:00 pm	Departed USPS Destination Facility	PORTLAND, OR 97220
April 22, 2016 , 9:17 am	Arrived at USPS Destination Facility	PORTLAND, OR 97220
April 21, 2016 , 1:08 am	Departed USPS Origin Facility	ALBANY, NY 12288
April 21, 2016 , 12:44 am	Arrived at USPS Origin Facility	ALBANY, NY 12288
April 20, 2016 , 5:42 pm	Departed Post Office	HYDE PARK, NY 12538
April 20, 2016 , 12:28 pm	Acceptance	HYDE PARK, NY 12538

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**Updated Delivery Day:** Monday, April 25, 2016

## Product & Tracking Information

**Postal Product:**

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**Features:**

Certified Mail™

## Available Actions

DATE & TIME	STATUS OF ITEM	LOCATION
April 25, 2016 , 10:27 am	Delivered	PORTLAND, OR 97204
Your item was delivered at 10:27 am on April 25, 2016 in PORTLAND, OR 97204.		
April 25, 2016 , 8:23 am	Arrived at Unit	PORTLAND, OR 97204
April 23, 2016 , 5:06 pm	Departed USPS Destination Facility	PORTLAND, OR 97220
April 22, 2016 , 9:17 am	Arrived at USPS Destination Facility	PORTLAND, OR 97220
April 21, 2016 , 1:08 am	Departed USPS Origin Facility	ALBANY, NY 12288
April 21, 2016 , 12:44 am	Arrived at USPS Origin Facility	ALBANY, NY 12288
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**UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF OREGON**

Mark O. Hatfield US Courthouse, 1000 SW 3<sup>rd</sup> Avenue, Room 740, Portland, OR 97204-2802

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5

**Tribunal** – **Unified United States Common Law Grand Jury<sup>1</sup>**:  
P.O. Box 59; Valhalla, New York 10595; Fax: (888) 891-8977

**TO** – Chief Judge Michael W. Mosman, assigned by UUSCLGJ  
[NOTE: *Written approval from UUSCLGJ required for any reassignment*]

**Court of Origin** – **UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON**,  
de facto;

**CASE NO. 2:16-cr-00046Gmn-Pal**, statutory

Dylan Wade Anderson, Sandra Lynn Pfeifer Anderson, Sean Larry Anderson, Jeff Wayne Banta, Jason Charles Blomgren, Ammon Edward Bundy, Ryan C. Bundy, Brian D. Cavalier, Blaine Cooper, Shawna Cox, Travis Cox, Duane Leo Ehmer, Eric Lee Flores, David Lee Fry, Wesley Kjar, Corey Omar Lequieu, Kenneth Medenbach, Joseph D. O’Shaughnessy, Jason Patrick, Ryan Waylen Payne, Jon Eric Ritzheimer, Jake Ryan, Peter T. Santilli, Geoffrey A. Stanek, Darryl William Thorn, Neil Wampler and Scott A. Willington,  
Petitioner

Against

Judge Anna J. Brown, Magistrate Judge John Acosta, Judge Stacie F. Beckerman,

**Assigned: Chief Judge Michael W. Mosman**  
**FEDERAL CASE NO. 1776-1789-2015**, de jure  
**CORAM NOBIS<sup>2</sup>**

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<sup>1</sup> “**THE GRAND JURY** is an institution separate from the courts over whose functioning the courts do not preside... the grand jury is mentioned in the Bill of Rights, but not in the body of the Constitution. It has not been textually assigned, therefore, to any of the branches described in the first three (3) Articles. It is a constitutional fixture in its own right. In fact, the whole theory of its function is that it belongs to no branch of the institutional government, serving as a kind of buffer or referee between the Government and the people... The grand jury’s functional independence from the judicial branch is evident, both in the scope of its power to investigate criminal wrongdoing; and, in the manner in which that power is exercised. ‘Unlike [a] [c]ourt, whose jurisdiction is predicated upon a specific case or controversy, the grand jury can investigate merely on suspicion that the law is being violated; or, even because it wants assurance that it is not.’” United States v. John H. Williams, 112 S. Ct. 1735, 504; U.S. 36, 118, L. Ed. 2d, 352, (1992)

<sup>2</sup> **CORAM NOBIS**: Before us ourselves, (the King, i.e., in the King’s Bench) applied to Writs of Error directed to another branch of the same court, e.g., from the full bench to the court at nisi prius. 1 Archb. Pr. K. B. 234.

Judge Dustin Pead, U.S. Marshal for Oregon State Russel Burger, FBI Special Agent in Charge for Oregon State Gregory T. Bretzing, Oregon State Police Superintendent Richard Evans Jr., Oregon State Governor Kate Brown, U.S. Attorney Billy J. Williams, U.S. Attorney Ethan D. Knight, Assistant U.S. Attorney Geoffrey A. Barrow, Assistant U.S. Attorney Craig Gabriel,

Respondents

## Default Judgment Coram Ipso Rege

10 **Default Judgment - Entering a Default:** *“When a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by Affidavit or otherwise [under seal], the clerk must enter the party's default.”* FRCR Rule 55(a); FRCR Rule 58(b) (2); 28 U.S.C. §2243

15 The respondents, against whom a judgment for affirmative relief is sought, have failed to plead or otherwise defend as provided by these rules; and, that fact is made to appear by Affidavit. **NOW, THEREFORE, THIS COURT OF RECORD** issues this Default Judgment Coram Ipso Rege to dispose of the matter as law and justice require, to wit:

20 **IT IS ORDERED AND ADJUDGED** that Petitioner be released from custody immediately; and, that the respondents, namely **UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON**, de facto, Judge Anna J. Brown, et al. shall abate at law all proceedings in and relating to Dylan Wade Anderson, et al., Court Case No. 2:16-cr-00046Gmn-Pal. No damages, costs, or attorneys’ fees are awarded.

**THE COURT**, April 26, 2016.

(seal)



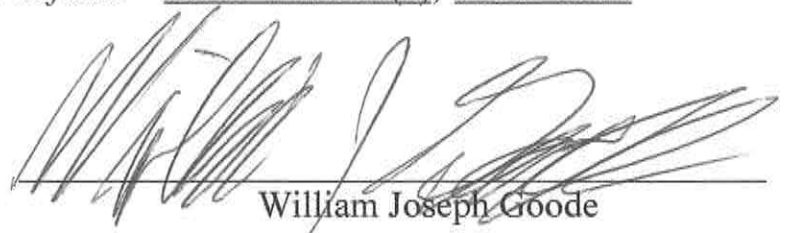
Unified United States Common Law Grand Jury Administrator



**WHEREAS:** April 26, 2016, Judge Anna J. Brown et al. defaulted; the record shows that no respondent made any Return; no respondent requested more time to answer; and, no respondent provided any objection to the proceedings; and,

**THEREBY:** law requires de facto court to abate at law; and, release of restraint on both person and property.

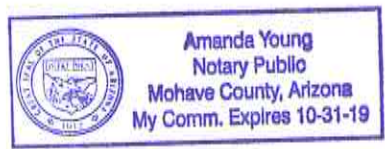
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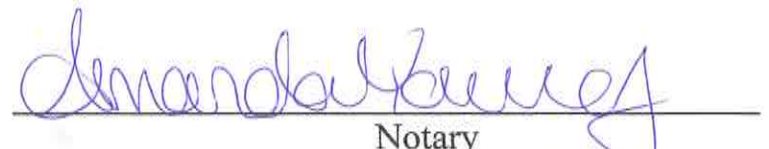
  
\_\_\_\_\_  
William Joseph Goode

**NOTARY**

In Arizona State, Mohave County, on this 26<sup>th</sup> day of April, 2016, before me, Amanda Young, the undersigned notary public, personally appeared William Joseph Goode, to me known to be the living man described herein, who executed the forgoing instrument and has sworn before me that he executed the same as his free will, act and deed.

(Notary seal)



  
\_\_\_\_\_  
Notary  
My commission expires: 10-31-2019

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**UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF OREGON**

Mark O. Hatfield US Courthouse, 1000 SW 3<sup>rd</sup> Avenue, Room 740, Portland, OR 97204-2802

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P.O. Box 59; Valhalla, New York 10595; Fax: (888) 891-8977

**TO:** Chief Judge Michael W. Mosman, assigned by UUSCLGJ  
[NOTE: *Written approval from UUSCLGJ required for any reassignment*]

**Court of Origin:** **UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON,**  
de facto;

**CASE NO. 3:16-cr-00051-AA**, statutory

Dylan Wade Anderson, Sandra Lynn Pfeifer Anderson, Sean Larry Anderson, Jeff Wayne Banta, Jason Charles Blomgren, Ammon Edward Bundy, Ryan C. Bundy, Brian D. Cavalier, Blaine Cooper, Shawna Cox, Travis Cox, Duane Leo Ehmer, Eric Lee Flores, David Lee Fry, Wesley Kjar, Corey Omar Lequieu, Kenneth Medenbach, Joseph D. O’Shaughnessy, Jason Patrick, Ryan Waylen Payne, Jon Eric Ritzheimer, Jake Ryan, Peter T. Santilli, Geoffrey A. Stanek, Darryl William Thorn, Neil

**Assigned: Chief Judge Michael W. Mosman**  
**FEDERAL CASE NO. 1776-1789-2015**, de jure  
**CORAM NOBIS<sup>2</sup>**

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Wampler and Scott A. Willington,  
Petitioner  
Against

Judge Anna J. Brown, Magistrate Judge  
John Acosta, Judge Stacie F. Beckerman,  
Judge Dustin Pead, U.S. Marshal for  
Oregon State Russel Burger, FBI Special  
Agent in Charge for Oregon State  
Gregory T. Bretzing, Oregon State Police  
Superintendent Richard Evans Jr., Oregon  
State Governor Kate Brown, U.S.  
Attorney Billy J. Williams, U.S. Attorney  
Ethan D. Knight, Assistant U.S. Attorney  
Geoffrey A. Barrow, Assistant U.S.  
Attorney Craig Gabriel,  
Respondents

## Default Judgment Coram Ipso Rege

FRCP Rule 55<sup>1</sup>; Rule 58 (b) 2<sup>1</sup>; 28 USC 2243

10

**COMES NOW THE ABOVE-ENTITLED COURT OF RECORD** to review the record; summarily determine the facts; and, dispose of the matter as law and justice require.<sup>3</sup>

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Habeas Corpus has been called “The Great Writ of Liberty”. Historically, that is a side issue. In the early days, Habeas Corpus was not connected with the idea of Liberty. It was a useful device in the struggle for control between common law and equity courts. By the middle of the fifteenth century, the issue of Habeas Corpus, together with privilege, was a well-established way to remove a cause from an inferior court where the defendant could show some special connection with one of the central courts, which entitled him to have his case tried there.<sup>4</sup> In the early seventeenth century, The Five Knights’ Case<sup>5</sup> involved the clash between the Stuart claims of prerogative and the common law; and, was, in the words of one of the judges, “*the greatest cause that I ever knew in this court.*”<sup>6</sup> Over the centuries the Writ became a viable bulwark between the powers of government and the rights of the people in both England and the United States.

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<sup>3</sup> 28 USC §2243

<sup>4</sup> De Vine (1456) O. Bridg. 288; Fizherbert, Abridg., sub tit. “Corpus cum Causa”.

<sup>5</sup> Darnel’s Case, 3 St. Tr. 1.

<sup>6</sup> Ibid., at 31 per Doderidge J.

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### I. SUMMARY

Oliver Wendell Holmes once wrote, *“I long have said there is no such thing as a hard case. I am frightened weekly; but, always, when you walk up to the lion and lay hold, the hide comes off; and, the same old donkey of a question of law is underneath.”*<sup>7</sup> Duty falls upon this court of record to lay hold of the lion; unhide the underlying question of law; and, dispose of the matter as law and justice require.<sup>8</sup>

On April 19, 2016, Dylan Wade Anderson, Sandra Lynn Pfeifer Anderson, Sean Larry Anderson, Jeff Wayne Banta, Jason Charles Blomgren, Ammon Edward Bundy, Ryan C. Bundy, Brian D. Cavalier, Blaine Cooper, Shawna Cox, Travis Cox, Duane Leo Ehmer, Eric Lee Flores, David Lee Fry, Wesley Kjar, Corey Omar Lequieu, Kenneth Medenbach, Joseph D. O’Shaughnessy, Jason Patrick, Ryan Waylen Payne, Jon Eric Ritzheimer, Jake Ryan, Peter T. Santilli, Geoffrey A. Stanek, Darryl William Thorn, Neil Wampler and Scott A. Willington, a People of the United States, filed in the above-entitled court of record a Petition for Writ of Habeas Corpus by a People in constructive custody. The Petition invited this court’s inquiry into the following:

- A. The cause of the restraint
- B. The jurisdictional basis of the restraint
- C. Prosecutorial vindictiveness
- D. Reasonable apprehension of restraint of Liberty
- 55 E. Strict compliance with statutory requirements
- F. Diminishment of rights
- G. Charges of common barratry, maintenance and Champerty

The Petition presented issues of both fact and law. It did not appear from the Application that the applicant was not entitled thereto; therefore, this court ordered the respondents to show cause why the Writ should not be granted. Explicit Return instructions were included as part of the Order to Show Cause to enable the respondents to fulfill the Order. All

<sup>7</sup> 1 Holmes-Pottock Letters 156.

<sup>8</sup> 28 USC §2243.

respondents were duly<sup>9</sup> served with the Petition and Order to Show Cause. The record shows that no respondent made any Return; no respondent requested more time to answer; and, no respondent provided any objection to the proceedings.

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## ANALYSIS:

### II. JURISDICTION OF THIS COURT

#### **Tribunal - Unified United States Common Law Grand Jury:**<sup>10</sup>

70 It is the duty of any court to determine whether it has jurisdiction even though that question is not raised, in order for the exercise of jurisdiction to constitute a binding Decision that the court has jurisdiction.<sup>11</sup> We fulfill that duty by examining the sovereign power creating the court.

75 But, first, what is a court? It is the person and suit of the sovereign; the place where the sovereign sojourns with his regal retinue, wherever that may be. Further, a court is an agency of the sovereign; created by it directly or indirectly under its authority; consisting of one or more officers; established and maintained for the purpose of hearing and determining issues of law and fact regarding legal rights and alleged violations thereof; and, of applying the sanctions of the law; and, authorized to exercise its powers in the course of law at times and places previously determined by lawful authority.<sup>12</sup> The source of the authority is acknowledged by the Preamble of the Constitution for the United States of America.<sup>13</sup> The People of the United States, acting in sovereign capacity, “ordain<sup>14</sup> and

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<sup>9</sup> **DULY:** According to law; in both form and substance. Black’s 6<sup>th</sup>

<sup>10</sup> “The grand jury is an institution separate from the courts over whose functioning the courts do not preside... the grand jury is mentioned in the Bill of Rights, but not in the body of the Constitution. It has not been textually assigned, therefore, to any of the branches described in the first three (3) Articles. It is a constitutional fixture in its own right. In fact, the whole theory of its function is that it belongs to no branch of the institutional government, serving as a kind of buffer or referee between the Government and the people... The grand jury’s functional independence from the judicial branch is evident, both in the scope of its power to investigate criminal wrongdoing; and, in the manner in which that power is exercised. ‘Unlike [a] [c]ourt, whose jurisdiction is predicated upon a specific case or controversy, the grand jury can investigate merely on suspicion that the law is being violated; or, even because it wants assurance that it is not.’” United States v. John H. Williams; 112 S.Ct. 1735; 504 U.S. 36; 118 L.Ed.2d 352; 1992

<sup>11</sup> State ex rel. Missouri Gravel Co. v. Missouri Workmen’s Compensation Commission, 113 S.W. 2d 1034, 234 Mo. App. 232

<sup>12</sup> Isbill v. Stovall, Tex. Civ.App. 92 S.W.2d 1067, 1070; Black’s 4<sup>th</sup>, p425

<sup>13</sup> **U.S. CONSTITUTION PREAMBLE:** “We the people of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.”

<sup>14</sup> **ORDAIN:** ...to enact a constitution or law. Black’s 6<sup>th</sup>

establish<sup>15</sup> this Constitution for the United States of America.” The Constitution contains nothing that would diminish the sovereign<sup>16</sup> power of the People; and, no State may presume to do so.<sup>17</sup>

85 Further, the United States of America, and each Member State, is a Republic,<sup>18</sup> which  
means that the People may act either directly or through their representatives.<sup>19</sup> Here the  
sovereign People are acting directly. Beyond ordaining and establishing the Constitution,  
what are the powers of the People? The People retain all powers to self-determine and  
exercise rights.<sup>20</sup> The essence of the People’s sovereignty distills to this: The decree of the  
90 sovereign makes law.<sup>21</sup>

Some have argued that the People have relinquished sovereignty through various contractual devices in which rights were not expressly reserved. However, that cannot hold because rights are unalienable.<sup>22</sup> The People retain all rights of sovereignty at all times.<sup>23</sup>

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<sup>15</sup> **ESTABLISH:** ...to create, ratify or confirm... Black’s 6<sup>th</sup>.

<sup>16</sup> ... at the Revolution, the sovereignty devolved on the people; and, they are truly the sovereigns of the country; but, they are sovereigns without subjects... with none to govern but themselves... Chisholm v. Georgia U.S. 2 Dall 419, 454, 1 LEd 440, 455, 2 Dall, 1793, pp 471-472.

<sup>17</sup> Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them. Miranda v. Arizona, 384 U.S. 436, 491; The State cannot diminish rights of the people. Hertado v. California, 100 U.S. 516; the enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people. Constitution for the United States of America Amendment IX; The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively; or, to the people. The Constitution for the United States of America Amendment X

<sup>18</sup> “*The United States shall guarantee to every State in this Union a Republican Form of Government...*” Constitution for the United States Article IV Section 4

<sup>19</sup> **GOVERNMENT:** Republican government – One in which the powers of sovereignty are vested in the People; and, are exercised by the People, either directly or through representatives chosen by the People to whom those powers are specially delegated. In re Duncan, 139 U.S. 449, 11 S. Ct. 573, 35 L. Ed. 219; Minor v. Happersett, 88 U.S. 21, Wall 162, 22 L. Ed. 627; Black’s 6<sup>th</sup>.

<sup>20</sup> The people of this State, as the successors of its former sovereign, are entitled to all the rights which formerly belonged to the King by his prerogative. Lansing v. Smith, 4 Wend. 9 (N.Y.) (1829), 21 Am.Dec. 89 10C Const. Law Sec. 298; 18 C Em.Dom. Sec. 3, 228; 37 C Nav. Wat. Sec. 219; Nuls Sec. 167; 48 C Wharves Sec. 3, 7.

<sup>21</sup> The very meaning of “sovereignty” is that the decree of the sovereign makes law. American Banana Co. v. United Fruit Co., 29 S.Ct. 511, 513, 213 U.S. 347, 53 L. Ed. 826, 19 Ann.Cas. 1047.

<sup>22</sup> **UNALIENABLE:** Not subject to alienation; the characteristic of those things which cannot be bought, or sold, or transferred from one person to another, such as rivers, and public highways, and certain personal rights; e. g., Liberty. Unalienable: incapable of being aliened; that is, [not capable of being] sold and transferred. Black’s 4<sup>th</sup> 1891.

<sup>23</sup> **RESERVATION OF SOVEREIGNTY:** “[15](b) ... *The Tribe’s role as commercial partner with petitioners should not be confused with its role as sovereign. It is one thing to find that the Tribe has agreed to sell the right to use the land and take valuable minerals from it, and quite another to find that the Tribe has abandoned its sovereign powers simply because it has not expressly reserved them through a contract. To presume that a sovereign forever waives the right to exercise one of its powers unless it expressly reserves*

95 The exercise of sovereignty by the People is further clarified when one considers that the  
Constitutional government agencies have no genuine sovereign power of their own. All  
just authority of the Constitutional government agencies is solely that to which the People  
consent.<sup>24</sup> In the Petition, the petitioner identifies himself as “*a People*<sup>25</sup> of the United  
States”. As such he decrees the law for this court; and, ultimately, for this court as a court  
of record. This, then, is the sovereign power by which this court is created. The  
100 Constitution for the United States of America mandates that: “*The judicial Power*<sup>26</sup> shall  
*extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the*  
*United States, and Treaties made, or which shall be made, under their Authority...*”<sup>27</sup> This  
is a case in law, i.e., proceeding according to the common law in a court of record. This  
case arises under the Constitution and the Laws of the United States. It follows that “the  
105 judicial power” of [the People of] the United States “shall extend” to this case. Therefore,  
it is the Grand Jury, as arbiter, that shall be enforcer of the law. We read:

110 “*If any of our civil servants shall have transgressed against any of the people  
in any respect; and, they shall ask us to cause that error to be amended  
without delay; or, shall have broken some one of the articles of peace or  
security; and, their transgression shall have been shown to four (4) Jurors of  
the aforesaid twenty five (25); and, if those four (4) Jurors are unable to settle  
the transgression, they shall come to the twenty-five (25), showing to the  
Grand Jury the error which shall be enforced by the law of the land.*” Magna  
Carta, June 15, A.D. 1215, 61.

115 Justice Powell, in United States v. Calandra, 414 U.S. 338, 343 (1974), stated:  
“*The institution of the grand jury is deeply rooted in Anglo-American history;  
[n3] In England, the grand jury [p343] served for centuries, both as a body of  
accusers, sworn to discover, and present for trial, persons suspected of  
criminal wrongdoing; and, as a protector of citizens against arbitrary and  
120 oppressive governmental action. In this country, the Founders thought the*

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*the right to exercise that power in a commercial agreement turns the concept of sovereignty on its head.*”  
Merrion et al., dba Merrion & Bayless, et al. v. Jicarilla Apache Tribe et al. 1982. SCT.394.

<sup>24</sup> **SOVEREIGN STATE:** are cabalistic words, not understood [rejected] by the disciple of Liberty, who has  
been instructed in our constitutional schools. It is our appropriate phrase when applied to an absolute  
despotism. The idea of sovereign power [vested] in government of a Republic is incompatible with the  
existence, and foundation, of civil Liberty; and, the rights of property. Gaines v. Buford, 31 Ky. (1 Dana)  
481, 501.

<sup>25</sup> **PEOPLE:** ...considered as... any portion of the inhabitants of a city or country. Webster’s 1828  
Dictionary. The word “*People*” may be either plural or singular in its meaning. The plural of “*person*” is  
“*persons*”, not “*People*”.

<sup>26</sup> **JUDICIAL POWER:** The power to decide and pronounce a judgment; and, carry it into effect between  
persons and parties who bring a case before court for decision. Power that adjudicates upon, and protects,  
the rights and interests of persons or property; and, to that end, declares, construes, and applies the law.  
Black’s 6<sup>th</sup>.

<sup>27</sup> Constitution for the United States of America Article III Section 2 Clause 1.

125 *grand jury so essential to basic liberties, that they provided, in the Fifth Amendment, that federal prosecution for serious crimes can only be instituted by a 'presentment or indictment of a Grand Jury'.*” Cf. Costello v. United States, 350 U.S. 359, 361-362 (1956). *“The grand jury’s historic functions survive to this day. Its responsibilities determination whether there is probable cause to believe a crime has been committed, and the protection of citizens against unfounded criminal prosecutions. Branzburg v. Hayes, 408 U.S. 665, 686-687 (1972).”*

130 **SUPERIOR COURTS ARE COURTS OF LAW:** De jure<sup>28</sup> courts are any duly constituted tribunal [Jury] administering the laws of the State or nation; proceeding according to the course of the common law; and, governed by its rules and principles; as contrasted with a “court of equity”. Court of “Law” means Court of Common Law, i.e., a court for the People CORAM IPSO REGE, which is to say BEFORE THE KING HIMSELF.

135 *“The decisions of a superior court may only be challenged in a court of appeal. The decisions of an inferior court<sup>29</sup> are subject to collateral attack. In other words, in a superior court, one may sue an inferior court directly, rather than resort to appeal to an appellate court. The decision of a court of record may not be appealed. It is binding on ALL other courts. However, no statutory or constitutional court, whether it be an appellate or supreme court, can second guess the judgment of a court of record. ‘The judgment of a court of record, whose jurisdiction is final, is as conclusive on all the world as the judgment of this court would be. It is as conclusive on this court as it is on other courts. It puts an end to inquiry concerning the fact by deciding it.’”* Ex parte Watkins, 3 Pet., at 202-203. [cited by Schneckloth v. Bustamonte, 412 U.S. 218, 255 (1973).

150 **THE JUDICIAL TRIBUNAL:** *“A ‘court of record’ is a judicial tribunal [Jury] having attributes and exercising functions independently of the person of the magistrate designated generally to hold it; and, proceeding according to the course of common law; its acts and proceedings being enrolled for a perpetual memorial.”* Jones v. Jones, 188 Mo. App. 220, 175 S.W. 227, 229; Exparte Gladhill, 8 Metc., Mass., 171, per Shaw, C. J. See also Ledwith v. Rosalsky, 244 N.Y. 406, 155 N.E. 688, 689.

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<sup>28</sup> **DE JURE:** of right; legitimate; lawful; by right and just title. In this sense it is the contrary of de facto. Black’s 4<sup>th</sup>.

