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**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK**

• 445 Broadway; Albany, NY. 12207-2936 •

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United States Grand Jury<sup>1</sup> (*Status: Sovereign<sup>2</sup>*)  
We the People

- against -

Federal Judiciary<sup>4</sup> (*Status: clipped sovereignty*)  
Respondents

**JURISDICTION:** Court of Record<sup>3</sup>  
Federal Case No. \_\_\_\_\_

**MEMORANDUM OF LAW  
NATURAL RIGHTS V CIVIL RIGHTS**

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The purpose of this memorandum is to clearly state the difference between civil rights<sup>5</sup> and natural rights<sup>6</sup>. Civil rights are those that are granted by legislators whereas natural rights are unalienable<sup>7</sup> which grow out of the nature of man, in other words received via a blessing<sup>8</sup> from nature's God.

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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 Thousands 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 3,133 United States counties.

<sup>2</sup> **“Sovereignty**” means that the decree of sovereign makes law, and foreign courts cannot condemn influences persuading sovereign to make the decree.” Moscow Fire Ins. Co. of Moscow, Russia v. Bank of New York & Trust Co., 294 N.Y.S. 648, 662, 161 Misc. 903.; 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>3</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.

<sup>4</sup> **Federal Judiciary** of the United States is one of the three branches of the federal government of the United States organized under the United States Constitution and laws of the federal government. Article III of the Constitution requires the establishment of a Supreme Court and permits the Congress to create other federal courts, and place limitations on their jurisdiction. Article III federal judges are appointed by the President with the consent of the Senate to serve until they resign, are impeached and convicted, retire, or die.

<sup>5</sup> **Civil rights:** Are rights appertaining to a person in virtue of his citizenship in a state or community. Rights capable of being enforced or redressed in a civil action. Also a term applied to certain rights secured to citizens of the United States by the thirteenth and fourteenth amendments to the constitution, and by various acts of congress made in pursuance thereof. State of Iowa v. Railroad Co., C.C.Iowa, 37 F. 498, 3 L.R.A. 554; State v. Powers, 51 N.J.L. 432, 17 A. 969.

<sup>6</sup> **Natural rights:** Are those which grow out of the nature of man and depend upon personality, as distinguished from such as are created by law and depend upon civilized society; or they are those which are plainly assured by natural law - Borden v. State, 11 Ark. 519, 44 Am.Dec. 217

<sup>7</sup> **UNALIENABLE.** Inalienable; incapable of being aliened, that is, sold and transferred.

Article III Sec 2: *The judicial power shall extend to all cases, in law and equity*

“*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.  
15 Likewise, civil courts and admiralty courts proceed according to statutory law. Any court proceeding according to statutory law is not a court of record, which only proceeds according to common law; it is an inferior court.<sup>9</sup>

**INFERIOR COURT:** Equity courts, a/k/a civil courts or criminal courts that proceed according to statutory law and are not courts of record. Their jurisdiction and procedure  
20 is defined by statute, any court proceeding according to statutory law is not a court of record, which only proceeds according to common law; it is an inferior court where rights are defined by statutes called “civil rights.”

**SUPERIOR COURT:** In Law<sup>10</sup> courts, a/k/a natural law courts, common law courts, or courts of record<sup>11</sup> that proceed according to the course of the common law, it is  
25 distinguished from proceeding in equity whereas, “in Law courts” are a natural right given by God.

“The decisions of a superior court may only be challenged in a court of appeal. The 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  
30 appellate court. Decisions of a court of record may not be appealed and are 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 the United States Supreme Court would be. It is as conclusive

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<sup>8</sup> **US 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 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> Ex parte Watkins, 3 Pet., at 202-203. cited by SCHNECKLOTH v. BUSTAMONTE, 412 U.S. 218, 255 (1973).

<sup>10</sup> **AT LAW:** [Black's Law 4th edition, 1891] According to law; by, for, or in law; particularly in distinction from that which is done in or according to equity; or in titles such as sergeant at law, barrister at law, attorney or counsellor at law. Hooker v. Nichols, 116 N.C. 157, 21 S.E. 208.

<sup>11</sup> **COURT OF RECORD:** A judicial tribunal having attributes and exercising functions independently of the person of the magistrate designated generally to hold it Proceeding according to the course of common law 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

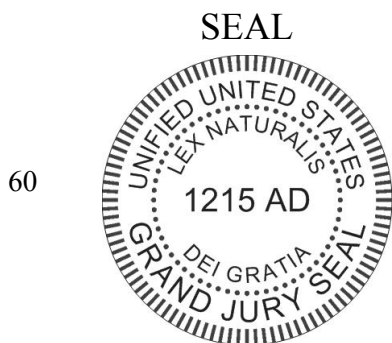
35 on the United States Supreme Court as it is on other courts. It puts an end to inquiry concerning the fact, by deciding it.”<sup>12</sup>

**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, and they generally  
40 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.<sup>13</sup>


“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  
45 had power to render a particular judgment by reference to its record. Note, however, that 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.

**IN CONCLUSION:** Equity courts are NOT courts of record and are driven by statutes (human law, civil), presided over by a judge (political), have no power to fine or imprison whose decisions can be appealed and rights are legislated and defined by code or statute. This court has no jurisdiction over the people without their consent.

Law courts are courts of record and are driven by natural law (no statutes), presided over by a jury (the People), have power to fine or imprison for contempt, whose  
55 decisions are final and can NOT be appealed and rights are given by God called “natural rights.” This court has jurisdiction over the people.



Dated [not filed yet]



Grand Jury Foreman

<sup>12</sup> Ex parte Watkins, 3 Pet., at 202-203. cited by SCHNECKLOTH v. BUSTAMONTE, 412 U.S. 218, 255 (1973).

<sup>13</sup> 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; Heining v. Davis, 96 Ohio St. 205, 117 N.E. 229, 231.