

MEMORANDUM OF LAW RIGHT OF FREE ACCESS TO OUR COURTS OF LAW

“People are entitled to free access to judicial tribunals and public offices in every State”

The purpose of this memorandum is to bring to the attention of the court the “unalienable right” of the people to have free access to its judicial tribunals and public offices in every State in the Union. Whereas de-facto civil law courts may require a fee in civil law courts, Courts of Justice do not!

“A State may not impose a charge for the enjoyment of a right granted by the Federal Constitution.”¹ “The assertion of federal rights, when plainly and reasonably made, is not to be defeated under the name of local practice.”² Whereas the “RIGHT OF DUE PROCESS,” is protected by the 5th Amendment and “the State cannot diminish rights of the people.”³ “Trial courts act without jurisdiction when it acts without inherent or ‘COMMON LAW AUTHORITY.’”⁴ Therefore, all de-facto civil-law courts are unconstitutional and rule 2 like all federal rules of civil procedure are also without constitutional authority and thereby also “null and void.” Thus, the People have the right to access Courts of Law without a fee. “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.”⁵

“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.”⁶ The practice of Law is an occupation of common right!⁷

The United States Supreme Court has ruled that a “natural man or woman is entitled to relief for free access to its judicial tribunals and public offices in every State in the Union.”⁸ “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

¹ Murdock v. Pennsylvania, 319 U.S. 105, at 113

² Davis v. Wechsler, 263 US 22, at 24

³ Hertado v. California, 110 U.S. 516

⁴ State v. Rodriguez, 725 A.2d 635, 125 Md.App 428, cert den 731 A.2d 971,354 Md. 573 (1999)

⁵ Ableman v. Booth, 21 Howard 506 (1859)

⁶ 2 Black 620, see also Crandell v. Nevada, 6 Wall 35

⁷ Sims v. Aherns, 271 S.W. 720 (1925)

⁸ Crandell v. Nevada, 6 Wall 35.

the filing fee rule was originally implemented for fictions and subjects of the State and should not be applied to the People who is a natural individual and entitled to relief”⁹ Therefore, people are to have free access to Courts and public offices, filing fees impede access to justice and services.

⁹ Hale v. Henkel, 201 U.S. 43