<sup>29</sup> **AN INFERIOR COURT:** Is a court whose judgments or decrees can be reviewed, on appeal or writ of error, by a higher tribunal, whether that tribunal be the circuit or Supreme Court. Nugent v. State, 18 Ala. 521.



155 **THE PEOPLE’S REMEDY:** “*The grand jury is not merely an investigatory*  
*body; it also serves as a protector of citizens against arbitrary and oppressive*  
*governmental action; and, must be both independent and informed.*” United  
States v. Calandra, 414 U.S., at 343, 94 S.Ct. at 617. Wood v. Georgia, 370  
160 U.S. 375, 82 S.Ct. 1364, 8 L.Ed.2d 569 (1962): “*Historically, this body has*  
*been regarded as a primary security to the innocent against hasty, malicious*  
*and oppressive persecution; it serves the invaluable function in our society of*  
*standing between the accuser and the accused, whether the latter be an*  
*individual, minority group, or other, to determine whether a charge is founded*  
*upon reason, or was dictated by an intimidating power, or by malice and*  
*personal ill will.*” Id., at 390, 82 S.Ct. at 137.

### 165 **III. EXHAUSTION OF ADMINISTRATIVE PROCEDURE**

Ordinarily, exhaustion of state or federal administrative procedures is a requirement before  
a court of another jurisdiction will review the proceedings of another court. This is founded  
upon the principle of comity.<sup>30</sup> The courts of the United States, both equity and law, and  
170 the courts of the various States, both equity and law, are independent of each other.<sup>31</sup>  
Federal courts have no supervisory powers over State judicial proceedings,<sup>32</sup> State court  
systems,<sup>33</sup> or trial judges.<sup>34</sup> Thus, federal courts have no general power to correct errors of  
law that may occur from time to time in the course of State proceedings.<sup>35</sup>

175 However, a federal court and a State court are not foreign to each other. They form one  
system of jurisprudence, which constitutes the law of the land; and, should be considered  
as courts of the same country, having jurisdiction partly different, and partly concurrent,<sup>36</sup>  
and, as a matter of comity, one of such courts will not ordinarily determine a controversy  
of which another of such courts has previously obtained jurisdiction. In cases of apparent

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<sup>30</sup> **JUDICIAL COMITY:** “*The principle, in accordance with which, the courts of one State, or jurisdiction,*  
*will give effect to the laws and judicial decisions of another; not as a matter of obligation; but, out of*  
*deference and respect.*” Black’s 4<sup>th</sup>; Franzen v. Zimmer, 35 N.Y.S. 612, 90 Hun 103; Stowp v. Bank,  
C.C.Me., 92 F. 96; Strawn Mercantile Co. v. First Nat. Bank, Tex. Civ. App., 279 S.W. 473, 474; Bobala  
v. Bobala, 68 Ohio App. 63, 33 N.E.2d 845, 849.

<sup>31</sup> Clafin v. Houseman, N.Y., 3 Otto 130, 93 U.S. 130, 23 L.Ed. 833.

<sup>32</sup> Smith v. Phillips, 102 S.Ct. 940, 455 U.S. 209, 71 L.Ed.2d 78, on remand 552 F.Supp. 653, affirmed  
717 F.2d 44, certiorari denied 104 S.Ct. 1287, 465 U.S. 1027, 79 L.Ed.2d 689; Ker v. State of California,  
Cal., 83 S.Ct. 1623, 374 U.S. 23, 10 L.Ed.2d 726, 24 O.O.2d 201; Burrus v. Young, C.A.7 (Wis.), 808  
F.2d 578; Lacy v. Gabriel, C.A. Mass., 732 F.2d 7, certiorari denied 105 S.Ct. 195, 469 U.S. 861, 83  
L.Ed.2d 128; Smiths v. McMullen, C.A. Fla., 673 F.2d 1185, certiorari denied 103 S.Ct. 740, 459 U.S.  
1110, 74 L.Ed.2d 961.

<sup>33</sup> U.S. ex rel. Gentry v. Circuit Court of Cook County, Municipal Division, First Municipal Dist., C.A.Ill.,  
586 F.2d 1142.

<sup>34</sup> Harris v. Rivera, N.Y., 102 S. Ct. 460, 454 U.S. 339, 70 L.Ed.2d 530.

<sup>35</sup> Buckley Towers Condominium, Inc. v. Buchwald, C.A. Fla., 595 F. 2d 253.

<sup>36</sup> Clafin v. Houseman, N.Y., 3 Otto 130, 93 U.S. 130, 23 L.Ed. 833.

180 conflict between State and federal jurisdiction, the federal courts are the exclusive judges  
over their jurisdiction in the matter.<sup>37</sup> That being a given, federal intervention is only  
proper to correct errors of constitutional dimension,<sup>38</sup> which occurs when a State court  
arbitrarily, or discriminatorily, applies State law.<sup>39</sup> The rule of comity does not go to the  
extent of relieving federal courts from the duty of proceeding promptly to enforce rights  
185 asserted under the federal Constitution;<sup>40</sup> and, all considerations of comity must give way  
to the duty of a federal court to accord a People of the United States his right to invoke the  
court's powers and process in the defense or enforcement of his rights.<sup>41</sup>

As to the principle of exhaustion of state remedies; the Petitioner is not founding his  
Petition on the principle embodied in 28 U.S.C. §2254. The basis of Petitioner's Petition is  
addressed in section **V. PETITION** below. However, we will address it here.

190 In Friske v. Collins,<sup>42</sup> the Court's view was that exhaustion was not a "rigid and inflexible"  
rule; but, could be deviated from in "special circumstances". In addition to the class of  
"special circumstances" developed in the early history of the exhaustion rule, exhaustion  
was not required where procedural obstacles make theoretically available processes  
unavailable; where the available state procedure does not offer swift vindication of the  
195 petitioner's rights; and, where vindication of the federal right requires immediate action.<sup>43</sup>

Exhaustion today is a rule rooted in the relationship between the national and State judicial  
systems. The rule is consistent with the Writ's extraordinary character; but, it must be  
balanced by another characteristic of the Writ, to wit: its object of providing "*a swift and*

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<sup>37</sup> Craig v. Logemann, 412 N.W.2d 857, 226 Neb. 587, appeal dismissed 108 S.Ct. 1002, 484 U.S. 1053,  
98 L.Ed.2d 969.

<sup>38</sup> Burrus v. Young, C.A.7 (Wis.), 808 F.2d 578; Lacy v. Gabriel, C.A.Mass., 732 F.2d 7, certiorari denied  
105 S.Ct. 195, 469 U.S. 861, 83 L.Ed.2d 128; Smiths v. McMullen, C.A.Fla., 673 F.2d 1185, certiorari  
denied 103 S.Ct. 740, 459 U.S. 1110, 74 L.Ed.2d 961;

**INCONSISTENT VERDICTS:** Court of Appeals erred when it directed State trial judge to provide  
explanation of apparent inconsistency in his acquittal of codefendant and his conviction of defendant,  
without first determining whether inexplicably inconsistent verdicts would be unconstitutional. Harris v.  
Rivera, N.Y., 102 S.Ct. 460, 454 U.S. 339, 70 L. Ed. 2d 530.

<sup>39</sup> Jentges v. Milwaukee County Circuit Court, C.A.Wis., 733 F. 2d 1238.

<sup>40</sup> Everglades Drainage Dist. v. Florida Ranch & Dairy Corp., C.C.A.Fla., 74 F.2d 914, rehearing denied  
75 F.2d 1013.

<sup>41</sup> Carpenter Steel Co. v. Metropolitan-Edison Co., D.C.Ga., 268 F. 980.

<sup>42</sup> 342 US 519 (1952).

<sup>43</sup> Amsterdam, "*Federal Removal and Habeas Corpus Jurisdiction*", 113 U. Pa. L. Rev. 793, 893-94;  
Developments, "*Federal Habeas Corpus*", 83 Harv. L. Rev. 1038, 1097-107. Cf. Markuson v. Boucher,  
175 U.S. 189 (1899) with Roberts v. LaVallee, 389 U.S. 40 (1967).

200 *imperative remedy in all cases of illegal restraint upon personal Liberty.*”<sup>44</sup> That is, it “*is not [a rule] defining power but one which relates to the appropriate exercise of power.*”<sup>45</sup>

The Court noted that where resort to State remedies has failed to afford a full and fair adjudication of the federal contentions raised, either because the State affords no remedy; or, because in the particular case, the remedy afforded by State laws, proves, in practice, unavailable, or seriously inadequate; a federal court should entertain a Petition for Habeas Corpus; otherwise, a petitioner would be remediless. In such a case, the applicant should proceed in the federal district court before resorting to the Supreme Court by Petition for Habeas Corpus.<sup>46</sup>

210 **28 U.S.C. §2243** provides as follows: Issuance of Writ; Return; Hearing; Decision. A court justice or judge, entertaining an application for a Writ of Habeas Corpus, shall forthwith award the Writ; or, issue an Order directing the respondent to show cause why the Writ should not be granted; unless it appears, from the Application, that the applicant, or person detained, is not entitled thereto. The Writ, or Order to Show Cause, shall be directed to the person having custody of the person detained. It shall be returned within three  
215 (3) days; unless, for good cause, additional time, not exceeding twenty (20) days, is [be] allowed.

The State has been duly served; and, the State has not made; and, apparently cares not to make a Return. This question of timeliness constitutes a special circumstance justifying deviation from the exhaustion rule. Exhaustion is not required where procedural obstacles make theoretically available processes unavailable; where the available State procedure does not offer swift vindication of the petitioner’s rights; and, where vindication of the federal right requires immediate action.<sup>47</sup> Until the case is resolved in the district court, the petitioner will be unable to present his claims to the State Supreme Court.<sup>48</sup> This delay, and lack of timeliness, is a further special circumstance. In the interim, the petitioner would be  
225 required to lose his Liberty, because of the lack of swift State vindication of his rights.<sup>49</sup>

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<sup>44</sup> Price v. Johnson, 334 U.S. 266, 283 (1947).

<sup>45</sup> Bowen v. Johnston, 306 U.S. 19, 27 (1939). See Brennan, “*Some Aspects of Federalism*”, 39 N.Y. U.L. Rev. 945, 957-58; Brennan, “*Federal Habeas Corpus and State Prisoners*”, 7 Utah L. Rev. 423, 426.

<sup>46</sup> Ex parte Hawk, 321 U.S. 114, 118; See also Ex parte Abernathy, 320 U.S. 219 (1943); White v. Ragen, 324 U.S. 760 (1945); Wood v. Niersteimer, 328 U.S. 211 (1946).

<sup>47</sup> Amsterdam, “*Federal Removal and Habeas Corpus Jurisdiction*”, 113 U. Pa. L. Rev. 793, 893-94; Developments, “*Federal Habeas Corpus*”, 83 Harv. L. Rev. 1038, 1097-107. Cf.; Markuson v. Boucher, 175 U.S. 189 (1899) with Roberts v. LaVallee, 389 U.S. 40 (1967).

<sup>48</sup> Magistrate’s Report (#5), filed March 7, 2003, 6:46am, p3, L3-6.

<sup>49</sup> Amsterdam, “*Federal Removal and Habeas Corpus Jurisdiction*”, 113 U. Pa. L. Rev. 793, 893-94; Developments, “*Federal Habeas Corpus*”, 83 Harv. L. Rev. 1038, 1097-107. Cf.; Markuson v. Boucher, 175 U.S. 189 (1899) with Roberts v. LaVallee, 389 U.S. 40 (1967).

## IV. COMITY

Comity is one court giving full faith and credit to the judicial proceedings of another court, provided that such proceedings do not violate its own rules. Though comity is not mandated, it is encouraged by The Constitution for The United States Article IV Section 1.<sup>50</sup> However, comity does not mean that one court involuntarily gives up its jurisdiction to another court. Comity does not mean that one court must respect the improprieties of another court. Comity does not mean that one court must submit to the whim of another court. Further, comity cannot enter the equation when the question before the courts concerns which of the two courts has jurisdiction regarding the vindication of the rights of the Petitioner. The protection of the Petitioner's rights from encroachment by the State is the innate responsibility of the federal courts.

In the United States, Habeas Corpus exists in two forms: Common Law and Statutory. The Petitioner has chosen Habeas Corpus at common law in a court of record. The Constitution for the United States of America acknowledges the Peoples' right to the common law of England as it was in 1789. What is that common law? It does not consist of absolute, fixed and inflexible rules; but, broad and comprehensive principles based on justice, reason, and common sense...<sup>51</sup>

The common law is also the Magna Carta,<sup>52</sup> as authorized by the Confirmatio Cartarum, if the accused so demands.<sup>53</sup> The Confirmatio Cartarum succinctly says, "... *our justices, sheriffs, mayors, and other ministers, which, under us have the laws of our land to guide, shall allow the said charters pleaded before them, in judgment in all their points; that is, to wit, the Great Charter as the common law and the Charter of the forest, for the wealth of our realm.*"<sup>54</sup> In other words, the King's men must allow the Magna Carta to be pleaded as the common law if the accused so wishes it.

Magna Carta says, "*Henceforth the Writ which is called Praeceptum shall not be served on anyone for any holding so as to cause a free man to lose his court.*"<sup>55</sup> In this case, the free man's court is the court of record of the petitioner, as above entitled. The Constitution for the United States of America Article III Section 2 Clause 1 says, "*The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the*

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<sup>50</sup> Full Faith and Credit shall be given in each State to the public Acts, Records and Judicial proceedings of every other State. And, the Congress may, by general Laws, prescribe the Manner in which such Acts, Records and Proceedings shall be proved; and, the Effect thereof. Constitution for the United States of America Article IV Section 1.

<sup>51</sup> Miller v. Monsen, 37 N.W.2d 543, 547, 228 Minn. 400.

<sup>52</sup> June 15, 1215, King John I.

<sup>53</sup> November 5, 1297, King Edward I.

<sup>54</sup> Confirmatio Cartarum Article I Clause 3.

<sup>55</sup> Magna Carta Article 34.

*United States...*” The judicial power is thusly extended to this Habeas Corpus case at law in the above-entitled court of record.

260 The above-entitled court of record, invoking the extension of the judicial power of the United States upon a case in law, is proceeding according to the common law as sanctioned by the Constitution; and, considering the matter that has arisen under the Constitution and laws of the United States. As stated above, the rule of comity does not go to the extent of relieving federal courts from the duty of proceeding promptly to enforce rights asserted under the federal Constitution;<sup>56</sup> and, all considerations of comity must give way to the duty of a federal court to accord a citizen of the United States his right to invoke the  
265 court’s powers and process in the defense or enforcement of his rights.<sup>57</sup>

This court accepts the duty obligation to proceed promptly to enforce rights asserted under the federal Constitution. Thus, this court has the subject matter jurisdiction to examine, and act, upon the Petition for Habeas Corpus. Further, the parties were duly served personally with a copy of the Petition and the Writ of Habeas Corpus thus this court has “*in personam*  
270 *jurisdiction*”.

## V. PETITION

275 Title 28 of the United States Code<sup>58</sup> acknowledges that it is not the responsibility of the Petitioner to know by what claim or authority the State acts; but, that the Petitioner may inquire as to the cause of the restraint. Petitioner has requested an inquiry into the cause of restraint; but, none of the respondents has returned any statement of cause of the restraint. Therefore, this court may presume that there is neither legal nor lawful cause of restraint.

Petitioner has isolated five (5) points upon which he bases his Petition:

- 280 A. The lack of cause of the restraint
- B. The lack of jurisdictional basis of the restraint
- C. Prosecutorial vindictiveness
- D. Reasonable apprehension of restraint of Liberty
- E. Strict compliance with statutory requirements
- F. Diminishment of rights

285 Because the respondents have made no Return, this court must rule solely upon the evidence before it, as provided by the Petitioner. Seneca wrote, “*He who decides a case*

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<sup>56</sup> Everglades Drainage Dist. v. Florida Ranch & Dairy Corp., C.C.A.Fla., 74 F.2d 914, rehearing denied 75 F.2d 1013.

<sup>57</sup> Carpenter Steel Co. v. Metropolitan-Edison Co., D.C.Pa., 268 F. 980.

<sup>58</sup> **APPLICATION FOR A WRIT OF HABEAS CORPUS:** shall allege the facts concerning the applicant’s commitment or detention, the name of the person who has custody over him, and by virtue of what claim or authority, if known. 28 USC §2242

with the other side unheard, though he decide justly, is himself unjust.”<sup>59</sup> Mindful of the wisdom of Seneca, we proceed.

290 This court has taken judicial notice of the Federal Rules of Civil Procedure Title 28 United States Code, insofar as it is not repugnant to the common law. F.R.C.P. Rule 55 regarding default<sup>60</sup> is applied here.<sup>61</sup> The record shows that the *Petition* was filed; a *Writ of Habeas Corpus to Show Cause* issued; the *Petition* and *Writ* were duly served upon the respondents; no Return was filed; a *Notice of Default* was filed. So, no claim may be made that the State court was unaware of this court’s proceedings; nor, may the respondents  
295 claim they were unaware of the consequences for failure to make a Return on the *Writ of Habeas Corpus*. Simply stated: the parties against whom a Judgment for Affirmative Relief is sought, have failed to plead or otherwise defend, as provided by these rules; and, that fact has been brought before the court by Affidavit in accordance with F.R.C.P. Rule 55(a).

300 **VI. FINDINGS OF FACT**

**THEREFORE, BASED UPON THE RECORD BEFORE THIS COURT:**

**THE COURT FINDS THAT:**

- (1) Dylan Anderson et al. are People as contemplated in the Preamble of the Constitution for the United States of America.

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<sup>59</sup> Seneca’s *Medea*.

<sup>60</sup> **DEFAULT (a) ENTRY:** When a party against whom a Judgment for Affirmative Relief is sought, has failed to plead, or otherwise defend, as provided by these rules; and, that fact is made to appear [has been brought before the court] by Affidavit or otherwise, the clerk shall enter the party's Default. (b) **JUDGMENT:** Judgment by Default may be entered as follows: (1) **BY THE CLERK:** When the plaintiff's claim against a defendant is for a sum certain, or for a sum which can, by computation, be made certain, the clerk, upon request of the plaintiff, and upon Affidavit of the amount due, shall enter Judgment for that amount and costs, against the defendant, if the defendant has been defaulted for failure to appear, and is not an infant or incompetent person. (2) **BY THE COURT:** In all other cases, the party entitled to a Judgment by Default, shall apply to the court therefor; but, no Judgment by Default shall be entered against an infant, or incompetent person, unless represented in the action by a general guardian, committee, conservator, or other such representative, who has appeared therein. If the party against whom Judgment by Default is sought, has appeared in the action, the party, or, if appearing by representative, the party’s representative, shall be served with written Notice of the Application for Judgment at least three (3) days prior to the Hearing on such Application. If, in order to enable the court to enter Judgment; or, to carry it into effect; it is necessary to take an account, or to determine the amount of damages, or to establish the truth of any averment by evidence, or to make an investigation of any other matter; the court may conduct such Hearings; or, Order such references, as it deems necessary and proper; and, shall accord a right of trial by jury to the parties, when, and as required, by any statute of the United States. (c) **SETTING ASIDE DEFAULT:** For good cause shown, the court may set aside an Entry of Default; and, if a Judgment by Default has been entered, may likewise set it aside, in accordance with Rule 60(b). Federal Rules of Civil Procedure Rule 55.

<sup>61</sup> Courts of record have an inherent power, independently of statutes, to make rules for the transaction of business. 1 Pet. 604, 3 Serg. & R. Penn. 253; 8 id. 336, 2 Mo. 98.

- 305 (2) This above-entitled court is a court of record.
- (3) All respondents were duly served; and, court personnel were apprised of the Petitioner's claims and the Writ; all respondents had full Notice and fair opportunity to argue their cause; and, respondents did not argue their cause.
- 310 (4) The respondents have not presented any legal or lawful cause of the restraint of Dylan Anderson et al.
- (5) The respondents have not presented any jurisdictional basis for the restraint of Dylan Anderson et al. The court of the respondents did not fulfill the duty to determine whether it has jurisdiction in order for the exercise of jurisdiction to constitute a binding Decision.
- 315 (6) The respondents have not presented any evidence to prove the absence of prosecutorial vindictiveness by the respondents against Dylan Anderson et al.
- (7) Dylan Anderson et al. have a reasonable apprehension of future restraint of Liberty arising from the same facts.
- (8) Strict compliance with statutory requirements was not met by the respondents.
- 320 (9) Dylan Anderson et al. have suffered an unlawful and illegal diminishment of rights.

## VII. CONCLUSIONS OF LAW

### **FURTHER, THE COURT CONCLUDES THAT:**

- 325 (1) This above-entitled court has the sovereign authority to proceed as a court of record with jurisdiction to act in the instant case and subject matter.
- (2) Because all respondents were duly served; and, court personnel were apprised of the Petitioner's *Petition* and *Writ*; and, because all respondents had full Notice and fair opportunity to argue their cause; and, did not so do; and, because none of the aforementioned persons made a Return, Objection, or Motion, the above-entitled court has acquired "in personam jurisdiction" of each of the respondents.
- 330 (3) Because the respondents have not presented any legal or lawful cause of, or any jurisdictional basis for the restraint of Dylan Anderson et al., the respondents do not have any legal or lawful cause against or jurisdiction over Dylan Anderson et al.
- 335 (4) Because the respondents have not presented any evidence to prove the absence of prosecutorial vindictiveness by the respondents against Dylan Anderson et al.; and, because the burden of proof is upon the respondents when evidence of prosecutorial vindictiveness has been presented, as a matter of law the respondents have committed prosecutorial vindictiveness against Dylan Anderson et al.

- 340 (5) Strict compliance with statutory requirements were not met by the respondents, Dylan Anderson et al. were denied due process, there is a reasonable probability that they will be denied due process and there is a reasonable probability that Dylan Anderson et al. will be subjected to future restraint of Liberty arising from the same facts.
- 345 (6) Because Dylan Anderson et al. have suffered an unlawful and illegal diminishment of rights, Dylan Anderson et al. will very likely continue to be subjected to further unlawful and illegal diminishment of rights if not immediately released.
- 350 (7) It has become clear to this Grand Jury Investigative Body that the Court has taken advantage through undue influence<sup>62</sup> of its victims by manipulating peoples' free will for money and is thereby guilty of common barratry<sup>63</sup>, maintenance<sup>64</sup> and Champerty<sup>65</sup>. Since this problem has been found in many courts in America we have concluded the courts guilty of racketeering.

## VIII. CONCLUSION SUMMARY

355 The respondents, namely village, town, city, county, State or Federal governments, Judge Anna J. Brown et al., by their Default (their failure to Return the Writ of Habeas Corpus), have failed to prove their jurisdiction; therefore, they each and all of them shall abate at law all proceedings in and relating to UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON, de facto Case No. 3:16-cr-00051-AA.

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<sup>62</sup> **UNDUE INFLUENCE:** Any improper or wrongful constraint, machination or urgency of persuasion whereby the will of a person is overpowered; and, he is induced to do or forbear an act which he would not do or would do if left to act freely. Powell v. Betchel, 340 Ill. 330, 172 N.E. 765, 768. Influence which deprives person influenced of free agency; or, destroys freedom of his will; and, renders it more the will of another than his own. Conner v. Brown, Del., 3 A.2d 64, 71, 9 W.W.Harr. 529; In re Velladao's Estate, 31 Cal.App.2d 355, 88 P.2d 187, 190.

<sup>63</sup> **BARRATRY:** In criminal law; also spelled "*Barretry*". The offense of frequently exciting and stirring up quarrels and suits, either at law or otherwise. 4 Bla.Com. 134; State v. Batson, 220 N.C. 411, 17 S.E.2d 511, 512, 513; "*Common barratry is the practice of exciting groundless judicial proceedings.*" Pen. Code Cal. §158; Lucas v. Pico, 55 Cal. 128; Corn. v. McCulloch, 15 Mass. 229; Ex parte McCloskey, 82 Tex.Cr.R. 531, 199 S.W. 1101, 1102.

<sup>64</sup> **MAINTENANCE:** Consists in maintaining, supporting or promoting the litigation of another. "*Act of maintaining, keeping up, supporting; livelihood; means of sustenance.*" Federal Land Bank of St. Louis v. Miller, 184 Ark. 415, 42 S.W. 2d 564, 566.

<sup>65</sup> **CHAMPERTY:** A bargain to divide the proceeds of litigation between the owner of the liquidated claim and a party supporting or enforcing the litigation. Draper v. Lebec, 219 Ind. 362, 37 N.E.2d 952, 956; A bargain by a stranger with a party to a suit by which such third person undertakes to carry on the litigation at his own cost and risk in consideration of receiving, if successful, a part of the proceeds or subject sought to be recovered. Small v. Mott, 22 Wend. N.Y., 405; Gilman v. Jones, 87 Ala. 691, 5 So. 785, 7 So. 48, 4 L.R.A. 113; Jamison Coal & Coke Co. v. Goltra, C.C.A.Mo., 143 F.2d 889, 895, 154 A.L.R. 1191; The purchase of an interest in a thing in dispute with the object of maintaining and taking part in the litigation. 7 Bing. 378.



360 None of the respondents, Judge Anna J. Brown et al., is an infant or incompetent. None of the respondents, Judge Anna J. Brown et al. has appeared in the proceedings.

Default Judgment to be entered by this court in accordance with Federal Rules of Civil Procedure Rule 55(b) (2). Dylan Anderson et al., if not already released, are to be released straightway and any property seized returned immediately. No damages are awarded.

365 Chief Judge Michael W. Mosman shall confirm release of Petitioner and abatement and inform the Unified United States Common Law Grand Jury of the same by Fax: (888) 891-8977.

THE COURT April 26, 2016.

(seal)



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Unified United States Common Law Grand Jury Administrator



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DATE & TIME	STATUS OF ITEM	LOCATION
May 2, 2016 , 10:26 am	Delivered	PORTLAND, OR 97204
Your item was delivered at 10:26 am on May 2, 2016 in PORTLAND, OR 97204.		
April 30, 2016 , 11:44 am	Business Closed	PORTLAND, OR 97204
April 30, 2016 , 11:44 am	Arrived at Unit	PORTLAND, OR 97204
April 29, 2016 , 8:06 pm	Departed USPS Destination Facility	PORTLAND, OR 97220
April 29, 2016 , 2:52 pm	Arrived at USPS Destination Facility	PORTLAND, OR 97220
April 27, 2016 , 11:55 pm	Departed USPS Origin Facility	ALBANY, NY 12288
April 27, 2016 , 10:04 pm	Arrived at USPS Origin Facility	ALBANY, NY 12288
April 27, 2016 , 5:31 pm	Departed Post Office	HYDE PARK, NY 12538
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Your item was delivered at 10:26 am on May 2, 2016 in PORTLAND, OR 97204.		
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**UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF OREGON**

Mark O. Hatfield US Courthouse, 1000 SW 3<sup>rd</sup> Avenue, Room 740, Portland, OR 97204-2802

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**Tribunal:** **Unified United States Common Law Grand Jury**

P.O. Box 59; Valhalla, New York 10595; Fax: (888) 891-8977

**TO:** Judge Anna J. Brown, Magistrate Judge John Acosta, Magistrate Judge Stacie F. Beckerman, Judge Dustin Pead, U.S. Marshal for Oregon State Russel Burger, FBI Special Agent in Charge for Oregon State Gregory T. Bretzing, Oregon State Police Superintendent Richard Evans Jr., Oregon State Governor Kate Brown, U.S. Attorney Billy J. Williams, U.S. Attorney Ethan D. Knight, Assistant U.S. Attorney Geoffrey A. Barrow and Assistant U.S. Attorney Craig Gabriel

**Court of Origin:** **UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON**, de facto;

**CASE NO. 3:16-cr-00051-AA**, statutory

Dylan Anderson, Sandra Lynn Pfeifer Anderson, Sean Anderson, Jeff Wayne Banta, Jason Charles Blomgren, Ammon Edward Bundy, Ryan C. Bundy, Brian D. Cavalier, Blaine Cooper, Shawna Cox, Travis Cox, Duane Leo Ehmer, Eric Lee Flores, David Lee Fry, Wesley Kjar, Corey Omar Lequieu, Kenneth Medenbach, Joseph D. O'Shaughnessy, Jason Patrick, Ryan Waylen Payne, Jon Eric Ritzheimer, Jake Ryan, Peter T. Santilli, Geoffrey A. Stanek, Darryl William Thorn, Neil Wampler and Scott A. Willington,

**Assigned: Chief Judge Michael W. Mosman**

**FEDERAL CASE NO. 1776-1789-2015**, de jure

Petitioner

Against

Judge Anna J. Brown, Magistrate Judge John Acosta, Magistrate Judge Stacie F. Beckerman, Judge Dustin Pead, U.S. Marshal for Oregon State Russel Burger, FBI Special Agent in Charge for Oregon State Gregory T. Bretzing, Oregon State Police Superintendent Richard Evans Jr., Oregon State Governor Kate Brown, U.S. Attorney Billy J. Williams, U.S. Attorney Ethan D. Knight, Assistant U.S. Attorney Geoffrey A. Barrow and Assistant U.S. Attorney Craig Gabriel,

Respondents

## **Writ Mandamus Coram Ipso Rege<sup>1</sup>**

### **CONTEMPT OF COURT**

**THE GREAT WRIT OF LIBERTY** is “*the Writ of Habeas Corpus Ad Subjiciendum, issuing at common law out of courts of Chancery, King’s Bench, Common Pleas, and Exchequer.*” Ex parte Kelly, 123 N.J.Eq. 489, 198 A. 203, 207. “*In the United States, Habeas Corpus exists in two forms: common law and statutory. The Constitution for the United States of America acknowledges the Peoples’ right to the Common Law of England as it was in 1789. It does not consist of absolute, fixed and inflexible rules, but broad and comprehensive principles based on justice, reason and common sense.*” Miller v. Monsen, 37 N.W. 2d 543, 547, 228 Minn. 400. “*This is the well-known remedy for deliverance from illegal confinement, called by Sir William Blackstone the most celebrated Writ in the English law, and the great and efficacious Writ in all manner of illegal confinement.*” 3 Bl. Comm. 129.

**US CONSTITUTION ARTICLE I SECTION 9:** [common law] The privilege of the Writ of Habeas Corpus shall not be suspended.

<sup>1</sup> **KING’S BENCH:** The Supreme Court of Common Law in England; being so called because the King used formerly to sit there in person; the style of the Court being “*Coram Ipso Rege*”.

**28 USC §2243:** [statutory] Issuance of Writ; Return; Hearing; Decision; A court, justice or judge entertaining an Application for a Writ of Habeas Corpus shall forthwith award the Writ or issue an Order directing the respondent to Show Cause why the Writ should not be granted, unless it appears from the Application that the applicant or person detained is not entitled thereto. The Writ or Order to Show Cause shall be directed to the person having custody of the person detained. It shall be returned within three (3) days unless for good cause additional time, not exceeding twenty (20) days.

### **COURT MUST AWARD AND RESPONDENTS MUST SHOW CAUSE**

This court of justice has taken judicial notice of the Federal Rules of Civil Procedure, Title 28, United States Code, insofar as it is not repugnant to the common law. FRCP Rule 55 regarding Default<sup>2</sup> is applied here.<sup>3</sup> The record shows that on April 19, 2016 the *Petition* was filed; a *Writ of Habeas Corpus to Show Cause* issued; the *Petition* and *Writ* were duly served upon the respondents; no Return was filed; a *Notice of Default* was filed on April 26, 2016. So, no claim may be made that the statutory court(s) were unaware of this court's proceedings; nor, may the respondents claim they were unaware of the consequences for failure to make a Return on the *Writ of Habeas Corpus*. Simply

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<sup>2</sup> **FEDERAL RULES OF CIVIL PROCEDURE RULE 55: DEFAULT** (a) **ENTRY:** When a party against whom a Judgment for Affirmative Relief is sought, has failed to plead, or otherwise defend, as provided by these rules; and, that fact is made to appear [has been brought before the Court] by Affidavit or otherwise, the Clerk shall enter the party's Default. (b) **JUDGMENT:** Judgment by Default may be entered as follows: (1) **BY THE CLERK:** When the plaintiff's claim against a defendant is for a sum certain, or for a sum which can, by computation, be made certain, the clerk, upon request of the plaintiff, and upon Affidavit of the amount due, shall enter Judgment for that amount and costs, against the defendant, if the defendant has been defaulted for failure to appear, and is not an infant or incompetent person. (2) **BY THE COURT:** In all other cases, the party entitled to a Judgment by Default, shall apply to the court therefor; but, no Judgment by Default shall be entered against an infant, or incompetent person, unless represented in the action by a general guardian, committee, conservator, or other such representative, who has appeared therein. If the party against whom Judgment by Default is sought, has appeared in the action, the party, or, if appearing by representative, the party's representative, shall be served with written Notice of the Application for Judgment at least three (3) days prior to the Hearing on such Application. If, in order to enable the court to enter Judgment; or, to carry it into effect; it is necessary to take an account, or to determine the amount of damages, or to establish the truth of any averment by evidence, or to make an investigation of any other matter; the court may conduct such Hearings; or, Order such references, as it deems necessary and proper; and, shall accord a right of trial by jury to the parties, when, and as required, by any statute of the United States. (c) **SETTING ASIDE DEFAULT:** For good cause shown, the court may set aside an Entry of Default; and, if a Judgment by Default has been entered, may likewise set it aside, in accordance with Rule 60(b).

<sup>3</sup> **COURTS OF RECORD:** Have an inherent power, independently of statutes, to make rules for the transaction of business. 1 Pet. 604, 3 Serg. & R. Penn. 253; 8 id, 336, 2 Mo. 98

stated; the parties against whom a *Judgment for Affirmative Relief* is sought, have failed to plead or otherwise defend, as provided by these rules; and, that fact has been brought before the court by *Affidavit* in accordance with FRCP Rule 55(a). [SEE: attached]

**TO INTERCEPT, CONCEAL or EXPUNGE HABEAS CORPUS IS TO  
DENY DUE PROCESS, THEREBY WARRING AGAINST THE  
CONSTITUTION**

**VIOLATING:** 18 USC § 2071, 18 USC §1001, 18 USC §4, 18 USC §241, 18 USC §242, 18 USC §872, 18 USC §1512b, 18 USC §2382, 28 USC §2242, 28 USC §2243, 42 USC §1986, 42 USC §1985: “*Any judge who does not comply with his oath to the Constitution of [for] the United States wars against that Constitution and engages in acts in violation of the Supreme Law of the Land. The judge is engaged in acts of treason.*” Cooper v. Aaron, 358 U.S. 1, 78 S. Ct. 1401 (1958).

A Writ of Habeas Corpus is a judicial mandate to a prison official ordering that an inmate be brought to the court so it can be determined whether or not that person is imprisoned lawfully and whether or not he should be released from custody. A Petition for Habeas Corpus is a Petition filed with a court by a person who objects to his own or another’s detention or imprisonment. The Petition must show that the court ordering the detention or imprisonment made a legal or factual error. Petition for Habeas Corpus is usually filed by a person serving a prison sentence. In family law, a parent who has been denied custody of his child by a trial court may file a Petition for Habeas Corpus. Also, a party may file a Petition for Habeas Corpus if a judge declares them in contempt of court and jails or threatens to jail them.

In Brown v. Vasquez, 952 F.2d 1164, 1166 (9<sup>th</sup> Cir. 1991), cert. denied, 112 S.Ct. 1778 (1992), the Court observed that “*the Supreme Court has recognized the fact that ‘[t]he Writ of Habeas Corpus is the fundamental instrument for safeguarding individual freedom against arbitrary and lawless State action.’*” Harris v. Nelson, 394 U.S. 286, 290-91 (1969) “*Therefore, the Writ must be administered with the initiative and flexibility essential to insure that miscarriages of justice within its reach are surfaced and corrected.*” Harris, 394 U.S. at 291. “*The Writ of Habeas Corpus serves as an important check on the manner in which State courts pay respect to federal constitutional rights. The Writ is the fundamental instrument for safeguarding individual freedom against arbitrary and lawless State action.*” Harris v. Nelson, 394 U.S. 286, 290-91 (1969).

**28 USC §2242:** “Every person unlawfully committed, detained, confined or restrained of his Liberty or Property, under any pretense whatsoever, may prosecute a Writ of Habeas Corpus to inquire into the cause of such imprisonment or restraint.”

The petitioner showed in his Petition that the court ordering the detention or imprisonment made the following legal and factual errors; and, therefore, Writ Habeas Corpus “must be prosecuted”.

- 1) Respondents gathered a biased statutory grand/trial jury; a jury not under Common Law; a jury under a court not of record, i.e., not at law; a jury which has no power to fine or imprison thereby jurisdiction was fraudulently acquired.
- 2) There was no sworn documentary evidence from a competent fact witness.
- 3) Petitioner is being unconstitutionally held by a court “*not of record*” as required and defined under Article VI Clause 2.
- 4) Court is proceeding under statutes and jurisdictions unknown and “*not under the Law of the Land*” a/k/a Common Law.
- 5) Court’s jurisdiction was not stated, as required by law.
- 6) Petitioner was denied due process; trial in a Court of [Common] Law is due process.
- 7) Petitioner(s) are victim(s) of barratry, maintenance and Champerty.
- 8) Custodians have engaged in prosecutorial vindictiveness therefore the burden is upon respondents to rebut presumption.

## **HABEAS CORPUS IS DUE PROCESS**

**TITLE 28 OF THE UNITED STATES CODE:** acknowledges that it is not the responsibility of the petitioner to know by what claim or authority the State acts; but, that the petitioner may inquire as to the cause of the restraint. Petitioner has requested an inquiry into the cause of restraint; but, none of the respondents has returned any Statement of Cause of the Restraint. Therefore, this court may and has presumed that there is neither legal nor lawful cause of restraint.

On April 26, 2016, the Grand Jury filed a Default and Memorandum of Decision of the Default and thereby the statutory court was ordered to **ABATE AT LAW** all proceedings in and relating to UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON, de facto, Case No. 3:16-cr-00051-AA against Dylan Anderson et al.



The above-named statutory court ignored Habeas Corpus; and, has yet to release Dylan Anderson et al. from illegal custody. After reviewing this case, we have concluded the following:

- (1) The court that prosecuted Dylan Anderson et al. was a statutory court; not a court of record;<sup>4</sup> and, therefore, had no Constitutional Authority to incarcerate.
- (2) The grand/trial jury was tampered with to secure statutory indictments and statutory prosecutions<sup>5</sup> by said court not of record under color of law.
- (3) There were no injured parties.<sup>6</sup>
- (4) There were no sworn affidavits.<sup>7</sup>
- (5) There was no due process.<sup>8</sup>
- (6) This was a political case with vindictive prosecution.

Because of the aforesaid conclusions; and, from information received, in that pressure is being applied upon petitioner to somehow stop the probing and actions of the Grand Jury, let us be clear: Habeas Corpus has endured over four hundred (400) years unimpeded. Once the Petition for Habeas Corpus was received by the court's bench (grand jury) and acted upon, the petitioner, attorney(s) or statutory court(s) do not have power to stop the Writ Habeas Corpus. Furthermore, vindictiveness has already been established; and, we are therefore, warning all involved that we will be reviewing the actions of all involved.

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<sup>4</sup> **COURTS OF RECORD AND COURTS NOT OF RECORD:** the former being those whose acts and judicial proceedings are enrolled or recorded for a perpetual memory and testimony; and, which have power to fine or imprison for contempt. Error lies to their judgments and they generally possess a seal. Courts not of record are those of inferior dignity which have no power to fine or imprison; and, in which the proceedings are not enrolled or recorded. 3 Bl. Comm. 24; 3 Steph. Comm. 383; The Thomas Fletcher, C.C.Ga., 24 F. 481; Ex parte Thistleton, 52 Cal 225; Erwin v. U.S., D.C.Ga., 37 F. 488, 2 L.R.A. 229; Heininger v. Davis, 96 Ohio St. 205, 117 N.E. 229, 231

<sup>5</sup> **COMMON LAW:** *"The common law is the real law, the Supreme Law of the land; the code, rules, regulations, policy and statutes are not the law."* Self v. Rhay, 61 Wn (2d) 261; *"There, every man is independent of all laws, except those prescribed by nature. He is not bound by any institutions formed by his fellowman without his consent."* Cruden v. Neale, 2 N.C. 338 (1796) 2 S.E.

<sup>6</sup> **"FOR A CRIME TO EXIST:** *there must be an injured party. There can be no sanction or penalty imposed upon one because of this exercise of Constitutional rights."* Sherar v. Cullen, 481 F. 945.

<sup>7</sup> **PRIME FACIE CASE:** *"Indeed, no more than an Affidavit is necessary to make the prima facie case."* United States v. Kis, 658 F.2d 526, 536 (7th Cir. 1981); Cert. Denied, 50 U.S. L. W. 2169; S. Ct. March 22, 1982.

<sup>8</sup> **DUE COURSE OF LAW:** *"this phrase is synonymous with 'due process of law' or 'law of the land' and means law in its regular course of administration through courts of justice [court of record]".* Kansas Pac. Ry. Co. v. Dunmeyer 19 Kan 542.

In conclusion, Judge Anna J. Brown et al. are in contempt of court; and, are herein ordered to release Dylan Anderson et al. immediately as previously ordered by this Tribunal; or, we will bring this action before the full Grand Jury for Judicial Remedy upon all conspirators including all court officers who are violating the aforesaid federal codes.

This Court is gracing Judge Anna J. Brown et al. with the opportunity to amend their error and abate at law immediately all proceedings in and relating to UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON, de facto, Case No. 3:16-cr-00051-AA, against Dylan Anderson et al.

THE COURT May 6, 2016.

(seal)



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Grand Jury Foreman



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DATE & TIME	STATUS OF ITEM	LOCATION
May 9, 2016 , 10:39 am	Delivered	PORTLAND, OR 97204
Your item was delivered at 10:39 am on May 9, 2016 in PORTLAND, OR 97204.		
May 9, 2016 , 9:22 am	Arrived at Unit	PORTLAND, OR 97204
May 8, 2016 , 10:55 pm	Departed USPS Destination Facility	PORTLAND, OR 97220
May 8, 2016 , 12:30 am	Arrived at USPS Destination Facility	PORTLAND, OR 97220
May 6, 2016 , 11:51 pm	Departed USPS Origin Facility	ALBANY, NY 12288
May 6, 2016 , 10:58 pm	Arrived at USPS Origin Facility	ALBANY, NY 12288
May 6, 2016 , 5:43 pm	Departed Post Office	HYDE PARK, NY 12538
May 6, 2016 , 1:53 pm	Acceptance	HYDE PARK, NY 12538

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## Available Actions

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May 9, 2016 , 10:39 am	<b>Delivered</b>	PORTLAND, OR 97204
Your item was delivered at 10:39 am on May 9, 2016 in PORTLAND, OR 97204.		
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# UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

Mark O. Hatfield US Courthouse, 1000 SW 3rd Avenue, Room 740, Portland, OR 97204-2802

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**Unified United States Common Law Grand Jury;**<sup>1</sup>

**Sureties of the Peace**<sup>2</sup>

5 P.O. Box 59, Valhalla, NY 10595; Fax: (888) 891-8977;

Proceeding as Next Friend under Rule 17, 28 USCA<sup>3</sup>

USA

Plaintiffs

- Against -

Bundy et al

Defendants

Jurisdiction: Court of Record, under  
the rules of Common Law<sup>4</sup>

Case no. 3:16-cr-00051-BR  
Magistrate Anna J. Brown

**MEMORANDUM OF LAW  
IN SUPPORT OF JURISDICTION**

## AUTHORITY

- 10 The unalienable right of the sovereign People to self-governance was ordained by God,  
established in the Declaration of Independence and ordained by We the People who are  
the authority of all law. *"We hold these truths to be self-evident, that all men are created  
equal, that they are endowed by their Creator with certain unalienable Rights, that  
among these are Life, Liberty and the pursuit of Happiness. That to secure these rights,  
15 Governments are instituted among Men, deriving their just powers from the consent of*

---

<sup>1</sup> **The UUSCLGJ** is comprised of fifty Grand Jurys each unified amongst the counties within their respective States. All fifty States have unified nationally as an assembly of 1000's of People in the name of We the People to suppress through our Courts of Justice subverts both foreign and domestic acting under color of law within our governments.; States were unified by re-constituting all 3133 United States counties

<sup>2</sup> **SURETIES OF THE PEACE:** If anyone has been dispossessed without the legal judgment of his peers, from his lands, castles, franchises, or from his right, we will immediately restore them to him; and if a dispute arise over this, then let it be decided by the five and twenty jurors of whom mention is made below in the clause for securing the peace. Moreover, for all those possessions, from which anyone has, without the lawful judgment of his peers, been disseized or removed by our government we will immediately grant full justice therein. - Magna Carta Paragraph 52.

<sup>3</sup> **Next Friend:** "A next friend is a person who represents someone who is unable to tend to his or her own interest." Federal Rules of Civil Procedures, Rule 17, 28 USCA; Haines v. Kerner, 404 U.S. 519 (1972)

<sup>4</sup> **"A Court of Record** is a judicial tribunal having attributes and exercising functions independently of the person of the magistrate designated generally to hold it, and proceeding according to the course of common law, its acts and proceedings being enrolled for a perpetual memorial". Jones v. Jones, 188 Mo.App. 220, 175 S.W. 227, 229; Ex parte Gladhill, 8 Metc. Mass., 171, per Shaw, C.J. See, also, Ledwith v. Rosalsky, 244 N.Y. 406, 155 N.E. 688, 689.

*the governed, That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness.”* Any  
20 servant who resists these truths “Wars against the Governor of the Universe and Wars against ~~We~~ the ~~People~~”.

“Sovereignty itself is, of course, not subject to law, for it is the author and source of law; but in our system, while sovereign powers are delegated to the agencies of government, sovereignty itself remains with the people, by whom and for whom all  
25 government exists and acts And the law is the definition and limitation of power...”  
Yick Wo v. Hopkins, 118 US 356, 370.

~~We~~ the ~~Sovereign~~ ~~People~~ of the United States of America on March 4<sup>th</sup> 1789 birthed a Nation “in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure  
30 the blessings of liberty to ourselves and our posterity ordained and established this Constitution for the United States of America.” Preamble.

~~We~~ the ~~People~~ ordained through Article III Section 1, thereby creating one Supreme Court with vested judicial powers and also ordained Congress with the power to ordain and establish inferior courts with the same vested judicial powers.

35           **28 U.S. Code § 132** - Creation and composition of district courts (a) There shall be in each judicial district a district court which shall be a court of record known as the United States District Court for the district. (b) Each district court shall consist of the district judge or judges for the district in regular active service. Justices or judges designated or assigned shall be competent to sit as judges of the  
40 court. (c) Except as otherwise provided by law, or rule, or order of court, the judicial power of a district court with respect to any action, suit or proceeding may be exercised by a single judge, who may preside alone and hold a regular or special session of court at the same time other sessions are held by other judges.

In Article VI clause 2, ~~We~~ the ~~People~~ established that judges may hold their office only  
45 during “good behavior which we defined in Article VI clause 2, thereby “binding” their behavior by the “supreme law of the land”. “*This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the*

land; and the judges in every state shall be bound thereby, anything in the Constitution  
50 or laws of any State to the contrary notwithstanding.” Failure of good behavior<sup>5</sup> by a  
judge requires his removal from office.

## CONGRESS IS A CREATURE<sup>6</sup> OF THE LAW WITH CLIPPED AUTHORITY<sup>7</sup>

55 In the unauthorized creation by the 41<sup>st</sup> Congress who acted without constitutional  
authority, an act of fraud, conspiracy and subversion against the United States of  
America. Only People can ordain and establish Laws<sup>8</sup> and governments<sup>9</sup>. Only People  
are endowed by the Creator with certain unalienable rights, governments are not!  
Consequently in congruence with Marbury v Madison all latter construction upon the  
Organic Act of 1871 is as null and void as is the Act.

60 Said Act attempted to supplant our Republican Form of Government that our servants  
were entrusted to guarantee criminally creating a foreign venue<sup>10</sup> (Sovereign State)  
proceeding under fiction of law<sup>11</sup>. Any court resting upon said Act is a de facto court<sup>12</sup>.

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<sup>5</sup> **FAILURE OF GOOD BEHAVIOR:** “Enumerated in statute as ground for removal of a civil service employee means behavior contrary to recognized standards of propriety and morality, misconduct or wrong conduct.” State ex rel. Ashbaugh v. Bahr, 68 Ohio App. 308, 40 N.E.2d 677, 680, 682.

<sup>6</sup> **ENS LEGIS. L. Lat.** [Blacks 4th] A creature of the law; an artificial being, as contrasted with a natural person.

<sup>7</sup> **CLIPPED SOVEREIGNTY:** In the relations of the several states of the United States to other nations, the states have what is termed a clipped sovereignty. Anderson v. N. V. Transandine Handelmaatschappij, Sup., 28 N.Y.S.2d 547, 552.

<sup>8</sup> **PREAMBLE:** “We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.”

<sup>9</sup> **GOVERNMENT:** “Republican Government; one in which the powers of sovereignty are vested in the people and are exercised by the people” In re Duncan, 139 U.S. 449, 11 S.Ct. 573, 35 L.Ed. 219; Minor v. Happersett, 88 U.S. (21 Wall.) 162, 22 L.Ed. 627. Black's Law Dictionary, Fifth Edition, p. 626

<sup>10</sup> **VENUE:** "Venue" does not refer to jurisdiction at all. Arganbright v. Good, 46 Cal.App.2d Super. 877, 116 P.2d 186. "Jurisdiction" of the court means the inherent power to decide a case, whereas "venue" designates the particular county or city in which a court with jurisdiction may hear and determine the case. Southern Sand & Gravel Co. v. Massaponax Sand & Gravel Corporation, 145 Va. 317, 133 S.E. 812, 813. Stanton Trust and Savings Bank v. Johnson, 104 Mont. 235, 65 P.2d 1188, 1189. In the common-law practice, that part of the declaration in an action which designates the county in which the action is to be tried. Sweet. Also, the county (or geographical division) in which an action or prosecution is brought for trial, and which is to furnish the panel of jurors. Armstrong v. Emmet, 41 S.W. 87, 16 Tex.Civ.App. 242; Paige v. Sinclair, 130 N.E. 177, 178, 237 Mass. 482; Commonwealth v. Reilly, 324 Pa. 558, 188 A. 574, 579; Heckler Co. v. Incorporated Village of Napoleon, 56 Ohio App. 110, 10 N.E.2d 32, 35. It relates only to place where or territory within which either party may require case to be tried. Cushing v. Doudistal, 278 Ky. 779, 129 S.W.2d 527, 528, 530. It has relation to convenience of litigants and may be waived or laid by consent of parties. Iselin v. La Coste, C.C.A.La., 147 F. 2d 791, 795.

<sup>11</sup> **FICTION OF LAW:** Something known to be false is assumed to be true. Ryan v. Motor Credit Co., 130 N.J.Eq. 531, 23 A.2d 607, 621. that statutes which would deprive a citizen of the rights of person or property without a regular trial, according to the course and usage of common law, would not be the law of the land. [Hoke vs. Henderson, 15, N.C.15, 25 AM Dec 677]. A rule of law which assumes as true, and will not allow to be disproved, something which is false, but not impossible. Best, Ev. 419.

<sup>12</sup> **DE FACTO GOVERNMENT:** One that maintains itself by a display of force against the will of the rightful legal government and is successful, at least temporarily, in overturning the institutions of the rightful legal government by setting up its own in lieu thereof. Wortham v. Walker, 133 Tex. 255, 128 S.W.2d 1138, 1145.

Any judge acting under such fiction of law denies due process<sup>13</sup> and is acting in excess of their judicial authority<sup>14</sup>, in collusion, under color of law<sup>15</sup>, thereby losing judicial immunity<sup>16</sup>. Therefore, any judicial reliance upon said act is injudicious.

## COURTS THAT RESIST THE CONSTITUTION

*"It will be an evil day for American Liberty if the theory of a government outside supreme law finds lodgment in our constitutional jurisprudence. No higher duty rests upon this Court than to exert its full authority to prevent all violations of the principles of the Constitution."* 5 Downs v. Bidwell, 182 U.S. 244 (1901).

**A LAW REPUGNANT TO THE CONSTITUTION IS VOID** *"If then the courts are to regard the constitution; and the constitution is superior to any ordinary act of the legislature; the constitution, and not such ordinary act, must govern the case to which they both apply. Those then who resist the principle that the constitution is to be considered, in court, as a paramount law, are reduced to the necessity of maintaining that courts must close their eyes on the constitution, and see only the law. This doctrine would subvert the very foundation of all written constitutions. It would declare that an act, which, according to the principles and theory of our government, is entirely void, is yet, in practice, completely obligatory. It would declare, that if the legislature shall do what is expressly forbidden, such act, notwithstanding the express prohibition, is in reality effectual. It would be giving to the legislature a practical and real omnipotence with the same breath which professes to restrict their powers within narrow limits. It is prescribing limits, and declaring that those limits may be passed at pleasure... Thus, the particular phraseology of the constitution of the United States confirms and strengthens*

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<sup>13</sup> **DUE COURSE OF LAW**, this phrase is synonymous with "due process of law" or "law of the land" and means law in its regular course of administration through courts of justice. - Kansas Pac. Ry. Co. v. Dunmeyer 19 KAN 542.

<sup>14</sup> **EXCESS OF JUDICIAL AUTHORITY**: Acts in excess of judicial authority constitutes misconduct, particularly where a judge deliberately disregards the requirements of fairness and due process. [Cannon v. Commission on Judicial Qualifications, (1975) 14 Cal. 3d 678, 694]; Society's commitment to institutional justice requires that judges be solicitous of the rights of persons who come before the court. [Geiler v. Commission on Judicial Qualifications, (1973) 10 Cal.3d 270, 286];

<sup>15</sup> **COLOR OF LAW**: The appearance or semblance, without the substance, of legal right. [State v. Brechler, 185 Wis. 599, 202 N.W. 144, 148] Misuse of power, possessed by virtue of state law and made possible only because wrongdoer is clothed with authority of state, is action taken under "color of state law." (Atkins v. Lanning, 415 F. Supp. 186, 188)

<sup>16</sup> **JUDICIAL IMMUNITY**: "... the particular phraseology of the constitution of the United States confirms and strengthens the principle, supposed to be essential to all written constitutions, that a law repugnant to the constitution is void, and that courts, as well as other departments, are bound by that instrument." ... "In declaring what shall be the supreme law of the land, the Constitution itself is first mentioned; and not the laws of the United States generally, but those only which shall be made in pursuance of the Constitution, have that rank". ... "All law (rules and practices) which are repugnant to the Constitution are VOID". ... Since the 14th Amendment to the Constitution states "NO State (Jurisdiction) shall make or enforce any law which shall abridge the rights, privileges, or immunities of citizens of the United States nor deprive any citizens of life, liberty, or property, without due process of law, ... or equal protection under the law", this renders judicial immunity unconstitutional. Marbury v. Madison, 5 U.S. (2 Cranch) 137, 180 (1803); There is a general rule that a ministerial officer who acts wrongfully, although in good faith, is nevertheless liable in a civil action and cannot claim the immunity of the sovereign. Cooper v. O'Conner, 99 F.2d 133



85 *the principle, supposed to be essential to all written constitutions, that a law repugnant to the constitution is void, and that courts, as well as other departments, are bound by that instrument.” - Marbury v. Madison, 5 U.S. 137 (1803) 5 U.S. 137 (Cranch) 1803.*

**WHEN AN OATH, BECOMES EQUALLY A CRIME** *"It is in these words: 'I do solemnly swear that I will administer justice without respect to persons, and do equal right to the poor and to the rich; and that I will faithfully and impartially discharge all the duties incumbent on me as according to the best of my abilities and understanding, agreeably to the constitution and laws of the United States.' Why does a judge swear to discharge his duties agreeably to the constitution of the United States, if that constitution forms no rule for his government? if it is closed upon him and cannot be inspected by him. If such be the real state of things, this is worse than solemn mockery. To prescribe, or to take this oath, becomes equally a crime." - Marbury v. Madison, 5 U.S. 137 (1803) 5 U.S. 137 (Cranch) 1803.*

*"Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them" - Miranda v. Arizona, 384 U.S. 436, 491*

100 *"No judicial process, whatever form it may assume, can have any lawful authority outside of the limits of the jurisdiction of the court or judge by whom it is issued; and an attempt to enforce it beyond these boundaries is nothing less than lawless violence." - Ableman v. Booth, 21 Howard 506 (1859).*

105 *“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." - Cohen v. Virginia, (1821), 6 Wheat. 264 and U.S. v. Will, 449 U.S. 200.*

*“... that statutes which would deprive a citizen of the rights of person or property without a regular trial, according to the course and usage of common law, would not be the law of the land.” - Hoke vs. Henderson,15, N.C.15,25 AM Dec 677.*

110 **WE THE PEOPLE ARE SOVEREIGN**

Plaintiffs are free and independent sovereign People with the unalienable right of due process and with no contract with any administrative (foreign) court and thereby owing the State nothing and under no obligation that would require the plaintiffs to seek leave from any servant who has no jurisdiction or authority over the plaintiffs. We are not

115 “subjects of the state” but the “masters thereof”:

120 *“It is the public policy of this state that public agencies exist to aid in the conduct of the people's business.... The people of this state do not yield their sovereignty to the agencies which serve them. ...at the Revolution, the sovereignty devolved on the people; and they are truly the sovereigns of the country, but they are sovereigns without subjects...with none to govern but themselves...” CHISHOLM v. GEORGIA (US) 2 Dall 419, 454, 1 L Ed 440, 455 @DALL (1793) pp471-472.*

125 *“The very meaning of 'sovereignty' is that the decree of the sovereign makes law.” American Banana Co. v. United Fruit Co., 29 S.Ct. 511, 513, 213 U.S. 347, 53 L.Ed. 826, 19 Ann.Cas. 1047.*

130 *“Sovereignty itself is, of course, not subject to law, for it is the author and source of law; but in our system, while sovereign powers are delegated to the agencies of government, sovereignty itself remains with the people, by whom and for whom all government exists and acts And the law is the definition and limitation of power...” Yick Wo v. Hopkins, 118 US 356, 370.*

135 *"Under federal Law, which is applicable to all states, the U.S. Supreme Court stated that "if a court is without authority, its judgments and orders are regarded as nullities. They are not voidable, but simply void, and form no bar to a recovery sought, even prior to a reversal in opposition to them. They constitute no justification and all persons concerned in executing such judgments or sentences are considered, in law, as trespassers." Basso v. UPL, 495 F. 2d 906; Brook v. Yawkey, 200 F. 2d 633; Elliot v. Piersol, 1 Pet. 328, 340, 26 U.S. 328, 340 (1828).*

140 **COURTS OF RECORD**

**PROCEED ACCORDING TO THE COURSE OF COMMON LAW**

145 *“Courts of Record and Courts not of Record the former being those whose acts and judicial proceedings are enrolled, or recorded, for a perpetual memory and testimony, and which have power to fine or imprison for contempt. Error lies to their judgments, and they generally possess a seal. Courts not of record are those of inferior dignity, which have no power to fine or imprison, and in which the proceedings are not enrolled or recorded”. 3 Bl. Comm. 24; 3 Steph. Comm. 383; The Thomas Fletcher, C.C.Ga., 24*

F. 481; Ex parte Thistleton, 52 Cal 225; Erwin v. U.S., D.C.Ga., 37 F. 488, 2 L.R.A. 229; Heininger v. Davis, 96 Ohio St. 205, 117 N.E. 229, 231.

150 "A Court of Record is a judicial tribunal having attributes and exercising functions  
independently of the person of the magistrate designated generally to hold it, and  
proceeding according to the course of common law, its acts and proceedings being  
enrolled for a perpetual memorial". Jones v. Jones, 188 Mo.App. 220, 175 S.W. 227,  
229; Ex parte Gladhill, 8 Metc. Mass., 171, per Shaw, C.J. See, also, Ledwith v.  
155 Rosalsky, 244 N.Y. 406, 155 N.E. 688, 689.

“Decisions of an inferior court are subject to collateral attack. In other words, in a  
superior court one may sue an inferior court directly, rather than resort to appeal to an  
appellate court. Decision of a court of record may not be appealed. It is binding on ALL  
other courts. However, no statutory or constitutional court (whether it be an appellate  
160 or supreme court) can second guess the judgment of a court of record. The judgment of  
a court of record whose jurisdiction is final, is as conclusive on all the world as the  
judgment of this court would be. It is as conclusive on this court as it is on other courts.  
It puts an end to inquiry concerning the fact, by deciding it." Ex parte Watkins, 3 Pet., at  
202-203. cited by SCHNECKLOTH v. BUSTAMONTE, 412 U.S. 218, 255 (1973).

165 A court of record is a superior court. A court not of record is an inferior court. Inferior  
courts are those whose jurisdiction is limited and special and whose proceedings are not  
according to the course of the common law. Criminal courts proceed according to  
statutory law. Jurisdiction and procedure is defined by statute. Likewise, civil courts and  
admiralty courts proceed according to statutory law. Any court proceeding according to  
170 statutory law is not a court of record, it is an inferior court.

“The only inherent difference ordinarily recognized between superior and inferior courts  
is that there is a presumption in favor of the validity of the judgments of the former,  
none in favor of those of the latter, and that a superior court may be shown not to have  
had power to render a particular judgment by reference to its record. Note, however, that  
175 a ‘superior court’ is the name of a particular court. But when a court acts by virtue of a  
special statute conferring jurisdiction in a certain class of cases, it is a court of inferior  
or limited jurisdiction for the time being, no matter what its ordinary status may be.

Unalienable Rights are the spirit of Common Law, the Law of our Creator and not man. All Law is to be understood in light of our Unalienable Rights. Any law repugnant to that spirit is by nature's Creator "Null and Void". The Declaration of Independence, being the foundation of American Law upon which was framed the Law of the Land a/k/a the Constitution for the United States of America [Article VI] and its Cap-Stone Bill of Rights, which is the Crown of our Law, are all Common Law documents that were constructed upon Common Law Principles. To deny Common Law is to deny these documents.

*We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.* Declaration of Independence.

**Amendment VII** - *In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any Court of the United States, than according to the rules of the common law.*

*Synopsis of Rule of Law: The Supreme Court has the implied power from the United States Constitution to review acts of Congress and to declare them void if they are found to be repugnant to the Constitution."* **Marbury v. Madison: 5 US 137 (1803)**; All cases which have cited Marbury v. Madison case, to the Supreme Court has never been over turned. **See Shephard's Citation of Marbury v. Madison.**

*"... This brings us to the second inquiry; which is, (2) If he has a right, and that right has been violated, do the laws of his country afford him a remedy? [5 U.S. §137, 163] The very essence of civil liberty certainly consists in the right of every individual to claim the protection of the laws, whenever he receives an injury. One of the first duties of government is to afford that protection. In Great Britain, the king himself is sued in the respectful form of a petition, and he never fails to comply with the judgment of his court.*

*In the third volume of his Commentaries, page 23, Blackstone states two cases in which a remedy is afforded by mere operation of law. 'In all other cases,' he says, 'it is a general and indisputable rule, that where there is a legal right, there is also a legal remedy by suit or action at law whenever that right is invaded.'* And afterwards, page

109 of the same volume, he says, 'I am next to consider such injuries as are cognizable by the courts of common law. And herein I shall for the present only remark, that all possible injuries whatsoever, that did not fall within the exclusive cognizance of either the ecclesiastical, military, or maritime tribunals, are, for that very reason, within the cognizance of the common law courts of justice; for it is a settled and invariable principle in the laws of England, that every right, when withheld, must have a remedy, and every injury its proper redress.'

The government of the United States has been emphatically termed a government of laws, and not of men. It will certainly cease to deserve this high appellation, if the laws furnish no remedy for the violation of a vested legal right. If this obloquy is to be cast on the jurisprudence of our country, it must arise from the peculiar character of the case. It behoves us then to inquire whether there be in its composition any ingredient which shall exempt from legal investigation, or exclude the injured party from legal redress. In pursuing this inquiry the first question which presents itself, is, whether this can be arranged [5 U.S. 137, 164] with that class of cases which come under the description of *damnum absque injuria* - a loss without an injury. ... If any statement, within any law, which is passed is unconstitutional, the whole law is unconstitutional." **Marbury v. Madison: 5 US 137 (1803).**

"... that statutes which would deprive a citizen of the rights of person or property without a regular trial, according to the course and usage of common law, would not be the law of the land." Hoke vs. Henderson, 15, N.C.15,25 AM Dec 677.

"Where [common law] rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them" *Miranda v. Arizona*, 384 U.S. 436, 491.

The Court of Appeals' rule would neither preserve nor enhance the traditional functioning of the grand jury that the "common law" of the Fifth Amendment demands. *United States v Williams*.

"If a federal town be necessary for the residence of congress and the public officers, it ought to be a small one, and the government of it fixed on republican and common law principles, carefully enumerated and established by the constitution. it is true, the states, when they shall cede places, may stipulate that the laws and government of

congress in them shall always be formed on such principles.” Anti Federalist No 41-43 (Part II).

245 “The 41st paragraph of the NYS Constitution provides that the trial by jury remain  
inviolable forever; that no acts of attainder shall be passed by the legislature of this State  
for crimes other than those committed before the termination of the present war. And  
that the legislature shall at no time hereafter institute any new courts but such as shall  
250 proceed according to the course of the common law, no legislation, in conflict with the  
Common Law, is of any validity.” Anti Federalist No 45.

“The common law is sometimes called, by way of eminence, *lex terrae*, as in the statute  
of Magna Carta, chap. 29, where certainly the common law is principally intended by  
those words, *aut per legem terrae*; as appears by the exposition thereof in several  
subsequent statutes; ... This common law, or “law of the land,” the king was sworn to  
255 maintain. This fact is recognized by a statute made at Westminster, in 1346, by Edward  
III., which commences in this manner:” Trial by Jury by Lysander Spooner.


"The law requires proof of jurisdiction to appear on the record of the administrative  
agency and all administrative proceedings" *Hagans v. Lavine*, 415 U.S. 528.

**CONCLUSION:** All Article III courts are courts of record and are to proceed under the  
260 rules of common law. Common law is nature’s law ordained by God. Constitutions are  
an unalienable right ordained by sovereign People. Legislators are bound by the chains  
of the Constitution and have no authority to create governments or write laws outside  
those bonds. If no jurisdiction appears on the proceedings, it must be a court of record.  
Any judge resting in fiction of law that proceeds under the color of law loses all  
265 immunity. Decisions of such an inferior court are subject to collateral attack. In other  
words, in a superior court one may sue an inferior court directly, rather than resort to  
appeal to an appellate court.

Date:

SEAL

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Grand Jury Foreman

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# UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

Mark O. Hatfield US Courthouse, 1000 SW 3<sup>rd</sup> Avenue, Room 740, Portland, OR 97204-2802

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**Unified United States Common Law Grand Jury;**<sup>1</sup>

**Sureties of the Peace**<sup>2</sup>

P.O. Box 59, Valhalla, NY 10595; Fax: (888) 891-8977;

Proceeding as Next Friend under Rule 17, 28 USCA<sup>3</sup>

USA

Plaintiffs

- Against -

Bundy et al

Defendants

Jurisdiction: Court of Record, under  
the rules of Common Law<sup>4</sup>

Case no. 3:16-cr-00051-BR  
Magistrate Anna J. Brown

**MOTION TO RELEASE  
UNDER 18 USC § 3142**

## NOTICE OF MOTION TO RELEASE DEFENDANTS ON OWN RECOGNIZANCE

Comes now, the Unified United States Common Law Grand Jury; Sureties of the Peace; proceeding as Next Friend, here in after Sureties of the Peace, under Rule 17, 28 USCA to move the court to release defendants on their own recognizance, under 18 USC§3142 with the “Promise to Appear”:

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<sup>1</sup> **The UUSCLGJ** is comprised of fifty Grand Jurys each unified amongst the counties within their respective States. All fifty States have unified nationally as an assembly of 1000’s of People in the name of We the People to suppress through our Courts of Justice subverts both foreign and domestic acting under color of law within our governments; States were unified by re-constituting all 3133 United States counties.

<sup>2</sup> **SURETIES OF THE PEACE:** If anyone has been dispossessed without the legal judgment of his peers, from his lands, castles, franchises, or from his right, we will immediately restore them to him; and if a dispute arise over this, then let it be decided by the five and twenty jurors of whom mention is made below in the clause for securing the peace. Moreover, for all those possessions, from which anyone has, without the lawful judgment of his peers, been disseized or removed by our government we will immediately grant full justice therein. - Magna Carta Paragraph 52.

<sup>3</sup> **Next Friend:** “A next friend is a person who represents someone who is unable to tend to his or her own interest.” Federal Rules of Civil Procedures, Rule 17, 28 USCA; Haines v. Kerner, 404 U.S. 519 (1972).

<sup>4</sup> **"A Court of Record** is a judicial tribunal having attributes and exercising functions independently of the person of the magistrate designated generally to hold it, and proceeding according to the course of common law, its acts and proceedings being enrolled for a perpetual memorial". Jones v. Jones, 188 Mo.App. 220, 175 S.W. 227, 229; Ex parte Gladhill, 8 Metc. Mass., 171, per Shaw, C.J. See, also, Ledwith v. Rosalsky, 244 N.Y. 406, 155 N.E. 688, 689.

Under 18 USC §3142 the defendants are to have the "Presumption of Innocence" and be released pending trial on Personal Recognizance unless there is "proof" to determine that such release will not reasonably assure the appearance of the person as required or will endanger the safety of any other person or the community.

**18 USC §3142(a) In General** - *Upon the appearance before a judicial officer of a person charged with an offense, the judicial officer "shall issue an order" that, pending trial, the person be (1) released on personal recognizance.*

Because of the "**Presumption of Innocence**"<sup>5</sup> under our common law, the defendants need not prove that they are not a danger or a flight risk, but just state that they aren't. The burden of proof is upon the prosecutor and no facts exist. How are the defendants a danger? What specifically have the defendants done that would lead the court to believe that the defendants are not honorable and will not appear? Simply being charged with a crime proves nothing; the Prosecutor "**must produce documentary evidence**".

The Sureties of the Peace have heard compelling evidence, continues to collect compelling evidence and thereby, are preparing briefs and memorandums of law in support of the defendants because defendant's lawyers, by incompetency or conspiracy, after six months have failed to do so and the Sureties of the Peace have a duty to speak.

### **STATEMENTS OF FACT IN SUPPORT OF RELEASE**

The defendants are People of the United States and do not pose any danger to any other person or the community. The nature and circumstances of the offense charged were not a crime of violence, terrorism, nor did it involve a minor victim, controlled substance, illegal firearm, explosive, or destructive device.

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<sup>5</sup> **PRESUMPTION OF INNOCENCE:** Blks 4th; Conclusion drawn by law in favor of one brought to trial on criminal charge, requiring acquittal unless guilt is established by sufficient evidence. Blim v. United States, C.C.A.Ill., 68 F.2d 484, 487.



Defendants are long time domiciled in their communities with family ties, deep roots and much community support. The defendants have no past adverse conduct, history relating to drug or alcohol abuse, or criminal history and are in fact docile.

The few defendants that occasionally carried side arms did so lawfully and responsibly and “NEVER” drew their lawful weapons and/or pointed their lawful weapons at anyone. This is unlike federal agents and other alleged law enforcement agents who brought military grade automatic weapons. Even when ambushed and fired upon with perhaps 100 or more bullets the defendants in that deadly event did not respond with their lawful firearms and at that point they did have an unalienable right to defend themselves. Furthermore, firearms were lawfully permitted on Malheur Wildlife Refuge, see brochures attached.

It was the defendants that were being terrorized by rogue federal agents, operating under the color of law<sup>6</sup>. It was the rogue federal agents who have seized control of a federal agency (BLM) patrolling state property in armored vehicles dressed in full tactical gear displaying deadly force pointing fully automatic weapons on We the People within their Sovereign States for no lawful reason. This prevented the defendants from exercising their unalienable rights upon their lawful properties and their lands within their sovereign States. It was the rogue federal agents who charade as the defendants who terrorized the local people and local law enforcement, see Affidavit Harney County Fire Chief Chris Briels.

*“When a person, being without fault, is in a place where he has a right to be, is violently assaulted, he may, without retreating, repel by force, and if, in the reasonable exercise of his right of self defense, his assailant is killed, he is justified.”* Runyan v. State, 57 Ind. 80; Miller v. State, 74 Ind. 1.

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<sup>6</sup> **COLOR OF LAW:** Black's Law 4<sup>th</sup>; The appearance or semblance, without the substance, of legal right. State v. Brechler, 185 Wis. 599, 202 N.W. 144, 148.; Misuse of power, possessed by virtue of state law and made possible only because wrongdoer is clothed with authority of state, is action taken under "color of state law." Atkins v. Lanning, 415 F. Supp. 186, 188.

The Defendants had the unalienable right to meet force with force, but instead exercised restraint which proves honor, not willing to put others in danger. They first pursued the Judiciary Branch of government to no avail and then pursued the Legislative Branch of government to no avail, *see Congressional Oversight Hearing on Public Lands, attached.*

Defendants did not understand the princedoms<sup>7</sup> they called upon to seek Justice and believing that they had exhausted all lawful remedies exercised their unalienable right to resist through peaceful civil disobedience and defiance in the face of tyranny. They hoped to accomplish critical mass the necessary element for the People to take back their government from the tyrant BLM agents by the following prescription.

*“We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.--That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, --That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter ... Government ... when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such ... Guards ...”* Declaration of Independence.

Thereby they decided to exercise that unalienable right of “peaceful civil disobedience” at the Wildlife Refuge, which was at the time dormant with the exception of a few maintenance custodians that periodically visited the site unimpeded during the peaceful civil disobedience. Knowing the violent tendencies of the tyrants in the BLM the defendants believed that the refuge was far enough away so as to not put the town peoples’ life and limb in jeopardy. Therefore, the only impeding of agents was the impeding of their tyranny.

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<sup>7</sup> **Ephesians 6:12** For we wrestle not against flesh and blood, but against principalities, against powers, against the rulers of the darkness of this world, against spiritual wickedness in high places.

## **THE RATTLING OF THE SABER**

For about the first three weeks of January 2016 people from all over the country and the towns people came and went peacefully with their children unimpeded up to the Refuge and down into town. The defendants also went into town and back for meetings and supplies all the while having peaceful relationships with the Sheriff, FBI agents, members of the Committee of Safety, the town's people and others.

About the fourth week the Federal Administration at the appeal of Governor Kate Brown sent new leadership thereby changing the peaceful demonstration through the rattling of the saber to a disturbing and brutally violent end. Thereby assassinating the defendants' Constitutional mentor and almost killing the leadership of the peaceful demonstration and a female minor. This was totally uncalled for because any of these people could have been arrested peacefully at any time as they freely moved about.

### **JUST WHO ARE THE TERRORIST HERE?**

The court needs to ask the question just who are the terrorist here? And just who should be on trial? LaVoy Finicum was a true American Cowboy who owned a family run ranch. He was a highly morally minded man with no ties to drugs, alcohol, terrorism or violent ties of any kind. Such was also the case with Ryan and Ammon Bundy and the other defendants.

On February 3<sup>rd</sup> 2016 the Prosecutor under the color of law fraudulently convened a statutory grand jury to indict the defendants under 18 USC §372 without any documentary evidence from competent fact witnesses, any witness with firsthand knowledge and further, without any injured party for political reasons/favors.

The Prosecutor, under color of law, delivered the defendants into a nisi prius court under the rules of chancery in jurisdictions unknown for political reasons/favors.

The Prosecutor, under color of law and without authority, presumed the power of We the People by manufacturing plea agreements with other defendants, which are null and void, through coercion for political reasons/favors.


We, the Sureties of the Peace have been monitoring the atrocities of the BLM upon the Bundy's, Hammond's and others since the 2014 Bundy Ranch standoff and have accumulated an overwhelming amount of evidence to prove all the positions alleged in this motion to release. In an effort not to overwhelm the court, we are providing only the following documents that will provide for the factual evidence to move this court to release all the defendants on their own recognizance, under 18 USC§3142:

- Affidavit William Goode
- Affidavit 2nd Bill Goode
- Affidavit Shawna Cox
- Affidavit Ammon Bundy, water rights (with video on DVD)
- Affidavit Ammon Bundy, burning homes and cows (with video on DVD)
- Affidavit Lavoy Finicum, (with video on DVD)
- Affidavit Harney County Fire Chief Chris Briels, (with video on DVD)
- Congressional Oversight Hearing on Public Land
- MNWR Fishing and Hunting Brochures
- FBI Agents Torture Political Prisoner
- Patriots' clean storage shed at Malheur Wildlife Refuge (video on DVD)
- Pictures that give an accurate example of a peaceful demonstration, on DVD
- DVD with aforesaid videos and pictures

Wherefore, the court being without any documentary evidence from a competent fact witnesses with firsthand knowledge and without any injured party. The Sureties of the Peace moves this court to release the defendants without bail, immediately.

August 22, 2016

SEAL

  
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Unified United States Common Law  
Grand Jury Foreman

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# UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

Mark O. Hatfield US Courthouse, 1000 SW 3rd Avenue, Room 740, Portland, OR 97204-2802

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**Unified United States Common Law Grand Jury;**<sup>1</sup>

**Sureties of the Peace**<sup>2</sup>

P.O. Box 59, Valhalla, NY 10595; Fax: (888) 891-8977;

Proceeding as Next Friend under Rule 17, 28 USCA<sup>3</sup>

USA

Plaintiffs

- Against -

Bundy et al

Defendants

Jurisdiction: Court of Record, under  
the rules of Common Law<sup>4</sup>

Case no. 3:16-cr-00051-BR  
Magistrate Anna J. Brown

## **MOTION FOR ORDER OF PROTECTION & NOTICE OF GRAND JURY INVESTIGATION**

Comes now, the Unified United States Common Law Grand Jury; proceeding as Next Friend and Judicial Oversight, here in after Sureties of the Peace, under Rule 17, 28 USCA to move the court for an order of protection for Ryan and Ammon Bundy and all the defendants from Deputy Sgt. Curtis E. Sanders, Deputy Sgt. Jacobs Rose and Deputy John Does to be identified.

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<sup>1</sup> **The UUSCLGJ** is comprised of fifty Grand Jurys each unified amongst the counties within their respective States. All fifty States have unified nationally as an assembly of 1000's of People in the name of We the People to suppress through our Courts of Justice subverts both foreign and domestic acting under color of law within our governments.; States were unified by re-constituting all 3133 United States counties

<sup>2</sup> **SURETIES OF THE PEACE:** If anyone has been dispossessed without the legal judgment of his peers, from his lands, castles, franchises, or from his right, we will immediately restore them to him; and if a dispute arise over this, then let it be decided by the five and twenty jurors of whom mention is made below in the clause for securing the peace. Moreover, for all those possessions, from which anyone has, without the lawful judgment of his peers, been disseized or removed by our government we will immediately grant full justice therein. - Magna Carta Paragraph 52.

<sup>3</sup> **Next Friend:** "A next friend is a person who represents someone who is unable to tend to his or her own interest." Federal Rules of Civil Procedures, Rule 17, 28 USCA; Haines v. Kerner, 404 U.S. 519 (1972)

<sup>4</sup> **"A Court of Record** is a judicial tribunal having attributes and exercising functions independently of the person of the magistrate designated generally to hold it, and proceeding according to the course of common law, its acts and proceedings being enrolled for a perpetual memorial". Jones v. Jones, 188 Mo.App. 220, 175 S.W. 227, 229; Ex parte Gladhill, 8 Metc. Mass., 171, per Shaw, C.J. See, also, Ledwith v. Rosalsky, 244 N.Y. 406, 155 N.E. 688, 689.

Seeing that the court has no lawful reasons to detain the defendants, they should be released on their own recognizance, under 18 USC§3142 with the Promise to Appear for their own protection, see Motion to Release;

### ATROCITIES UNDER COLOR OF LAW

The Supreme Court has held that prisoners have a fundamental right of court access, the right to “petition for a redress of grievances”<sup>5</sup> and the right of “due process”<sup>6</sup> in courts of law, Ex parte Hull, 312 U.S. 546 (1941), Johnson v. Avery, 383 U.S. 483 (1969); Bounds v. Smith, 430 U.S. 817 (1977). The Supreme Court has also held, in Bivens v. Six Unknown Named Agents 456 F.2d 1339 (1972), that when the violation of one’s constitutionally protected rights have been violated by federal officers acting under the color of law, prisoners have a right to file actions at law for damages under 42 USC 1983<sup>7</sup>. They also have a right to petition the Grand Jury to seek criminal charges under 18, USC 242 for deprivation of rights under color of law and they have the unalienable right of Habeas Corpus Petitions, being the very essence of due process that may not be ignored nor denied by any officer for any reason; to do so is high treason<sup>8</sup>.

And when officers prevent this right of access through intimidation, harassment, beat-downs, block the preparation and filing of lawsuits, refuse to mail legal papers, take away legal research materials, deny access to law books, use solitary confinement and false charges all in an effort to prevent the pursuit of Justice We the People through the Grand Jury, being the Sureties of the Peace have a duty and a fundamental unalienable right to pursue these cases on our own accord. It is by our consent<sup>9</sup>, or not, that a court

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<sup>5</sup> **Bill of Rights, Amendment I:** Congress shall make no law respecting ... the right of the people ... to petition the Government for a redress of grievances.

<sup>6</sup> **Amendment V:** No person shall be held to answer ... without due process of law...

<sup>7</sup> **42 USC 1983; CIVIL ACTION FOR DEPRIVATION OF RIGHTS:** Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable. For the purposes of this section, any Act of Congress applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia.

<sup>8</sup> **High Treason:** Treason against the king or sovereign, as distinguished from petit or petty treason, which might formerly be committed against a subject. 4 Bl.Comm. 74, 75; 4 Steph. Comm. 183, 184.

<sup>9</sup> **Declaration of Independence:** We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.-- That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed...

of law may proceed. We the Peoples' "untainted" trial juries will have the final word from which there is "no appeal".

These atrocities are prevalent today and we clearly see them in the Hammons case in Oregon, the Bundy case in Nevada, the Robinson case in Montana and also this case in Oregon to name just a few. We have reports from "every" State of the Union of these atrocities not only in the federal courts but in the state courts where these tyrants are taking our children for trafficking, our elderly parents for their estates, our homes and our personal property for RICO "ALL WITHOUT DUE PROCESS IN JURISDICTIONS UNKNOWN", We the People have become prisoners of War.

*"Any judge who does not comply with his oath to the Constitution of the United States wars against that Constitution and engages in acts in violation of the supreme law of the land. The judge is engaged in acts of treason."*

Cooper v. Aaron, 358 U.S. 1, 78 S. Ct. 1401 (1958)

And We the People, through the Sureties of the Peace, "resolutely set our face" against these tyrants in Courts of Justice.

**TAKE NOTICE:** Both the Sheriff's Department and this court are on notice that the Sureties of the Peace will hold all the officers of this court, Sheriff Michael Reese, Deputy Sgt. Curtis E. Sanders, Deputy Sgt. Jacobs Rose and to be named deputies responsible for any loss of life or limb should this court and Sheriff's Department not respond justly, appropriately and immediately.

Attached is an affidavit of Ammon Bundy by a next friend concerning the beat-down of Ryan Bundy by Deputy Sgt. Curtis E. Sanders and Deputy Sgt. Jacobs Rose and two transcripts. We demand investigations by this court and Sheriff Michael Reese and both are ordered to report to us by fax and mail within 72 hours of receiving this notice giving us the details and the names of all officers involved and other witnesses. We also demand that Ryan Bundy be released from solitary confinement immediately.

Date: August 22, 2016

SEAL

  
Grand Jury Foreman

## AFFIDAVIT OF AMMON BUNDY

I, James Magee, Affiant, being of lawful age, qualified and competent to testify to, and having firsthand knowledge of the following facts, do hereby swear that the following facts are true, correct and not misleading:

I am functioning in the capacity as a next friend under Rule 17, 28 USCA for Ammon Bundy who was arrested and is in prison.

The following is a true and accurate transcript from a video posted on Facebook<sup>1</sup> of a recorded phone call on August 9, 2016 between Ammon Bundy who is incarcerated speaking from the Multnomah County Jail, Portland Oregon and Shannon A Bushman who made the recording and posted it on facebook.

**Next Friend:** *"A next friend is a person who represents someone who is unable to tend to his or her own interest."* Federal Rules of Civil Procedures, Rule 17, 28 USCA; Haines v. Kerner, 404 U.S. 519 (1972)

**AMMON BUNDY:** This morning I woke up to pounding on the door on my cell. It was Ryan (Bundy) at 6 AM. He quickly told me that they were trying to transport him to force him to have surgery to take the bullet out of his arm. He also slipped me a note under the door that said they were taking him to Oregon State University Hospital to have surgery forced on him. The guard would not let him use the phone to call the attorney. He was calm but firm that they did not have consent to take the bullet out of his arm, to have surgery on him.

He told the guard that he did not know about any of this, and neither did his legal team. Nothing was on the court docket, no orders were made and nobody knew anything about it. The guard called in a sergeant, Sanders, and he told Ryan that the marshals were ready to transport him. I only briefly heard this, and then Ryan ran upstairs again to tell me that the marshals were here to take him, but they did not have his consent!

The Sergeant ran up the stairs after him and then Ryan walked calmly back down the stairs. The Sergeant began pushing Ryan violently and then slammed him against the wall. Ryan was calm and non-aggressive. He said over and over again. "I am going. I'm consenting, I'm going." The Sergeant then slammed him into the sally port door, and violently shoved him through it. Ryan was continually saying "I am going, I'm complying, I am going."

The Sergeant then grabbed him by the body and swung him around and rammed Ryan's head into the metal door jam. I heard a grunt from Ryan, but he kept saying "I am going, I am going, I'm complying." The Sergeant then slammed Ryan to the floor on his face. After a few grunts, he

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<sup>1</sup> <https://www.facebook.com/bundyranch/videos/vb.623383454405133/1074391485970992/?type=2&theater>



continued to say, "I am going, I am complying, I'm going." Shortly after, three or four men came into the sally port and forcefully handcuffed Ryan and drug him out. I could not see Ryan's face where he was slammed into the metal door jam.

Ryan has never refused to go to court before or anything else for that matter. He was afraid and had every reason to believe that they were going to force him to surgery. Just a few days before, the Department of Justice, I believe it was the Department of Justice, had a hearing and was trying to get the courts to force Ryan to surgery. They already forced him to x-ray, and one doctor refused to do the surgery. He was informed that another doctor said he would do it.

This bullet is one of the bullets that was shot by the FBI, or Oregon State police when LaVoy was killed. Ryan said he was shot in the arm before LaVoy left the vehicle. Ryan believes the FBI were going for his head and when it hit the glass, it deflected to his shoulder. The bullet is one that is unaccounted for, and part of the FBI shooting cover-up. He also knows that another shot came through the roof that the FBI did not report, possibly others as well.

He also believes that LaVoy was shot at least once when he was still in the truck. The shots and holes in the roof are possibly why the FBI or Oregon state police will not release LaVoy's truck. The FBI and Department of Justice want to take the bullet by force without anyone present. Ryan told them that if he consents, the bullet will remain in his custody and go through the Grand Vic investigation by a private neutral party. They did not like his terms.

This was just a few days ago, and then this morning, without any warning, the deputies come to take him down to be transported by the US marshals. No warning, nothing on the court docket. Ryan had every reason to believe that he was forcefully going to surgery. I have not talked with Ryan, other than a few quick words this morning. I am not sure where he is at, but have some reports that say that he is in the "hole" for disciplinary reasons, for resisting being taken.

A few of the inmate workers said that they heard the guard's joking and laughing about it downstairs. These workers saw the whole incident themselves this morning and then hearing the guards joke and make fun with it this afternoon upset them. I have several affidavits from those that heard and saw what they did to Ryan. All of them say that Ryan was non-aggressive and was calmly trying to help the deputies understand his concern. Even when they used excessive force, Ryan remained calm.

It was difficult to see my brother abused. I watched the entire event, locked in while I pounded on the doors to wake others to witness. I do not believe that any man, woman, or child should be forced to let another person enter their body without consent. And then, to use drugs to sedate the person without consent even makes it more egregious. This appears very close to be something that we call rape.

When they finally let me out of my cell a few hours later, Deputy Rose would not give me a form to report the incident. Then later, a sergeant came in and he told me to use the "general request form" to report it if I would like. Rose was one of the guards joking and making fun of what was going on downstairs. He also refused my attorney from calling in to get my report and seek help. The phone

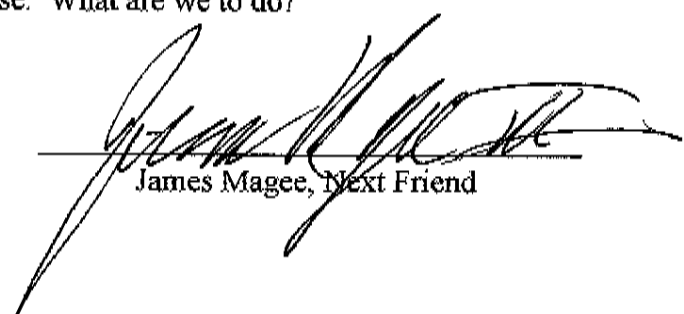
receipts will prove this. My attorney tried to call through all afternoon to help. They were denied access to me multiple times for several hours.

Finally, my attorney decided to get on a plane and to speak to me in person. Need I say Ryan nor I have been convicted. We are only accused by a lady with an affidavit that has more inaccurate statements in it, than my seven-year-old daughter would make. Any just grand jury would have seen through it. But of course we know the grand jury is controlled by the prosecutors.

So much for the fourth amendment, so much for being innocent until proven guilty. So much for the 1st, 2nd, 5th, 6th, 7th, 8th, 9th, and 10th, amendments, the Bill of Rights. In fact, so much for the entire Constitution! Just like Sergeant Jacobs said to me today. "I don't know, I don't care, I don't want a history lesson, I don't want to listen to you. We just do to you what the feds tell us to do."

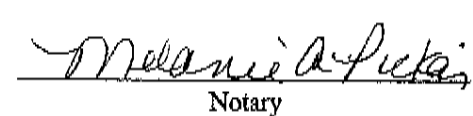
So much for federalism, where the county, state and federal government are for the people and designed to say no to each other when the rights of the people are being violated. The people's guards have become the offenders and the people have no defense. What are we to do?

Thank you, Ammon Bundy

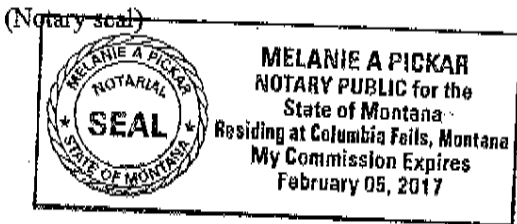
  
James Magee, Next Friend

NOTARY

In Montana State, Flathead County, on this 12 day of August, 2016, before me, Melanie A. Pickar, the undersigned Notary Public, personally appeared James Magee, to me known to be the living man described herein, who executed the forgoing instrument, and has sworn before me that he/she executed the same as his free-will act and deed.

  
Notary

My commission expires: 2/5/2017



**TRANSCRIPT:** Facebook Post of Ammon's wife, Lisa Sundloff Bundy, April 16, 2016, Nevada Detention Center Abuse of Ammon Bundy by Deborah Sue Venetucci.

Ammon wants everyone to know that God is still mindful of each one of them and is there watching over them. He shared with us an experience he had.

5 Upon being transferred to Nevada, he was chained to a bench for twenty-four (24) hours. They didn't feed him all that day. He was cold and tired. They didn't put him into his cell until the early hours of the next day. The cell was beyond dirty. They left him chained to the bed all day without checking on him or feeding him.

10 By night time, he was so extremely hungry that the pain in his stomach was unbearable. He knelt in his cell and cried as he prayed that God please hear him and show even a small tender mercy. He was there for several hours. This was the night before court.

15 He decided to start banging his shackles together trying to get someone's attention to help him. For a long time he kept banging his shackles together until finally the guy in the cell next to him asked him what was going on. Ammon told him he was starving; that they hadn't fed him for two (2) days. The guy said he would try to get a guard's attention, which he did. The guard finally came over and Ammon told him that he was starving; that he hadn't received any food for two (2) days. The guard told Ammon that the kitchen was closed for the night.

20 Ammon kept praying. A little while later in the late night hours a guard came to his door and said, "*You're coming with me.*"

25 The guard took him to his brother's cell. The guard took Ammon to Mel's cell! They were able to be cellmates for that night. Ammon said that he had been praying for just a small tender mercy; but, God gave him a huge miracle. The authorities have restricted all contact with his brothers. But, that night they were able to hug and spend the whole night together. They cried together and talked together for hours. Mel gave Ammon his entire commissary and any extra food he had so that finally after two (2) days Ammon could be fed.

The next day Ammon had court. When he left the cell Ammon was hoping Mel would still be there on his return, but knew that would probably not happen. Court was long. Ammon got back late. Again he was forced to go another whole day without eating.

30 Ammon got back after dinner, facing another day and night hungry. When he got to his cell, Mel was gone. Mel had been transferred; but, left Ammon his entire dinner. He had placed it under some things so it wasn't in direct view. Ammon cried.

35 Ammon wanted everyone to know that even though he got to share only one night with his brother, he knows that night was a miracle sent directly from God. Ammon knows that God is hearing all of our prayers; and, this knowing was confirmed one hundred (100) fold during this time.

**TRANSCRIPT:** Article on “*Courtwatcher Blog*” by Stephanie Noonan, April 8, 2016, “*FBI Agents Torture Political Prisoner*”.

### **Cliven Bundy’s Son Forced to Sit in His Own Waste While in the Custody of the FBI**

5 During an interview with John B. Wells, Mel Bundy’s wife tells of the horrific conditions her husband was forced to endure after he was arrested.

*“Forty (40) fully-armed men came to his job site that day dressed as construction workers who never identified themselves as FBI, even while they were beating him.*



*For almost two (2) full days Mel Bundy was forced to sit in a room with no bathroom, covered in his own urine, feces and vomit. During that time Mel Bundy was offered a slice of stale bread to sustain him. When they finally did bring him a meal on the third (3<sup>rd</sup>) day, he was forced to eat it on the floor ‘like a dog’.”*

20 Is this what we have become? What does this say about us as a people; about our culture? Where is the outrage? This is an election year with one of the worst miscarriages of justice in our history and not one candidate, not one, has come to the defense of these men and women and demand that at the very least, they be treated humanely!!

Let this sink in:

- They beat him;
- Locked him in a room;
- Where he sat covered in his own urine, feces and vomit;
- For two full days;
- He was not allowed a shower;
- He was not allowed clean clothing;
- He was offered a slice of stale bread to eat; and,
- When they finally did allow him food, he was forced to eat on the floor!

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AO 91 (Rev. 11/11) Criminal Complaint

FILED 27 JAN '16 15:35 USDJ-ORP

UNITED STATES DISTRICT COURT

for the District of Oregon

United States of America
v.
Ammon BUNDY, Jon RITZHEIMER,
Joseph O'SHAUGHNESSY, Ryan PAYNE,
Ryan BUNDY, Brian CAVALIER,
Shawna COX, Peter SANTILLI,

Case No. 3:16-mj-00004-1,2,3,4,5,6,7,8

Defendant(s)

REDACTED
CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 2, 2016, to the present in the county of Harney in the District of Oregon, the defendant(s) violated:

Code Section
18 U.S.C. § 372

Offense Description
Conspiracy to Impede Officers of the United States from discharging their official duties through the use of force, intimidation, or threats

This criminal complaint is based on these facts:

See attached Affidavit.

Continued on the attached sheet.

Katherine D. Armstrong
Complainant's signature

Katherine Armstrong, Special Agent, FBI
Printed name and title

Sworn to before me and signed in my presence.

Date: Jan 26, 2016

Stacie F. Beckerman
Judge's signature

City and state: Portland, Oregon

Stacie F. Beckerman, U. S. Magistrate Judge
Printed name and title



UNITED STATES OF AMERICA )  
 ) AFFIDAVIT OF KATHERINE ARMSTRONG  
DISTRICT OF OREGON )

I, Katherine Armstrong, having been first duly sworn, do hereby depose and state as follows:

**Introduction and Agent Background**

1. I am a Special Agent (SA) of the Federal Bureau of Investigation (FBI) and have been so employed for approximately one-and-a-half (1½) years. I am currently assigned to the FBI's Portland Division and am part of the violent and organized crime squad. In 2014, I successfully completed twenty-one (21) weeks of training at the FBI Academy located in Quantico, Virginia. During that time, I was taught the use and practical application of various investigative techniques that Federal law enforcement officers are allowed to employ. In addition to my formalized training in violations of the law at the FBI Academy, I have also acquired knowledge and information pertaining to violations of federal law from numerous other sources, including: formal and informal training, other law enforcement officers and investigators, informants, and my participation in other investigations. Prior to joining the FBI, I was a prosecutor with the Philadelphia District Attorney's Office for approximately two-and-a-half years and briefly worked in the private sector as a civil litigator. I attended law school at Temple University in Philadelphia, Pennsylvania, and have been certified to practice law since October 2010.

**Purpose of Affidavit**

2. This affidavit is submitted to support a criminal complaint and arrest warrant for Ammon BUNDY (hereinafter A. BUNDY), white male, date of birth [REDACTED] 1975, Jon RITZHEIMER, white male, date of birth [REDACTED] 1983, Joseph O'SHAUGHNESSY, white male,

date of birth [REDACTED] 1972, Ryan PAYNE, white male, date of birth [REDACTED] 1983, Ryan BUNDY (hereinafter R. BUNDY), white male, date of birth [REDACTED] 1972, Brian CAVALIER, aka "Booda Bear," white male, date of birth [REDACTED] 1971, Shawna COX, white female, date of birth [REDACTED] 1956, and Peter SANTILLI, white male, date of birth [REDACTED] 1965, for the felony crime of Conspiracy to Impede Officers of the United States from discharging their official duties through the use of force, intimidation, or threats, in violation of Title 18, United States Code, Section 372. The named individuals, most of whom have been armed, have been working together, with additional known and unknown actors, to control federal property while refusing to leave, intending to impede and prevent by force the federal officials who work on and use that property from performing their official duties.

3. The facts set forth in this affidavit are based on my own personal knowledge; **knowledge** obtained from other individuals during my participation in this investigation, including other law enforcement officers; interviews of witnesses; my review of records related to this investigation; and communications with others who have **knowledge** of the events and circumstances described herein.

4. Persons identified by name in the photographs contained herein have been independently identified by a witness with knowledge or a law enforcement officer through motor vehicle records and/or criminal history records. All photographs of the Malheur National Wildlife Refuge that depict the land, entrances/gates, and buildings inside and out have been identified by a Federal Wildlife Officer or staff member with the U.S. Fish and Wildlife Service who works at the Malheur National Wildlife Refuge. The Federal Wildlife Officer or staff member with the U.S Fish and Wildlife Service has confirmed the photographs depict what is

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represented in this affidavit. All video referenced in this affidavit has been downloaded and preserved by investigators.

5. I have not included all information learned through this investigation. I have included information I believe is sufficient to establish probable cause for the criminal complaint and arrest warrants requested by this affidavit.

#### **Investigation**

6. Based on the foregoing facts, I have probable cause to believe that starting on or about January 2, 2016, and continuing through the date of this affidavit A. BUNDY, RITZHEIMER, O'SHAUGHNESSY, PAYNE, R. BUNDY, CAVALIER, Robert Lavoy Finicum, COX, SANTILLI, and other known and unknown individuals did conspire to impede by force, intimidation, or threat, officers of the United States from discharging their duties in the Malheur National Wildlife Refuge in Harney County, Oregon, in violation of Title 18, United States Code, Section 372.

7. This affidavit is based on an investigation by the FBI into the activities of A. BUNDY, RITZHEIMER, O'SHAUGHNESSY, PAYNE, R. BUNDY, CAVALIER, Finicum, COX, SANTILLI, and others in connection with an armed occupation of the Malheur National Wildlife Refuge (MNWR), a unit of the National Wildlife Refuge System managed by the United States Fish and Wildlife Service (USFWS). The MNWR is federal property.

#### **Hammond Sentencing**

8. On June 6, 2012, Dwight and Steven Hammond were convicted of two counts of arson by a jury in the District of Oregon. They were originally sentenced on October 30, 2012. Dwight Hammond was sentenced to serve three months in prison, and Steven Hammond was sentenced to serve twelve months. On February 7, 2014, the Ninth Circuit Court of Appeals



overturned the District Court's sentence. The United States Supreme Court denied a petition for writ of certiorari on March 23, 2015. On October 7, 2015, Dwight and Steven Hammond were resentenced to serve a mandatory, five-year term of imprisonment. On January 4, 2016, the Hammonds reported to a Federal Correctional Institute in California to serve the remainder of their sentences. Prior to surrendering to serve their sentences, the Hammonds, through their attorney, continued to distance themselves from A. BUNDY and his group.

9. On January 4, 2016, A. BUNDY addressed the media and stated that he named his group of protesters the "Citizens for Constitutional Freedom" (CCF), and they were acting in support of the Hammonds. A. BUNDY told a national morning news show that members of CCF were armed because "We are serious about being here. We're serious about defending our rights, and we are serious about getting some things straightened out." When asked on the show if he anticipated it would lead to violence, A. BUNDY responded, "Only if the government wants to take it there."

10. In a video posted on an Internet website titled "Citizens for Constitutional Freedom News Conference" posted on January 4, 2016, A. BUNDY said their purpose is to restore and defend the Constitution, and they have spent two months petitioning the state and county representatives to stand for the Hammonds against the so-called "unconstitutional actions." Bundy said, "We feel that we have exhausted all prudent measures and have been ignored. And it has been left to us to decide whether we allow these things to go on or whether we make a stand." In the video, Finicum makes a statement about the purported oppression against ranchers, specifically the Hammonds.

11. On January 4, 2016, Harney County Sheriff Dave Ward held a press conference and informed the armed occupiers of the MNWR that the Hammonds had peacefully surrendered

themselves to complete their federal sentences and informed the armed occupiers that “it was time to leave.”

**Armed Occupier Activity in Harney County, Oregon**

12. On October 5, 2015, A. BUNDY and PAYNE visited Harney County Sheriff Dave Ward in Harney County. During the visit, A. BUNDY and PAYNE told Ward that he needed to protect the Hammonds from going back to prison. PAYNE and A. BUNDY informed Ward that if the Hammonds spent one more day in jail there would be “extreme civil unrest.” On November 12, 2015, A. BUNDY publicly posted a letter from the Bundy family to Harney County Sheriff Dave Ward. The letter was posted online at <http://bundryranch.blogspot.com> and was still publicly viewable as of January 26, 2016. In summary, the Bundy family claims that federal employees are abusing their positions within the federal government to punish the Hammond family. Several additional blog posts, made on November 12 and later, further state that it is the Bundy family position that the Hammond family has been illegally arrested.

13. A Facebook Community page titled “Harney County Liberty News” includes eight videos on the page. I personally viewed the Facebook page on January 7, 2016, and all videos appear to be narrated by the same individual, who identifies himself on several of the videos. In one of the videos, posted on December 12, 2015, and titled “Time for some camping” the individual is pictured standing outside with the road sign “Hammond Ranch Rd” clearly visible in the background. The individual talks about winter camping and camping in the area. In a video posted on December 13, 2015, and titled “Through the wind and snow yesterday I neglected to post this lovely cattle drive,” the individual identifies himself as being present in Harney County and later states he is doing some “tactical camping.” In an untitled video posted December 15, 2015, he discusses a community meeting in Harney County and shows a flyer for

the meeting indicating that it will include a “presentation on Committee of Safety by Ryan Payne.”

14. On December 18, 2015, a citizen (hereafter Citizen) of Harney County was shopping at the Safeway grocery store in Burns, Oregon. Citizen was wearing a BLM shirt. Citizen was confronted by two men, one whom she identified as RITZHEIMER. Citizen reported to law enforcement that she heard yelling, and when she turned around, the second individual shouted “you’re BLM, you’re BLM” at her. That person further stated to Citizen that they know what car she drives and would follow her home. He also stated he was going to burn Citizen’s house down. RITZHEIMER and the second individual left the area in a black pick-up truck with black canopy and no visible license plate. Since the incident, Citizen has observed a similar vehicle outside her residence. Citizen was unable to identify the driver of the vehicle when she later saw it. The following week, a second vehicle, described as a white truck with a pink license plate and a big rebel flag sticker on the back window, aggressively tailgated Citizen, flashing lights and driving erratically. Citizen believed the second incident was related to the first. Citizen also saw the black pick-up truck outside of her place of employment early in the morning hours of Christmas Day.

15. On December 26, 2015, a video posted to an Internet website channel indicated the video is a “call out” to all “patriots” to meet at the Safeway parking lot in Burns, Oregon, on January 2, 2016, for the protest. One of the individuals states they are in Burns, Oregon, and are there to support the Hammonds. A screenshot from the video, attached below, shows O’SHAUGHNESSY on the far left and RITZHEIMER on the far right. In the video each individual identifies himself by name. Their identities have also been independently confirmed through motor vehicle records.





16. On December 31, 2015, a video posted to an Internet website showed RITZHEIMER in a car saying “we the people need to take a stand,” “we need real men and women here to take a stand” and that he has “had to do a lot of soul searching” and he is “one hundred percent willing to lay down my life, to fight against tyranny in this country.”

**January 2016 – Takeover of Malheur National Wildlife Refuge**

17. According to open source reporting that I have reviewed and conversations I have had with other law enforcement officers, on January 2, 2016, several hundred unidentified individuals participated in a protest in Burns, Oregon, related to the resentencing of Steven and Dwight Hammond. Following the protest, A. BUNDY, RITZHEIMER, O’SHAUGHNESSY, PAYNE, R. BUNDY, CAVALIER, and Finicum, among others, entered the MNWR, blocked the entrance to the Refuge, and began their armed occupation of several buildings within the MNWR. The MNWR and all buildings located thereon are federal property and facilities. The armed occupation of the MNWR has been continuous and ongoing since January 2, 2016. The

MNWR is located in Harney County, District of Oregon. A news article posted on an Internet website on January 3, 2016, at 7:19 a.m. and updated January 4, 2016, at 12:53 p.m. included a photo with the caption "The militiamen have blocked the entrance to the headquarters of the Malheur National Wildlife Refuge with vehicles" and is shown below. This photograph has been verified by a Federal Wildlife Officer with the U.S. Fish and Wildlife Service and confirmed to depict the entrance to the MNWR. The Federal Wildlife Officer identified the vehicle as an MNWR vehicle blocking the main road.



18. According to a senior official with the U.S. Fish and Wildlife Service, Pacific Region, the MNWR is adjacent to the Steens Mountain Wilderness, with the Wild and Scenic Donner and Blitzen River flowing into it at its southern boundary. The MNWR consists of more than 187,700 acres of prime habitat, including 120,000 acres of wetlands that provide a crucial stop for waterfowl along the Pacific Flyway. Particularly important to colonial waterbirds, sandhill cranes, and redband trout, the Refuge also encompasses upland and riparian habitats vital to many migrating birds and wildlife. The MNWR hosts over 320 bird species and 58

mammal species. The MNWR supports over 20 percent of the Oregon population of breeding greater sandhill cranes. Refuge property includes more than 200 miles of water delivery ditches, 7 major irrigation dams, 450 miles of fence, and 200 miles of roads.

19. Refuge property also contains 13 historic buildings. Many were built by the Civilian Conservation Corps in the 1930s and early 1940s. The headquarters features National Register of Historic Places structures and landscaping including five wood frame buildings (clad with local lava rock and roofed with terra cotta tile) that function as offices, workshops, natural resource labs, and visitor facilities. A historic lookout tower, mature landscaping, and modern shop, garage, and wetland management infrastructure are also part of the historical headquarters ensemble. In 2014, there were 23,967 visitors to the MNWR including birders, hunters and outdoor recreationists. The winter hunting season closed at the end of December; currently, there are no open hunting seasons on the Refuge.

20. The MNWR is staffed by employees of the United States Fish and Wildlife Service. As a result of the armed occupation of the MNWR by the known conspirators and others, which began on or about January 2, 2016, and continuing to the present, employees of the USFWS who work at the MNWR have been prevented from reporting to work because of threats of violence posed by the defendants and others occupying the property. Sixteen (16) federal employees work at the MNWR, including one federal law enforcement officer and a volunteer coordinator who lived on the Refuge and works in the visitor center.

21. According to a senior official with the U.S. Fish and Wildlife Service, Pacific Region, following the unauthorized, armed occupation of the MNWR, the staff has been unable to conduct any official operations, including but not limited to business elements, critical management requirements, law enforcement operations, visitor services, and essential



maintenance activities. As a result, the MNWR is being **degraded and damaged** by the inability of the staff to conduct required conservation management operations which are essential to the MNWR. The staff is entrusted with the management of the MNWR through the Fish and Wildlife Service Mission, the Refuge System Mission, and the governing comprehensive conservation planning document which includes the applicable authorities of the Refuge Administration Act, the Refuge Improvement Act, as well as supporting acts. In addition, active contracts, cooperative agreements, and other partnership arrangements requiring work on the part of contractors or collaborative partners are not able to occur as a result of the armed occupation. Any and all legal arrangements that exist with contractors and other business collaborators are being hindered resulting in loss of time, funding, and critical management elements.

22. USFWS management believes that as long as this unauthorized, armed occupation persists, it is unsafe for employees to be in the area.

23. According to a Special Agent with the Bureau of Land Management (BLM), on January 2, 2016, the BLM learned, by watching a live online video stream, that numerous individuals to include A. BUNDY and PAYNE left the rally that was in support of the Hammonds in Burns, Oregon, and travelled to the MNWR to take it over. BLM was notified later that day by a Harney County Sheriff's Officer that a source informed him that the group controlled the MNWR and had explosives, night vision goggles, and weapons and that if they didn't get the fight they wanted out there they would bring the fight to town.

24. Due to the presence of armed individuals occupying the Refuge and also learning that some of their associates were still in the Burns area, the BLM made the decision to close the Burns District Office, located at 28910 Highway 20 West, Hines, Oregon, 97738. The office is

currently closed and has been since January 4, 2016. This BLM action was taken out of concern for the safety of the approximate 80 employees who work there.

**Social Media Posts, and News Reports**

25. Since the armed occupation of the MNWR, the occupiers have continually posted to various social media accounts and conducted interviews with news media, within and outside of the MNWR buildings, as further described below.

**A. BUNDY**

26. On January 3, 2016, a video posted on an Internet website by “The Conspiracy Scope” showed A. BUNDY and two others at the MNWR. The location of this video at the MNWR was confirmed by a Federal Wildlife Officer of the U.S. Fish and Wildlife Service. The Federal Wildlife Officer confirmed the individuals are at the main entrance to the MNWR. One individual is in the background holding a rifle. A. BUNDY states that we have “taken over the Malheur National Wildlife Refuge” and that the MNWR will become a “base place for patriots from all over the country to come and be housed.” A. BUNDY continues by saying that “we’re planning on staying here for several years.” A. BUNDY also says in the same video, “We are calling people to come out here and stand” and “We need you to bring your arms and we need you to come to the Malheur National Wildlife Refuge.” One individual is also in the video saying that he agrees with A. BUNDY and that they need people to “bring your arms.” Two screen shots were taken from the video. The screen shot on the left shows two individuals (one with a rifle), and the screen shot on the right shows an unknown individual armed with a rifle, standing with A. BUNDY, shown below:

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27. On January 4, 2015, A. BUNDY gave a news conference at the MNWR. A photo on a news website shows CAVALIER (second from left), A. BUNDY (third from left), and others leaving the news conference together, below. According to a Federal Wildlife Officer with the U.S. Fish and Wildlife Service who has viewed this photo, the group appears to be walking down the hill from the main entrance to the MNWR and toward the main headquarter building.



**RITZHEIMER**

28. RITZHEIMER appeared in a video titled "Militants take to social media to recruit supports," posted on January 4, 2016, to an Internet website and stated, "We are in my truck parked outside the Refuge," "We need you to get here and stand with us," "whether you are armed or unarmed," and "Please get up here to help us." Another person also appeared in the video stating, "We need your help guys." RITZHEIMER also posted a video where he stated, "I've had to do a lot of soul searching up here, and I am with good people who also have had to do a lot of soul searching, some who've done this soul searching for years, and I am one hundred percent willing to lay my life down, to fight against tyranny in this country." A photo posted on an Internet news website shows RITZHEIMER adjusting a sign outside the MNWR on January 5, 2016, shown below. A Federal Wildlife Officer with the U.S. Fish and Wildlife Service has confirmed the location of the signs on the MNWR close to the main entrance.





29. On January 5, 2016, in a video taken by SANTILLI and posted to YouTube, RITZHEIMER states “last word we got is they’re headed out here” in reference to the armed occupiers who believed they were going to be raided by the federal government. RITZHEIMER further states, “We got word that they’re coming out here, uh so we are trying to plan and maintain a defensive posture” and “Right now underneath that tarp right there—Lavoy Finicum is sitting underneath that tarp, and he is not going to let them come through. We’re maintaining a defensive posture back here.” In the still shot below, RITZHEIMER is carrying what appears to be, based on my training, experience and knowledge of firearms, an AR-15-style rifle with sling.



**O'SHAUGHNESSY**

30. A video entitled “#aslongasittakes” was live-streamed starting January 5, 2016, continuing into January 6, 2016, and posted on YouTube to the “Pete Santilli Show.” The video is filmed at or just outside the MNWR. The location of the video outside the MNWR was confirmed by a Federal Wildlife Officer. In the video, O'SHAUGHNESSY was interviewed by SANTILLI and states, “We have people here that are standing up for the constitution,” “We need

every patriot in this country to come out here and support the message,” “You guys need to be out here to show your support you need to stop the bickering,” and “If you want to lock arms in front of this reserve and make sure that these federal agents and this corrupt government doesn’t come through those gates, you can do that. Or if you want to go on in and do what you gotta do then go on and do that, everybody has a place in this and everybody need to be here.” O’SHAUGHNESSY further states in the interview, “I’m right now in the process of trying to set up a constitutional security protection force to make sure that these federal agents and these law enforcement don’t just come in here like cowboys, that’s we have to prevent that um.”

**PAYNE**

31. PAYNE arrived to Harney County in November 2015. In one public source email dated November 20, 2015, posted by a user using email address [rypayne1@xxx.com](mailto:rypayne1@xxx.com) with the user name “Ryan Payne,” PAYNE was encouraging others to support him in planning a response to Harney County, and wrote:

The opportunity to defend the Hammonds is not the first, nor will it be the last. But the display of tyranny in this particular case is so appalling, the people being directly subjected to it so undeserving, and the oppressive weight so heavily and completely applied; upon not only the Hammonds, but their entire community; that to decide to allow it to persist should trouble the soul such that death might be a welcome relief.

We must be wise, and great discernment must guide our decisions, particularly when we ask that others be willing to shed their blood alongside us. We must choose our engagements with great care and consideration for the lives of all involved, on all sides. The situation calling out to us now is such that to not heed it’s [sic] cries will be a betrayal of the very foundation and principles we have built our convictions on, and reduce them to empty claims.

32. On November 22, 2015, a second email was posted by the same user as above stating: “I have made my decision. I spoke with those that I began this endeavor with, well before OMD came to be, and we agreed that the people must be given an example, and that this

is what we sought to provide. Perhaps the example I provide is such to educate them, whether as a leader, or as to what they should not do. Only God can determine such things.”

33. On January 5, 2016, PAYNE was contacted by Burns Police Department at a McDonalds in Harney County, Oregon. PAYNE was with a second individual at the time of contact and both individuals were armed. An officer’s body camera captured the event and a still image from the contact is shown, below. PAYNE is the individual on the left, with a visible holster on his hip.



34. The photo below depicts PAYNE at the MNWR. A staff member of the U.S. Fish and Wildlife Service who works at the MNWR, has confirmed the photo depicts the interior of the RV park common room, a building located inside the MNWR. PAYNE has been positively  
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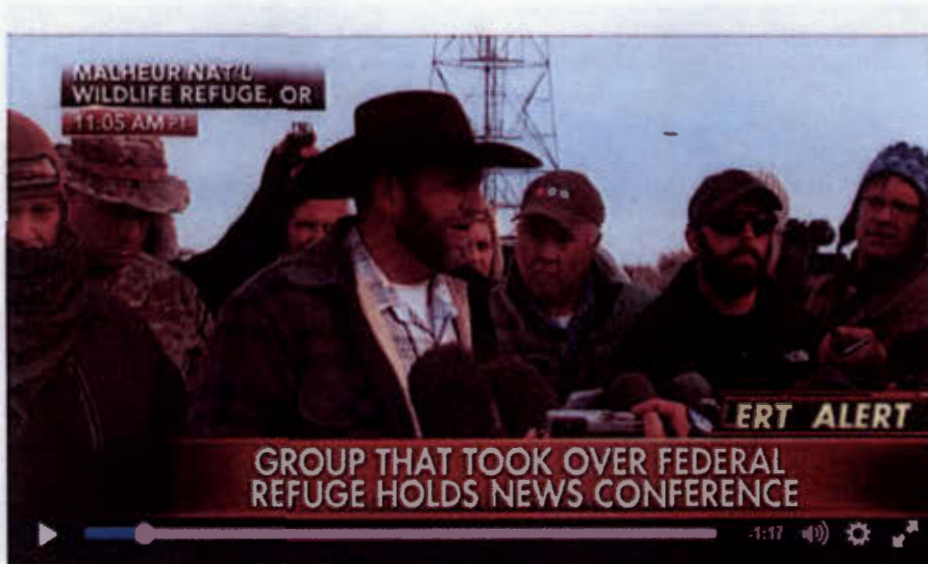


identified by law enforcement through motor vehicle records and open source information, including Internet sharing websites.



35. On January 4, 2016, a national news organization posted a video online of A. BUNDY delivering a press conference. A screenshot from that video appears below. The screenshot depicts, from left to right, CAVALIER, A. BUNDY, PAYNE, and other known and unknown individuals. This photograph has been verified by a Federal Wildlife Officer with the U.S. Fish and Wildlife Service to depict the MNWR's headquarter tower in the background.

Given the proximity of the tower to the individuals, the individuals are likely standing close to the Refuge entrance sign on the entrance road.



**R. BUNDY**

36. On January 6, 2016, R. BUNDY was photographed by a national news reporter inside an MNWR building with A. BUNDY. The location of the photograph inside a U.S. Fish and Wildlife biologist's office in a federal building on the MNWR was confirmed by a Federal Wildlife Officer of the U.S. Fish and Wildlife Service. This photograph was posted to a national Internet news website. The photo clearly shows R. BUNDY carrying a rifle while A. BUNDY is on the phone, as shown below:

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**CAVALIER**

37. CAVALIER, who uses the handle “Booda Bear,” posted a video to an Internet website channel on September 9, 2015, in which he stated, “I am Cliven and Carol’s and the family’s personal body guard.”<sup>1</sup> As recently as January 4, 2016, he can be seen standing next to and escorting A. BUNDY during press conferences, as seen in the below screen shot (CAVALIER is the individual on the left). According to a Federal Wildlife Officer with the U.S. Fish and Wildlife Service, the photo depicts A. BUNDY at the main entrance and the trees in the background surround the main headquarter building. Sometime after January 4 and before January 11, 2016, CAVALIER left the MNWR. CAVALIER was arrested on January 11, 2016, by the Buckeye Police Department in Arizona. He had outstanding warrants from Prescott and Prescott Valley, in Arizona. CAVALIER was in possession of a firearm at the time of his arrest. After his arrest, he was released and returned to Harney County.

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<sup>1</sup> Cliven and Carol Bundy are the parents of A. BUNDY and R. BUNDY.





**Finicum**

38. In a local news report dated January 5, 2016, located online, Finicum spoke to reporters at the MNWR. Finicum was interviewed on video outside the Refuge wrapped in a tarp and blanket. He stated, "There are things more important than your life and freedom is one of them. I'm prepared to defend freedom." Finicum was reported as holding a rifle and backpack and was staying at the entrance to the Refuge overnight. A. BUNDY, identified as a group leader, said the group would take a defensive position as they were anticipating a possible raid. In a later video posted on January 6, 2016, the speaker states, "There was intel that the uh, um, camp was going to be raided." He then shows the heavy equipment which was placed to barricade the road and stop the "feds." He then states the equipment was brought up for them to "defend themselves." A photo accompanying the local news article and captioned "Activists

have used heavy equipment to block to the road to the Malheur wildlife refuge buildings” is shown below. A Federal Wildlife Officer with the U.S. Fish and Wildlife Service identified the equipment in the photograph as an MNWR loader and grader blocking the main entrance.



39. A photo shown below from a local news station posted online on January 6, 2016, shows Finicum carrying a rifle at the MNWR. The location of Finicum at the main entrance of the MNWR was confirmed by a Federal Wildlife Officer of the U.S. Fish and Wildlife Service.





**COX**

40. On January 4, 2016, a video was posted to an Internet website titled "Citizens for Constitutional Freedom News Conference Oregon 1-4-16(1)." In the video, A. BUNDY introduces COX who identifies herself and spells her name. COX speaks as a representative of the "Citizens for Constitutional Freedom" and other participating groups, including Bundy Family and Supporters, Liberty for All, Oregon Bearded Bastards, Pacific Patriot Network, and Liberty Watch Washington. A screenshot from the video is shown below:



41. On January 6, 2016, COX was photographed with A. BUNDY inside a building at the MNWR. The photo was posted online to a national news website with the caption "Ammon Bundy (L), and supporter Shawna Cox work in an office at the Malheur National Wildlife Refuge." A Federal Wildlife Officer with the U.S. Fish and Wildlife Service confirmed the photo depicts the inside a U.S. Fish and Wildlife biologist's office in a federal building on the MNWR.



**SANTILLI**

42. Law enforcement became aware SANTILLI has been in Harney County, Oregon, since January 2, 2016, but the exact date of his arrival in the area is unknown. SANTILLI operates a channel on YouTube called “Pete Santilli Show.” Details of the channel indicate it is categorized as entertainment under a standard license for YouTube. SANTILLI has posted video to the channel concerning the Hammond family and has been calling for people to come to Oregon since at least December 27, 2015. SANTILLI often streams live video from his YouTube channel. All video referred to in this affidavit has been preserved by law enforcement agents. In the referenced videos, SANTILLI often wears a vest which says “PRESS” with his name below it. SANTILLI has identified himself as a member of the Oath Keepers and wears insignia which indicates his affiliation with the III% group, detailed below. According to open source information, the Oath Keepers and III%ers have been identified as organizations associated with the anti-government patriot movement.

43. On December 27, 2015, a video was posted on SANTILLI’s YouTube channel “Pete Santilli Show” titled “Operation Hammond Ranch – Patriot ALL-CALL Deployment to

Oregon.” In the video, SANTILLI mentions known armed occupiers RITZHEIMER and O’SHAUGHNESSY and states they have “put out an all call for all patriots to respond. It was a call to action, all patriots to respond no later than January 2 to Oregon.” SANTILLI also states:

There’s going to be a lot of updates coming, ok. Ah, a lot of stuff that’s going to be happening out there, I can’t go into the exact details, because a, I don’t have all the details. I ah, I, let’s call it, um, I’m not a, I need to be on a need to know basis. I’m going to be, as a member of the media, ah, exercising my First Amendment rights to cover this stuff for the American public cause the main stream media is not going to be bringing you what we are going to be bring to, bringing you as to what’s happening, ah, at Hammond Ranch. So, ah, we are calling it initially here Operation Hammond Ranch. That may change, ah, but we want to bring awareness to Hammond Ranch.

SANTILLI continued in the video by stating:

What it’s about, it’s in Oregon, ah, and we need you to get out there, ah, this is an all call, ah, it’s been green lighted, for all patriots to respond to Oregon on or before January 2, ah there’s going to be a patriot convoy on January 2. You’ll be getting those exact details. So I’m Pete Santilli. Be sure to like, comment, subscribe, and share the heck outta this thing. Get the word out, ah, to all patriots that can get out there, especially in the Pacific Northwest. Ah, you must get out there, ah what is happening here . . . .

SANTILLI continues:

Ok, ah, we got the Federal government running around as if they’re trying to protect us from terrorism. No, they’re trying to shut down patriots like me, Schuyler Barbeau, throw them in jail, throw the Hammonds in jail, call them terrorists, and, ah, let all the Syrian refugees come in. We’re not going to let it happen. We’re going to take a stand . . . . Ok, I’m sure they had original intentions to be extremely peaceful. Ah, of course, ah, we, ah, we must get the Federal government to comply with our peaceful demands, ah, otherwise we have to explore all opportunities that we have made available to us through our founding fathers. So, ah, um, be prepared, be alert, um, and definitely respond to this call of action, call to action folks, all call, all patriots get out there. Thank you. Alright, here we are.

44. On January 2, 2016, a video was posted on YouTube channel “Pete Santilli Show” titled “[Live feed 2] Operation Hammond Ranch.” The video appeared to be filmed in the parking lot of the Safeway grocery store in Burns, Oregon, prior to a scheduled protest at



noon ~~the~~ same day. In the video, SANTILLI states, “Hey ladies and gentlemen, I just want you guys to know, I want it stated for the record here on the Pete Santilli Show.” SANTILLI then turns and faces the camera directly and states: “Hey Stewart Rhodes, I tore up my membership card. I’m still an Oath Keeper, homey, huh, how does that work? I don’t need your card. I don’t need to pay your membership dues.” SANTILLI then turns away from camera and addresses others and says: “I tore up my card. I tore up my card. I tore up my card. I’m still an Oath Keeper. See how that works?” SANTILLI then turns back to camera and says: “You know what, sue me. I got nothing. I got a freaking, I got an ash tray and a freaking pocket a hole. That’s it. Sue me. Sue me. I’m an Oath Keeper. Can you imagine that? I tore up my card. I didn’t blow up. It’s amazing.”

45. On January 2, 2016, a video was posted to YouTube channel “Pete Santilli Show” titled “Live feed Hammond ranch.” The following conversation was heard on video but took place off-camera:

Ammon BUNDY: Hey we’re continuing the stand. We’re continuing the stand [at/out] the MNWR.

SANTILLI: Ok.

Ammon BUNDY: Let everybody know that.

SANTILLI: Ok.

Ammon BUNDY: They’re to go to the MNWR . . . [inaudible] . . . after the rally . . . MNWR right after.

SANTILLI: [Coming back on microphone]: Ok, here we go . . . . [Returns to protest].

Also captured in the same video, an unidentified male greets A. BUNDY, and states he was with A. BUNDY in Nevada. The following conversation was then captured on video:

///

Ammon BUNDY: We're continue the stand . . . [becomes inaudible as SANTILLI's cameraman moves away, and bumps into someone].

Camerasman: I was trying to get away from that conversation.

Below is a still frame shot from the above conversation as A. BUNDY speaks to the unidentified man.



46. Later, on the same video, the camera pans back as A. BUNDY leans in to SANTILLI and says, "Malheur, Malheur." The below still shot captures the moment A. BUNDY is talking to SANTILLI (SANTILLI is facing away from camera with mesh vest and black baseball cap). SANTILLI appears to acknowledge A. BUNDY and then pulls A. BUNDY in for a public speech on SANTILLI's live stream.



47. On January 5, 2016, a video was posted on YouTube channel “Pete Santilli Show” titled “Live update Burns Oregon #aslongasittakes.” In the video, SANTILLI states: “We want a constitutional sheriff, constitutional peace officers, but here is what we need, most importantly, ok, this is what we need, now I’m gonna say this and I am going to be talking about it throughout the day: one hundred thousand, unarmed, men and women, to stand together. It is the most powerful weapon in our arsenal, those guns that we were talking about, those that were carrying guns . . . .” SANTILLI then talks to a gas station attendant and repeats the same call for one hundred thousand people.

48. Also on January 5, 2016, a video entitled “#aslongasittakes” was live-streamed for several hours. The video started on January 5, 2016, continued into January 6, 2016, and was posted on YouTube channel “Pete Santilli Show.” The video is **filmed** at or just outside the MNWR. The location of the video outside the MNWR was confirmed by a Federal Wildlife Officer of the U.S. Fish and Wildlife Service. During the video, SANTILLI stated, “We’re not fucking going nowhere.” SANTILLI later stated, “Here is what we need. I’m gonna tell you something right now. Captain Joe, myself, I’m not armed. I am armed with my mouth. I’m armed with my live stream. I’m armed with a coalition of like-minded individuals who sit at home and on YouTube and watch this.”

49. On January 6, 2016, a video was posted on YouTube channel “Pete Santilli Show” titled “press conference.” In the video, SANTILLI states, “We need to join together, one hundred thousand, **unarmed** men and women, **one** hundred thousand of **them**, whether they be **from the** outside, or they **be from** here in this local county.”

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50. On January 7, 2016, a video was posted on YouTube channel "Pete Santilli Show" titled "Live From Burns, Oregon - #aslongasittakesoregon." In the video, SANTILLI states:

I want one hundred thousand people out here, shoulder to shoulder, uh, unarmed. That's what I am calling for. Out here, between, and and to learn, ok, and to also protect the good souls that are inside, uh, if the Sheriff's department is telling you not to come out here, ok, uh, that means that they are trying to keep you away from the truth. . . . Ok, this learning experience that is going to take place here in the coming days, you guys are going to be blown away as this thing starts to unravel, uh, but you need to come out here, ok, you need to come out and not cower in fear . . . .

51. On January 11, 2016, a video was posted on YouTube channel "Pete Santilli Show" titled "Burns, Oregon – Community Meeting @ Burns High School." In the video, SANTILLI can be seen wearing III% on the sleeve of his shirt, shown below.



52. On January 12, 2016, a video was posted to YouTube channel "Pete Santilli Show" titled "1/12/16 Day 11 – Update [1] from Malheur Wildlife Refuge in Burns, Oregon - #OregonFront." In the video, SANTILLI states:

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I give you my word from this point forward, I will be lawful, I will be constitutional, ok, but I want to stand with you shoulder to shoulder, in opposition to what is happening here in Burns, and I want to crush communism here in Burns, and I want to crush socialism here in Burns, and I want to call upon everyone, if we can get one hundred thousand people standing shoulder to shoulder with me with flowers and determination, to take a stand against what's happening here in Burns. I want you to join me at this meeting. Please join me at this next meeting. Please. I'm going to go . . . .

53. On January 17, 2016, a video was posted to an Internet video sharing website by user "Veritas 13 Fox" titled "Press Brief, FBI Cam#, & Calling BS on ABC News." In the video SANTILLI can be seen standing behind Finicum, with RITZHEIMER and another occupier, at the main entrance to the MNWR. The vest SANTILLI is wearing has a clearly visible Oath Keeper patch on front. The vest also reads "PRESS" on the back. The video depicts that just prior to the press conference, SANTILLI whispered something in Finicum's ear and patted him on the back. After Finicum stated that the property does not go back to the BLM and then stated, "It does not return to the federal government," SANTILLI put his arm around the individual standing next to him. After Finicum spoke, SANTILLI addressed the media and said:

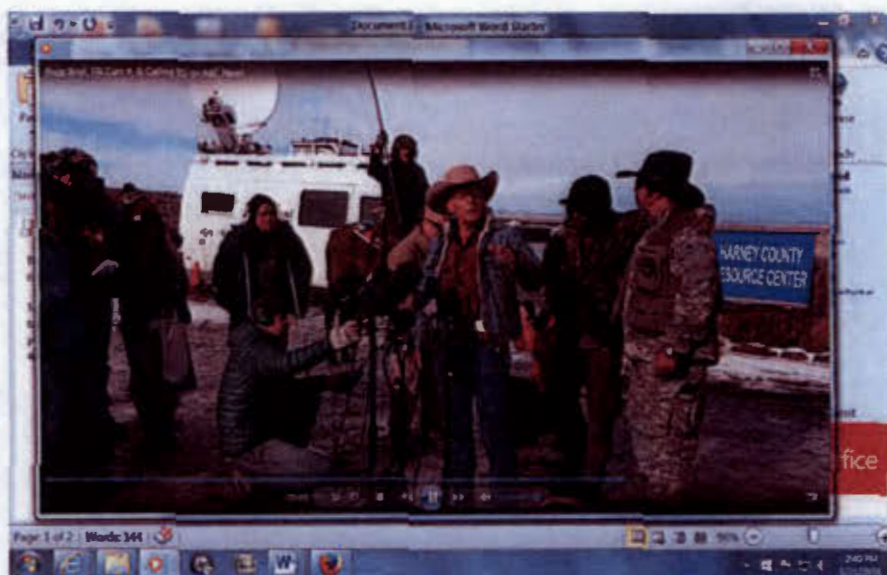
LaVoy's ah, offered me the opportunity to come up and speak to the members of the press. Uh, my name is Pete Santilli, uh for those of you that don't know me, uh I've accumulated approximately fifteen million uh minutes of viewing time, on the stream total combined uh worldwide, and I want to uh let the main stream media know uh that those that are not watching the stream or haven't been tuned in to my show, shame on each and every one of you. For those people that have been following the main stream media . . . [inaudible] . . . still asking the question. After twelve, thirteen days of being out here people are still wondering what the core issues are here, on this land. Shame on each and every one of you, millions of dollars being spent, you have an obligation to **communicate** to the public, and **unfortunately** your filtering [inaudible] . . . the public is not well informed.

A screen shot of the video is shown **below**:

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54. On January 21, 2016, a video was posted to YouTube channel “Pete Santilli Show” titled “BREAKING: Ammon Bundy Meets & Negotiates With FBI [EXCLUSIVE].” In the video, A. BUNDY can be seen and heard speaking with FBI personnel over a speaker on a cell phone. CAVALIER is standing beside A. BUNDY. SANTILLI introduced himself to several people as he filmed what was going on. Approximately thirteen minutes after leaving the meeting and while driving away, SANTILLI had the following conversation with a second person in his vehicle, who is off-screen, operating the video camera:

Camera person: They’re amping up their uh little camp there. You know they are building, they have built a uh very large triage in the hospital. We have, we’ve confirmed that, we have, and we’ve also noticed in the last week that they’re starting to uh get closer and closer to the refuge.

SANTILLI: Can I say something? Can I add something?

Camera person: Well of course.

SANTILLI: This is what I wanna tell, and good patriots will do good things, that’s what I’m calling for. All you good patriots out there, it’s time to staff up. Ok.

Camera person: Staff up? Yes.


SANTILLI: I'm gonna say this right now, loud and clear, and I want to put it out to every one of you patriots out there right now. This is to provoke constitutionality, ok, only! That's it. So don't say 'oh my goodness lo lo lo, shut your cake hole!' If you're a patriot, ok, and and you believe in what we're doing here as to ah protecting our god given rights, ok, you need to get in your car and come out here ok. Good patriots will do good things. Now's the time, time to staff up, ok. Time to staff up. I, I saw a compound that is so [video skips] . . . alright, that's what I'm calling for, that's what I'm provoking here, alright! Uh, we have a Second Amendment right uh to do that, to keep and bear arms. So those patriots that do keep and bear arms lawfully and constitutionally, it's time to staff up now! Right now.

55. In addition to social media posts made by individuals noted above, multiple news reports, interviews, and videos have reported or shown the occupiers of the MNWR to be armed with pistols and long guns.


56. On January 26, 2016, A. BUNDY, O'SHAUGHNESSY, PAYNE, R. BUNDY, CAVALIER, COX, and SANTILLI were taken into custody.

**Conclusion**

57. This affidavit and the requested arrest warrants were all reviewed by two Assistant United States Attorneys (AUSAs) prior to being submitted to the Court. The AUSAs informed me that in their opinion, the affidavit is legally and factually sufficient to establish probable cause to support the issuance of the requested warrants. I respectfully request the Court to authorize the proposed arrest warrants based on this complaint.

  
KATHERINE ARMSTRONG  
Special Agent  
Federal Bureau of Investigation

Subscribed and sworn to before me this 26th day of January 2016.

  
THE HONORABLE STACIE F. BECKERMAN  
U.S. Magistrate Judge, District of Oregon

FILED 03 FEB '16 12:16 USDC-ORP

**UNDER SEAL**

**UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION**

**UNITED STATES OF AMERICA**

3:16-CR-00051-AA

**v.**

**AMMON BUNDY,  
JON RITZHEIMER,  
JOSEPH O'SHAUGHNESSY,  
RYAN PAYNE,  
RYAN BUNDY,  
BRIAN CAVALIER,  
SHAWNA COX,  
PETER SANTILLI,  
JASON PATRICK,  
DUANE LEO EHMER,  
DYLAN ANDERSON,  
SEAN ANDERSON,  
DAVID LEE FRY,  
JEFF WAYNE BANTA,  
SANDRA LYNN PFEIFER ANDERSON, and  
KENNETH MEDENBACH,**

**INDICTMENT**

**18 U.S.C. § 372**

**UNDER SEAL**

**Defendants.**

**THE GRAND JURY CHARGES:**

**COUNT 1**

**(Conspiracy to Impede Officers of the United States)  
(18 U.S.C. § 372)**

On or about October 5, 2015, and continuing through the date of this indictment, in the District of Oregon, defendants **AMMON BUNDY, JON RITZHEIMER, JOSEPH O'SHAUGHNESSY, RYAN PAYNE, RYAN BUNDY, BRIAN CAVALIER, SHAWNA**



**COX, PETER SANTILLI, JASON PATRICK, DUANE LEO EHMER, DYLAN ANDERSON, SEAN ANDERSON, DAVID LEE FRY, JEFF WAYNE BANTA, SANDRA LYNN PFEIFER ANDERSON, and KENNETH MEDENBACH**, did knowingly and willfully conspire and agree together and with each other and with persons known and unknown to the Grand Jury to prevent by force, intimidation, and threats, officers and employees of the United States Fish and Wildlife Service, an agency within the Department of the Interior, from discharging the duties of their office at the Malheur National Wildlife Refuge, in violation of Title 18, United States Code, Section 372.

In furtherance of the conspiracy and to effect the illegal objects thereof, one or more of the defendants and one or more of the conspirators performed the following overt acts in the District of Oregon and elsewhere, including but not limited to the following:

- a. On or about October 5, 2015, two conspirators traveled to Harney County, Oregon, to warn the Harney County sheriff of “extreme civil unrest” if certain demands were not met.
- b. Beginning on January 2, 2016, defendants and conspirators occupied the Malheur National Wildlife Refuge by force while using and carrying firearms.
- c. Beginning on January 2, 2016, defendants and conspirators brandished and carried firearms on the premises of the Malheur National Wildlife Refuge and prevented federal officials from performing their official duties by force, threats and intimidation.
- d. Beginning on January 2, 2016, defendants and conspirators refused to leave the Malheur National Wildlife Refuge and allow federal officials to return to their official duties.

e. Beginning on January 2, 2016, defendants and conspirators threatened violence against anybody who attempted to remove them from the Malheur National Wildlife Refuge.

f. Beginning in or about November 2015, defendants and conspirators recruited and encouraged other individuals, known and unknown to the grand jury, in person and through social media and other means of communication, to participate and assist in the above-described conspiracy.

g. In or about November 2015 continuing through January 26, 2016, defendants and conspirators traveled to Harney County, Oregon, to intimidate and coerce the population of Harney County, Oregon, in order to effectuate the goals of the conspiracy.

Dated this 3 day of February 2016.

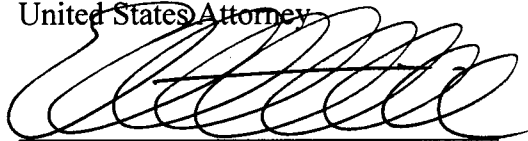
A TRUE BILL.

~~OFFICIATING~~ FOREPERSON

Presented by:

BILLY J. WILLIAMS

United States Attorney



ETHAN D. KNIGHT

GEOFFREY A. BARROW

Assistant United States Attorneys

1 Shawna Cox  
2 1031 S. Monument Rd  
3 Kanab Utah 84741  
4  
5  
6

Hon.  
Portland Oregon  
Hearing Time

7 UNITED STATES DISTRICT COURT  
8 FOR THE  
9 ~~DISTRICT~~ STATE OF OREGON

10 UNITED STATES OF AMERICA ) CASE NO. 3-16-CR-00051-BR  
11 v. ) AFFIRMATIVE DEFENSE,  
12 Ammon Bundy, Jon Ritzheimer, Joseph ) NOTICE OF CRIMINAL COUNTER  
13 O'Shaughnessy, Ryan Payne, Ryan Bundy, Brian ) SUITE AGAINST FEDERAL EMPLOYEES  
14 Cavalier, Shawna Cox, Peter Santilli, and Others ) AND OTHER JOHN & JANE DOES  
15 ) 1-1000 WITH CLAIM FOR DAMAGES  
16 \_\_\_\_\_ ) BY DECLARATION OF SHAWNA COX

17 COMES NOW Shawna Cox and swears under the penalty of perjury the following is true  
18 and correct.

19 COUNTER CRIMINAL COMPLAINT

20 As identified in 18 USC sections 1512, 1513, and 1514 I am a victim, witness and  
21 informant to extremely serious public corruption and government oppression. I came to the  
22 assistance of economically vulnerable individuals who were being harassed, threatened,  
23 intimidated, persecuted and incarcerated by arrogant, narcissi Federal Government officials  
24 who have organized together to hijack and steal our Constitutional form of government from  
25 the people of the United States of America. I came to assist the people of the states that were  
26 derived from the Northwest Territories, to address the fraud involving lands that were  
27 defrauded from them, by organized efforts of individuals within Federal and State  
28 Governments.

29 I came to the assistance of Dwight Hammond and Steven Hammond who were  
30 taxpayers that were victimized by public officials (who earn a living from taxpayers) for being  
31 taxpayers. The public employees who persecuted, prosecuted and incarcerated Dwight and  
32 Steven Hammond for trying to be taxpayers committed crimes against our constitutional form  
33 of government, against our society, myself and my children.



1 I am a victim, witness and informant to subversive activities and efforts organized by  
2 Law Colleges, State and Federal Bar Associations, to attack our constitutional form of  
3 government and subversively, secretly force socialism, communism and imperialism types of  
4 government onto the people of the United States of America. The intention of these law  
5 professors and State and Federal Bar Association members is to create nobility for themselves,  
6 their prosperity and an oligarchy. Evidence will show that many of these individuals held official  
7 public positions and employment for generations and believe they are "entitled" to hold  
8 controlling public offices. Members of the State and Federal Bar Associations have violated the  
9 separations of powers so they could create special privileges and immunities for themselves,  
10 their membership and those who are supporting their subversive attacks on our constitutional  
11 form of government and our domestic tranquility.

12 The members of the State and Federal Bar Associations have converted justice into a  
13 predatory judicial industry that preys on economically vulnerable individuals like Dwight and  
14 Steven Hammond and me. The members of these State and Federal Bar Associations has  
15 converted bad faith decisions by all public officials into a judicial industry that has inspired,  
16 instigated and condoned bad faith decisions at all levels of our governments. The members of  
17 the State and Federal Bar Associations have attacked our society's domestic tranquility in order  
18 to feed its predatory judicial industry, that profits from concealing truths and justice.

19 In an effort to silence me and prevent me from exposing the public corruption involved  
20 in the "intent to defraud" the people of the lands of the Northwest Territories by the Federal  
21 government, and the "unlawful persecution, prosecution and incarceration of the Hammonds",  
22 State and Federal employees organized together to attempt to murder me and they executed  
23 my co-witness and co- informant Lavoy Finicum. The State and Federal employees who  
24 organized together to attempt to execute me and my co-witnesses and co-informants did so, to  
25 terrorize the people of the United States of America so they could continue to socialize and  
26 communize the United States of America, and continue to use their State and Federal Bar  
27 licenses to steal the lives, liberties and properties of economically vulnerable individuals.

28 In an effort to expose the "intent to defraud" the people of the lands involved in the  
29 States derived from the Northwest Territories, we took Hostile Adverse Possession of the

1 Mahler Wildlife Refuge, which is akin to a trespass. "Hostile Adverse Possession" is a legal way  
2 to challenge "clouded land titles" and un-cloud them. In order to prove the trespass charges  
3 against us, the Federal Government will have to rationally explain before a jury of my peers why  
4 the Federal Government refused to allow the states of the Northwest Territories to come in on  
5 the equal footing doctrine, of the original 13 states. It needs to be documented here that in  
6 order to make a similar living on what is considered a homestead, in most of the arid regions in  
7 the original Northwest Territories, it takes several thousands of acres instead of the 160 acres.

8 At the time we took Hostile Adverse Possession of the Malheur it was being closed  
9 down for the winter. At no time did I or anyone else interfere with any public employees  
10 working on the Malheur in fact we encouraged them to come to work as we wanted to discuss  
11 the ownership problem with them and get as much information we could from them. If  
12 anything, it was their choice to not come to work, out of guilt. The evidence will show that  
13 maintenance individuals came to conduct routine maintenance on the Malheur while we were  
14 there, and we helped them conduct their maintenance duties.

15 Furthermore the evidence will show that federal employees were determined to  
16 secretly extend the boundaries of the Malheur. The individuals who we allegedly interfered  
17 with were directly involved in subversive activities to secretly extend the boundaries of the  
18 Malheur, and take taxpayers (ranchers) lives, liberties and properties. Evidence will show BLM  
19 employees (who we were supposedly interfering with) were caught shredding papers in the  
20 BLM office in Burns. Evidence will show that Harney County's Judge Gracity's brother is a BLM  
21 official that was involved in secretly extending the boundaries of the Malheur, and as such  
22 Judge Gracity was aware of the effort, acted in omission, and acted to cover-up for his brother's  
23 subversive activities. Evidence will show Judge Gracity was in a position to block access to the  
24 Harney County Jury roll call index, (the people) and did just that to cover-up his personal  
25 involvement in the corruption.

26 Evidence will also show that Judge Ann Aiken was related to the person who authorized  
27 "the Appeal" that lead to the re-sentencing of the Hammonds and as such she had a direct  
28 conflict of interest involved. Evidence will also show that Judge Ann Aiken's siblings were  
29 directly involved in rallying up opposition to forcibly remove us from the Malheur instead of



1 properly civilly litigating our Hostile Adverse Possession of it, un-clouding the land titles in the  
2 area and addressing the prosecutorial misconduct that resulted in the Hammond's prosecution  
3 and incarceration.

4 Evidence will also show that Oregon State Bar members including S. Amanda Marshall,  
5 Governor Kate Brown, Judge Grasty, Oregon State Senator Cliff Bentz, and others within the  
6 Oregon State Bar Association organized together to take complete control of the Oregon State  
7 Government so they could execute their personal objectives, agendas and the objectives and  
8 agendas of the predatory Oregon State Bar Association.

9 The evidence will show that Harney County Judge Grasty and Oregon State Governor  
10 Kate Brown were aware that Harney County Risk Pool had a domestic terrorism liability policy  
11 that instigated Judge Grasty and others to ratchet up the situation and terrorize the people of  
12 Harney County, Oregon and the United States, so they could profit from the situation and  
13 continue to execute their secrete subversive activities against our constitutional form of  
14 government.

15 The evidence will show that these individuals had every opportunity to call forth a  
16 Harney County Grand Jury to resolve the situation in a civil manner but ignored it, to protect  
17 their predatory judicial industry that has been attacking all of our society's domestic tranquility.  
18 Evidence will show that the Bar Associations have organized together to prevent the people  
19 from accessing Grand Juries and inquest juries in order to enhance their predatory judicial  
20 industry, that has nothing to do with justice and everything to do with deception, deceiving and  
21 depriving people of the truths and justice.

22 Evidence will show they had to use force to stop us from getting to the jury roll call  
23 index and calling up a jury to expose the corruption involved and they had to make a show of  
24 force, in order to continue to terrorize the rest of the country, and subject the people to the  
25 predatory activities of the State and Federal Bar Associations' members. Evidence and  
26 testimony will show that Judge Grasty and Oregon State Senator Cliff Bentz, (both Oregon  
27 State Bar members), and Sheriff David Ward were directly involved in terrorizing the people of  
28 Harney County with calling out their thugs and making the show of force, instead of allowing us  
29 to address the situation in a civil manner before a Grand Jury or inquest jury.

1 Evidence will show that individuals within the federal government have unlawfully  
2 placed the Federal lands (that were fraudulently withheld from the people in the states derived  
3 from the Northwest Territories) into hock for their national debt to their lenders and the  
4 International Monetary Fund. Evidence will show the National debt is a product of the  
5 subversive activities of the State and Federal Bar Associations' attempts to convert our  
6 constitutional form of governments into socialism, communism and an oligarchy. Evidence will  
7 show that it is common practice for State Bar Members to redirect blame, and they are  
8 attempting to redirect blame and cover-up the criminal actions of their colleagues by  
9 attempting to maliciously prosecute us and engaging in selective prosecution.

10 **I am being maliciously prosecuted by State and Federal Bar Association members**  
11 **because they do not want to be held accountable for their subversive activities against the**  
12 **people of the United States of America.** When I reach the jury I am going to ask the jury to  
13 render criminal and civil charges against the following public officials: All of the Oregon State  
14 Bar members, and public employees who were involved in the persecution, prosecutorial  
15 misconduct and ineffective council involving the incarceration of the Hammonds, including each  
16 and every one of them who violated the separation of powers and held offices in the judiciary  
17 and / or legislative and / or executive branches at the same time. All State and Federal Bar  
18 members and others, who took actions to prevent us from reaching a Grand Jury or inquest jury  
19 in Harney County to resolve the situation in a civil manner. All State and Federal Bar members  
20 involved in the ambush that attempted to execute myself and others and executed Lavoy  
21 Finicum. All, state and federal officials involved in terrorizing Harney county, Oregon and the  
22 United States. All state and federal officials involved in organizing and authorizing the ambush  
23 execution of myself and others including Lavoy Finicum. All the state and federal employees  
24 involved in the ambush that attempted to execute myself and others, and resulted in Lavoy  
25 Finicum's murder.

26 The State and Federal Bar Association members who committed crimes against the  
27 Hammond family and myself known to me at this time are; Judge Gracity, Senator Cliff Bentz,  
28 Harney County Prosecutor Tim Calhon, Governor Kate Brown, U.S. prosecutors Dwight Holton,  
29 Kirk Engdall, Kelley Zusman, S. Amanda Marshall, Judge Hogan and Judge Ann Aiken. Harney



1 County Public officials who committed crimes against the Hammond family and myself by  
2 omissions and misprision of felony's are Sherriff David Ward and FBI Special Agent Katherine  
3 Armstrong.

4 Additional affirmative defenses I am reserving include:

- 5 1. Jurisdiction, or lack of
- 6 2. Venue or lack of
- 7 3. The court that is attempting to prosecute me is an Article 4 court and not an article 3  
8 court.
- 9 4. I object to the court continuing to attempt to identify me as a subject of corporate  
10 United States of America, I ask the court to cease and desist this, and acknowledge I am  
11 a sovereign citizen with State and Federal constitutional rights and protections of law.
- 12 5. I am requesting a fact finding hearing to identify the status of the court and my status  
13 with the court.
- 14 6. Restriction of Judicial Powers
- 15 7. Selective prosecution, unequal protections of the laws, Government > the people
- 16 8. Omission and misprision of felony by state and federal agents, officials and employees.
- 17 9. Subversive activities against our state and federal constitutional form of governments.
- 18 10. Malicious Prosecution
- 19 11. Unlawful detainment and seizure.
- 20 12. RICO Racketeering efforts organized against me, us, the Hammonds and others.
- 21 13. The constitutional right of militia to assemble against subversive attacks against the  
22 Constitution of the United States and the people of the United States.
- 23 14. My right to assemble was interfered with.
- 24 15. My Freedom of speech was interfered with.
- 25 16. Criminal Negligence
- 26 17. Organized attempted execution/murder of a witness and informant.
- 27 18. Organized execution / murder of my co-witness and co-informant.
- 28 19. Foreign Agents operating subversively within United States, including but not limited to  
29 State and Federal Bar Associations, IMF agents and Blackstone mercenaries.

1 20. Including but not limited to the following criminal codes and crimes in contend were  
2 committed against me and others who I came to rescue: 18 USC sections 3, 4, 13, 201,  
3 210, 211, 241, 242, 371, 641, 654, 662, 1001, 1016, 1018, 1341, 1349, 1512, 1513, 1519,  
4 1621, 1623, 1951, 1956, 1957, 1962, 1964, 2071, 18 USC Chapter 96 RICO, False  
5 Representation Concerning Title, Criminal Sabotage, Assemblages of Saboteurs,  
6 Fraudulent removal of property, Intent to defraud, Malicious prosecution, Subversive  
7 Activities made felony, Conviction of public officer forfeits trust, culpability, complicity,  
8 assault in the first, second and third degrees, coercion, harassment, theft, robbery,  
9 forgery duress, bribery, trading in public office, trading in special influence, failure of  
10 duty by public officer, intimidating a witness, tampering with a witness, tampering with  
11 physical evidence, rendering criminal assistance, compounding, Abuse of office,  
12 organized crime, leading organized crime, controlling enterprise or reality – conspiracy  
13 or attempt, criminal profiteering, money laundering, oath on admission, adverse  
14 possession under claim and color of title, rights of survivors and witnesses, right of  
15 effective council and judicial officer defined – when disqualified.

16 AFFADAVIT OF PREDJUICE

17 In accordance with the rules of professional conduct, the code of judicial ethics and the  
18 laws that prevent judges from sitting on cases that they have a direct interest in, I am objecting  
19 to each and every judge who is a state or federal Bar Association member from presiding over  
20 my case. I am lawfully entitled to have a fair and impartial judge, and effective council and I will  
21 settle for no less. I am reserving my right to have assistance from my “Next Friends”

22 REQUEST FOR PROTECTION ORDER AS IDENTIFIED IN 18 USC SECTION 1514

23 I am asking the court to enter an anti-harassment and protection order as identified in  
24 18 USC section 1514 for myself, all of my witnesses, all of my “Next Friends” and our evidence,  
25 that was left on the Malheur Wild Life refuge.

26 DISCOVERY RESERVATIONS

27 I am going to submit subpoenas for my defense to depose the following individuals:  
28 Dwight Hammond, Steven Hammond, several ranchers around the Malheur, Judge Ann Aiken,  
29 Zach and Jake Klonoski, Judge Hogan, U.S. Prosecutors S. Amanda Marshall, Kelley Zusman, Kirk



1 Engdall, Dwight Holton, Ninth Circuit Justices involved in the Hammond appeal, Ninth Circuit  
2 case works involved in the Hammond Appeal, Oregon State Audubon Society members, several  
3 BLM employees, Oregon Governor Kate Brown, former Oregon governor John Kitzaber, Head  
4 officer for Oregon State Bar Association, Oregon State Attorney General, Oregon State Supreme  
5 Court Justices, Harney County Judge Grarsity, Harney County prosecutor Tim Calhon, Sheriff  
6 David Ward, Grant County Sheriff Glen Palmer, head Officer for Oregon State Sherriff's  
7 Association, Head officer for the Oregon State Patrol, Head of Oregon State FBI, all FBI  
8 investigators involved in investigating our allegations, FBI officers involved in ambush, Oregon  
9 State Patrol officers involved in ambush, various law professors,

10 **CLAIM FOR DAMAGES**

11 I am asking for criminal and civil penalties for the perpetrators that subjected me and  
12 my witnesses to the crimes I have identified herein. I Claim I and the others involved in these  
13 actions have suffered damages from the works of the devil in excess of \$666,666,666.66 Six  
14 hundred sixty six billion, six hundred sixty six million, six hundred sixty six thousand, six hundred  
15 sixty six dollars and sixty six cents.

16 **RIGHT TO AMEND**

17 I Shawna Cox am reserving my right to amend my affirmative defenses, criminal  
18 complaint and claim for damages up to and during trial. I am reserving my right to include  
19 additional claims, damages and parties.

20 Dated this \_\_15\_\_ day of February 2016 By \_\_\_\_\_  
21 Shawna Cox All Rights Reserved

22 **CERTIFICATE OF SERVICE**

23 I Shawna Cox swear under the penalty of perjury, that I placed copies of this document  
24 in the U.S. Mail or emailed copies to the following:

25 Clerk of the U.S. District Court	U.S. prosecutor Bill Williams
26 1000 SW third Ave	1000 SW third Ave. Suite 600
27 Portland OR 97204	Portland OR 97204
28 <a href="http://www.harrisdefence.com">www.harrisdefence.com</a>	My "Next Friends" 1-10,000,000,000

29 \_\_\_\_\_  
30 Shawna Cox





Malheur National Wildlife Refuge is located in the high desert country of southeastern Oregon.


The 187,000 acre Refuge is a remote, arid land of shallow marshes, lakes, small ponds, flood irrigated meadows, alkali flats, rimrock and grass and sagebrush covered hills. The Refuge is situated at 4,100 feet in elevation. Radical weather changes, including lightening storms and intense heat and cold can occur. Be prepared for weather extremes and traveling long distances over gravel roads. Make sure your vehicle is in good condition and the gas tank is full. Carry mosquito repellent if you visit in the summer.


The Refuge is open daily from sunrise to sunset. Information about fishing, road conditions and nearby services can be obtained at Refuge Headquarters. Office hours are Monday through Thursday, 7:00 am to 4:30 pm and Friday, 7:00 am to 3:30 pm. The Visitor Center is open Monday through Friday 8:00 am to 4:00 pm, and staffed with volunteers most weekends.


### Fishing Regulations


 **Day Use Only** - Open daily from sunrise to sunset.


 **Fish Safely and Ethically** - Limited sport fishing is authorized in accordance with all applicable Federal and Oregon State laws. The use of best methods for releasing fish is encouraged and it is unlawful to leave dead fish or any part thereof on the banks or in the water of any stream, lake or other body of water.


 **Ice Fishing** - Ice fishing and all public access onto any ice formation is not permitted.


 **Refuge Roads** - Motorized vehicles and horseback riding are allowed on designated roads shown on this map, except horseback riding is not permitted on East Canal Trail.

 **Hiking, Bicycling and Cross-country Skiing** - Hiking, bicycling and cross-country skiing are allowed only on designated roads and trails shown on this map.

 **Boats** - Non-motorized or electric boats are allowed only on Krumbo Reservoir, except when ice is present at the boat launch.

 **Gates, Dikes and Road Accesses** - Gates, dikes and road accesses may not be blocked by vehicles. Leave all gates as you find them.

 **Dogs** - Dogs must be kept on leash while on the Refuge.

 **Weapons** - Possession of weapons follows all State regulations on the Refuge. Discharge of weapons outside of the hunt seasons are prohibited.

**Prohibited Activities** - All-terrain vehicles (ATVs), camping, fires, swimming and collecting natural objects such as plants, animals, minerals, antlers, and objects of antiquity (including Indian artifacts) are prohibited.



**Malheur National Wildlife Refuge**  
36391 Sodhouse Lane  
Princeton, OR 97721  
541/493 2612  
<http://www.fws.gov/malheur>

**U.S. Fish & Wildlife Service**  
<http://www.fws.gov>

**for Refuge Information**  
1 800/344-WILD

**Visitors with disabilities may be reasonably accommodated upon request and/or receive an alternative format publication.**

August 2014

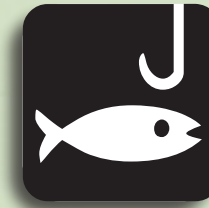


# Malheur

## *National Wildlife Refuge*

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### *Fishing Brochure*

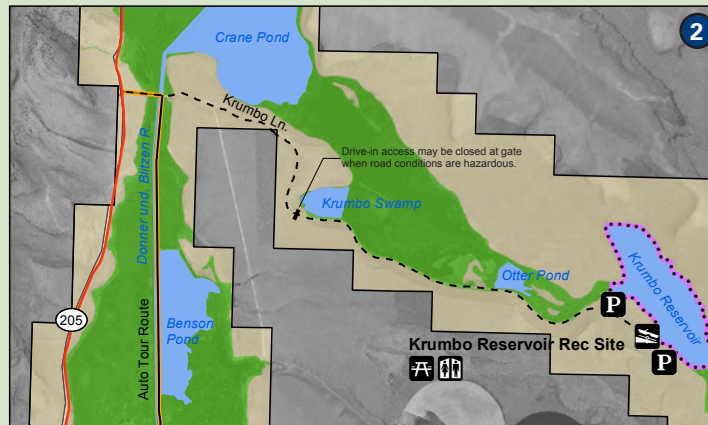
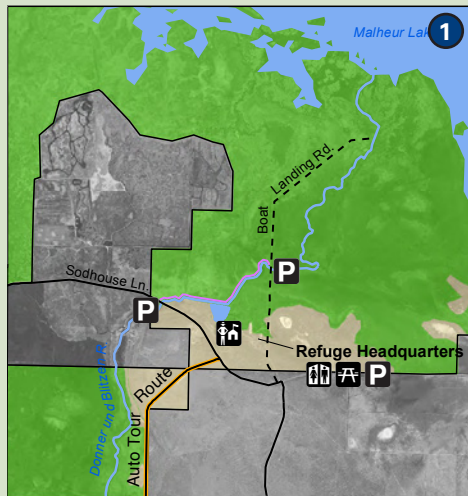


# Fishing Areas

## 1 Stream Fisheries – Headquarters Fishing Unit (north bank of the Blitzen River from Sodhouse Lane to the bridge on the Boat Landing Road)

**Species:** *Non-native carp.*  
**Season/Limits:** August 1 – September 15 and State Limits.

- Artificial flies and lures only.
- Trout are catch and release only.
- Boats are not permitted.



## 2 Reservoir Fishery – Krumbo Reservoir

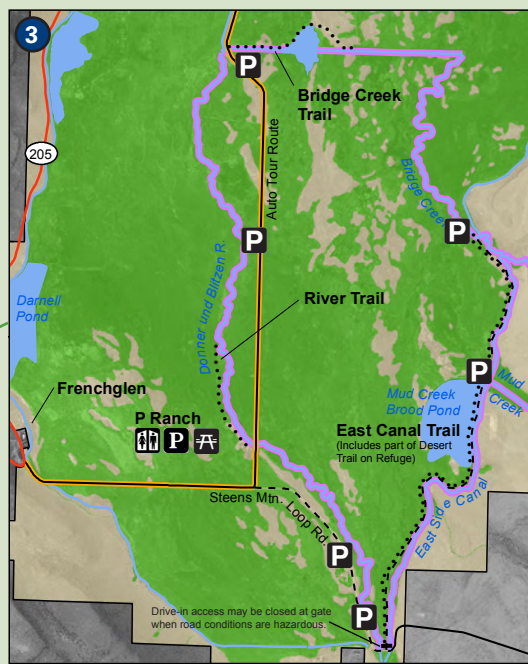
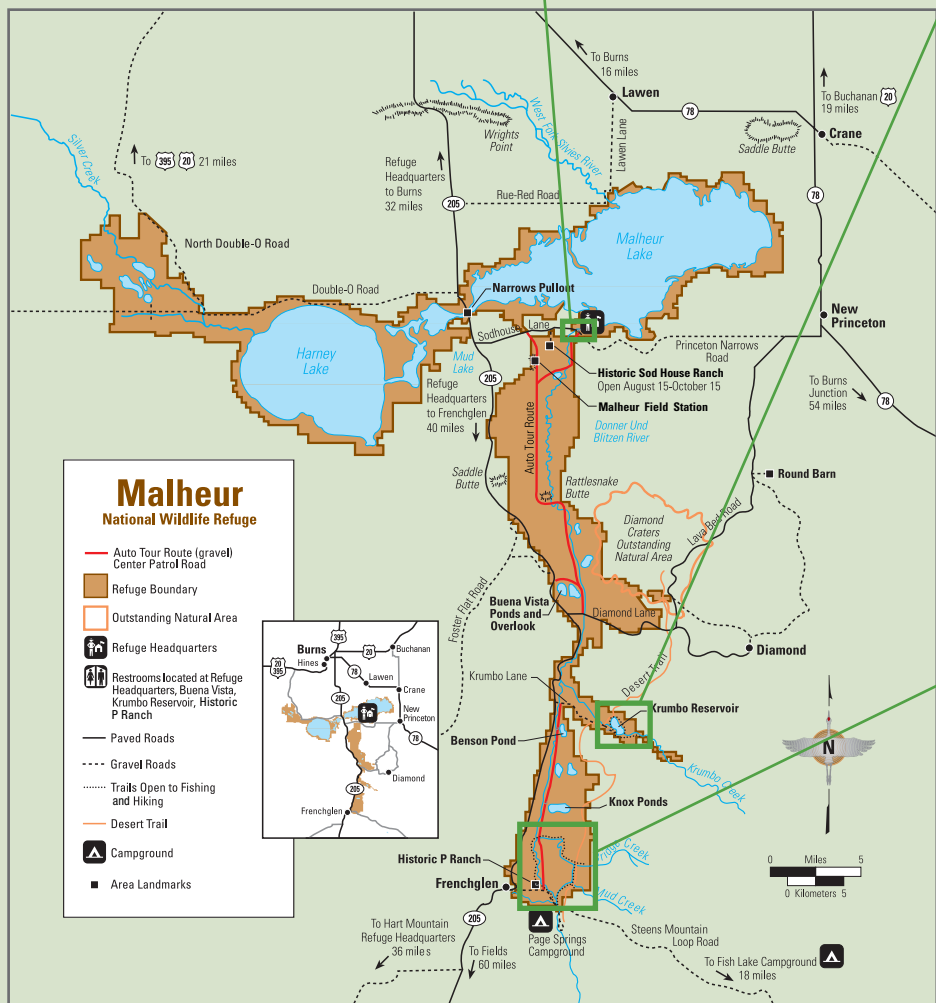
**Species:** *Rainbow trout and largemouth bass.*  
**Season/Limits:** Year-round and State Limits.

- Use of bait allowed.
- Ice fishing and any physical access on to any ice formation is not permitted.
- Non-motorized or electric boats are allowed, except when ice is present at the boat launch.
- Drive-in access to the reservoir may be closed when road conditions are hazardous.

### Legend

- Refuge Boundary
- Refuge Headquarters
- Auto Tour Route (gravel)
- Hwy 205 (paved)
- Paved Roads
- Gravel Roads
- Trails
- Gate
- Fishing Access
- Boat Launch
- Parking
- Picnic Tables
- Restrooms

0 0.5 1 Miles  
 0 0.5 1 Kilometers  
 All inset maps 1:40,000



## 3 Stream Fisheries – South Fishing Loop (mainstem of the Blitzen River, East Canal, and tributaries upstream of Page Dam and including Bridge Creek)

**Species:** *Redband trout.*  
**Season/Limits:** Year-round and State Limits.

- Artificial flies and lures only.
- Trout are catch and release certain times of the year. (see ODFW Sport Fishing Regulations)
- Fishing is not permitted within 200 feet upstream or downstream of fish passage ways.
- Drive-in access on East Canal Trail may be closed when road conditions are hazardous.










## Welcome, enjoy your visit!

Malheur National Wildlife Refuge is located in the high desert country of southeastern Oregon. The 187,000 acre refuge is a remote, arid land of shallow marshes, lakes, small ponds, flood irrigated meadows, alkali flats, rimrock and grass and sagebrush covered hills. The Refuge is situated at 4,100 feet in elevation. Radical weather changes, including lightening storms and intense heat and cold can occur. Be prepared for weather extremes and traveling long distances over gravel roads. Make sure your vehicle is in good condition and the gas tank is full.

The Refuge is open daily from sunrise to sunset. Information about hunting, road conditions and nearby services can be obtained at Refuge Headquarters. Office hours are Monday through Thursday, 7:00 am to 4:30 pm and Friday, 7:00 am to 3:30 pm. The Visitor Center is open Monday through Friday 8:00 am to 4:00 pm, and staffed with volunteers most weekends.

## Hunting Regulations

-  **Hunt Safely and Ethically** – Limited sport hunting is authorized in accordance with all applicable Federal and Oregon State laws.
-  **Accidents** – Injuries or accidents occurring on the Refuge must be reported immediately.
-  **Blinds** – Temporary blinds may be erected on Malheur Lake hunt areas during the hunt season. Blinds and all private property must be removed daily.
-  **Boats** – Nonmotorized or boats with electric motors are authorized on Malheur Lake hunt areas during the hunt season.
-  **Dogs** – The use of trained dogs is strongly encouraged. Dogs must be kept under close control.
-  **Gates, Dikes and Road Accesses** – Gates, dikes and road accesses may not be blocked by vehicles. Leave all gates as you find them.
-  **Roads and Parking** – Shooting from or across public roads or road right-of-ways is prohibited. Off road parking must be within one vehicle length from roadways.



**Vehicle Travel** – Motorized vehicles are authorized only on roads shown on this map. All vehicles must have current state registration and be operated by licensed drivers. Accessing roads and areas not shown as permitted on this map is prohibited.



**Weapons and Ammunition** – Possession of weapons follows all State regulations on the Refuge. Discharge of weapons is allowed only on hunt areas shown on this map during the hunt seasons. Only nontoxic shot may be possessed or used.

**Prohibited Activities/Areas** – All-terrain vehicles (ATVs), camping, fires, swimming and collecting natural objects such as plants, animals, minerals, antlers, and objects of antiquity (including Indian artifacts) are prohibited.



## Signs to Follow



This sign delineates the Refuge boundary. You may enter areas only on roads and designated hunt areas shown on this map.



Hunters may enter areas delineated by this sign only in designated hunt areas shown on this map.



Used alone or under a Refuge boundary sign. The area behind this sign may be hunted as permitted by Refuge regulations.



Hunters may possess or use only nontoxic shot when hunting on the Refuge. The possession or use of lead shot is prohibited.



Hunting is not permitted in the areas delineated by this sign, as well as designated no hunting zones indicated on the enclosed map.

## More Information

Malheur National Wildlife Refuge  
 36391 Sodhouse Lane  
 Princeton, Oregon 97721  
 541/493 2612  
[www.fws.gov/malheur/](http://www.fws.gov/malheur/)



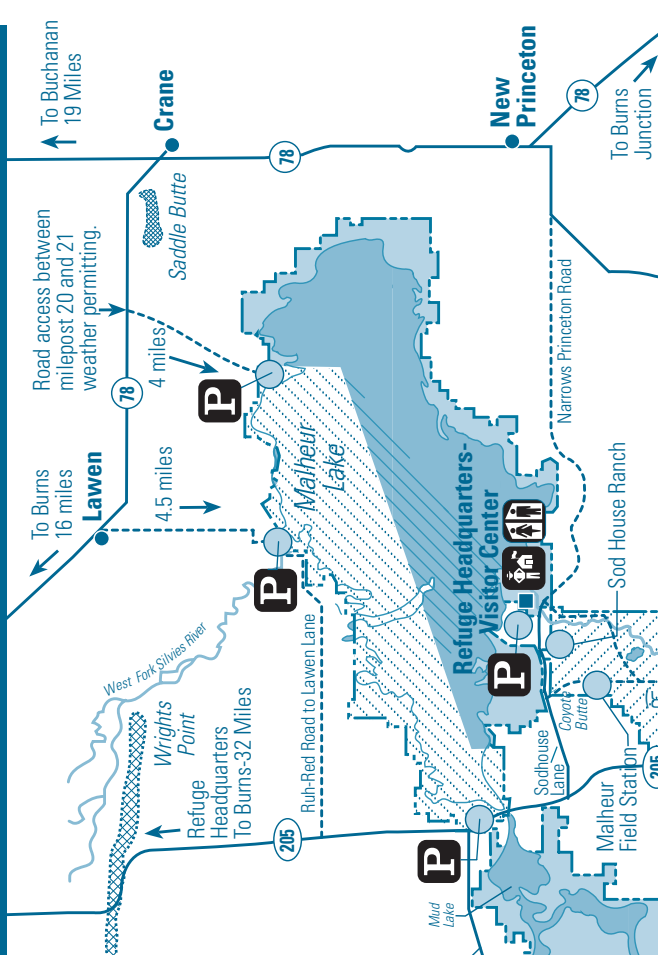
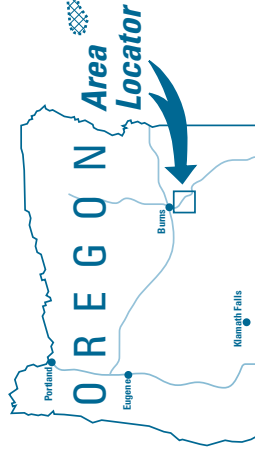
# Malheur

## National Wildlife Refuge

### Hunting







**Legend**

- Paved Roads
- Gravel Roads
- Refuge Boundary – No Hunting Zones
- North Malheur Lake Hunt Area (22,500 acres)**  
**Species:** Doves, Geese, Ducks, Coots, Snipe, Pigeons, Pheasant, Quail, Chukar and Partridge.  
**Season/Limits:** Oregon State Seasons and Limits.
  - At low water (<10,000 acres), waterfowl hunting will not be permitted.
  - Drive-in access may be difficult. Call to inquire about access routes.
- South Malheur Lake Hunt Area (4,600 acres)**  
**Species:** Doves, Geese, Ducks, Coots, Snipe, and Pigeons.  
**Season/Limits:** 4th Saturday of October to the end of State Waterfowl Season and State Limits.
  - Caspian Tern Island is closed to hunting.
  - At low water (<10,000 acres), waterfowl hunting will not be permitted.
- Buena Vista Hunt Area (east of Hwy. 205 as posted: 36,000 acres)**  
**Upland Game Species:** Pheasant, Quail, Chukar, and Partridge.  
**Season/Limits:** 4th Saturday of October to the end of Oregon State Pheasant Season and State Limits.  
**Waterfowl Species:** Doves, Geese, Ducks, Coots, Snipe, and Pigeons.  
**Season/Limits:** 4th Saturday of October to the end of the State Waterfowl Season and State Limits.
- Boundary Hunt Area (west of Hwy. 205 and Krumbo Creek hunt area)**  
**Species:** Pheasant, Quail, Chukar, Partridge, Coyote, Deer, Pronghorn, and Rabbit.  
**Season/Limits:** Oregon State Seasons and Limits.
  - Drive-in access may be difficult. Call to inquire about access routes.
- Camping Area**
- Restrooms**
- Hunters Parking-No Hunting Zone**

**Invasive Species Hurt Wildlife – Learn More to Help**

**Common Carp** were introduced in the 1920s and their proliferation has reduced waterfowl production capability to about 2 - 7% of its former extent on Malheur Lake. This has impacted the experience of many hunters at Malheur and along the Pacific Flyway. To learn more and help, inquire at Refuge Headquarters.

**Noxious Weeds** are a growing concern on the Refuge. Weeds can quickly overtake native plants and create a non-native altered habitat that cannot support the wildlife. You can help stop the spread of weeds by:

- Driving and parking only on established roads and trails and parking in designated areas away from weed infestation.
- Remove plants and seeds from dogs, shoes, and clothing by brushing the dogs thoroughly and cleaning or bagging your shoes and clothing before transporting.
- Before traveling home, check your vehicle for plants and seeds in the vehicle bed, grill, undercarriage, and doors and dispose of them properly.

