**New York Supreme Court, Columbia County**

The People of New York

INDEX # \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

MAGISTRATE\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Verified under Seal**

Coram Ipso Rege:[[1]](#footnote-1)

&

New York Unified Common Law Grand Jury

Coram Nobis:[[2]](#footnote-2)

-a-

STATE OF NEW YORK SUPREME COURT

Jonathan Lippman, Fern A. Fisher, Lawrence K. Marks, **Obsta Principiis[[3]](#footnote-3)**

Barry Kamins, Ronald Younkins,

Wrongdoers:[[4]](#footnote-4)

**WRIT QUO WARRANTO[[5]](#footnote-5)**

New York Unified Common Law Grand Jury, hereinafter the People[[6]](#footnote-6), come against the STATE OF NEW YORK SUPREME COURT charging Jonathan Lippman[[7]](#footnote-7), Fern A. Fisher[[8]](#footnote-8), Lawrence K. Marks[[9]](#footnote-9), Barry Kamins[[10]](#footnote-10), and Ronald Younkins[[11]](#footnote-11) for neglect to prevent[[12]](#footnote-12) conspiracy and felony rescue; concerning the indictments; against A. Gail Prudenti[[13]](#footnote-13), Michael V. Coccoma[[14]](#footnote-14), C. Randall Hinrichs[[15]](#footnote-15), Allan, D Scheinkman[[16]](#footnote-16), Charles M. Tailleur[[17]](#footnote-17), Michelle Carrol[[18]](#footnote-18), and Terry Wilhelm[[19]](#footnote-19); hereinafter wrongdoers in this court of record[[20]](#footnote-20) proceeding according to the common law[[21]](#footnote-21);

**CORAM NOBIS**

This is a common law proceeding, appearing before the People[[22]](#footnote-22) themselves, to answer to the People the writ quo warranto[[23]](#footnote-23), directed upon New York State Judicial Executive branch servants: Personal appearances required, failure to appear will be consider contempt of court and subject to arrest. Said servants have a duty to speak without attorneys.

“*We have twice suggested, though not held, that the Sixth Amendment right to counsel does not attach when an individual is summoned to appear before a grand jury, even if he is the subject of the investigation*”. *United States v. Mandujano,* 425 U.S. 564, 581, 96 S.Ct. 1768, 1778, 48 L.Ed.2d 212 (1976) (plurality opinion); *In re Groban,* 352 U.S. 330, 333, 77 S.Ct. 510, 513, 1 L.Ed.2d 376 (1957); see also Fed.Rule Crim.Proc. 6(d).

**We Command** that Jonathan Lippman, Fern A. Fisher, Lawrence K. Marks, Barry Kamins[[24]](#footnote-24), and Ronald Younkins show by what warrant they exercise such a franchise that enables them to conspire and misuse their office usurping themselves, under color of law, in order to prevent the sovereign[[25]](#footnote-25) People of New York from exercising their unalienable right of self government declared in the Declaration of Independence[[26]](#footnote-26) and protected under the 5th, 6th, and 7th Amendments, thereby disenfranchising all the sovereign People of New York and thereby causing the trying[[27]](#footnote-27) of the corporate title “STATE OF NEW YORK”.

The sovereign People also **Command** that A. Gail Prudenti, Michael V. Coccoma, C. Randall Hinrichs, Allan, D Scheinkman, Charles M. Tailleur, Michelle Carrol, and Terry Wilhelm be arrested, removed from office immediately, and proceed for trial.

Wrongdoers are servants under oath holding positions of trust and have a lawful duty to answer plainly and directly to the sovereign People, silence is fraud and therefor an admission of guilt.

“*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

Wrongdoers being servants are “not” to answer through counsel. It is an insult to the sovereign People when a steward commanded to give account of their stewardship insulates themselves with counsel, and double so, when they expect their masters to pay for the priestly counsel.

We the People will receive answers through counsel as a non-answer, furthermore this is a Writ of Quo Warranto, therefore a motion of any kind is not valid and if made will be taken as a non-answer. Failure to respond or responding inappropriately will be considered contempt of court.

The servant simply does not have the authority to legislate or decree away common law endowed upon the people with or without their consent, to attempt or accomplish that malevolence would be an act of high treason[[28]](#footnote-28), a clear act of war upon the people.

If wrongdoers Jonathan Lippman, Fern A. Fisher, Lawrence K. Marks, Barry Kamins[[29]](#footnote-29), and Ronald Younkins confess that they have error and proceed to inform the sixty-two clerks of the court to call upon the custodians of the courthouse to make provisions to receive the sovereign People to their rightful place within the courthouse a reprieve from the said charges against them will be granted. The sovereign People have no desire to seek out and prosecute past wrongdoings, we desire only to look forward and work with our servants to heal our land.

**We the People Proceed Obsta Principiis[[30]](#footnote-30)** and by our own authority as the Ordainers of this Republic, any attempt by the officers of the court to move in the direction of fiction will be considered an act of lawless violence and said court [officers] would be vulnerable to collateral attack from this superior court of record immediately with a “predetermination” by the Unified New York Common Law Grand Jury that such an act is an act of treason, felony rescue and warrants an immediate prepared presentment, therefore the magistrate is to reflect the virtuous will of the tribunal[[31]](#footnote-31). See Memorandum Law of the Case.

**GRIEVANCES**

Wrongdoers are required to affirmatively prove the authority claimed by written citation of the Articles and Sections of the Constitution that pertain to your claim, that the People cannot have access to their court to administer to juries or comply immediately.

“*Government officers and agents are required to affirmatively prove whatever authority they claim. In the absence of proof, they may be held personally accountable for loss, injury and damages*”. RYDER v. UNITED STATES, 115 S.Ct. 2031, 132 L.Ed.2d 136, 515 U.S. 177,

“*Failure to contest an assertion ... is considered evidence of acquiescence*”. US Supreme Court - Mitchell v. United States - No. 97-7541 Argued December 9, 1998

**“***For purposes of this subdivision an evasive or incomplete disclosure, answer, or response is to be treated as a failure to disclose, answer, or respond*” Cunningham v. Hamilton County No. 98-727 Argued April 19, 1999 Decided June 14, 1999 527 U.S. 198

UNITED STATES v. WILLIAMS[[32]](#footnote-32) said; “*Although the grand jury normally operates, of course, in the courthouse and under judicial auspices, its institutional relationship with the judicial branch has traditionally been, so to speak, at arm's length*”[[33]](#footnote-33).

Wrongdoers in an act of violence[[34]](#footnote-34), an act of tyranny, blocked the sovereign People from operating out of the courthouse thereby forcing the sovereign People to take action in tents outside the courthouse under judicial auspices of the process.

Wrongdoers acted in concert, thereby conspiratorial, under the color of law using their entrusted authority, to prevent the sovereign people from functioning[[35]](#footnote-35) as a Grand Jury[[36]](#footnote-36), clearly no such authority exists.

Wrongdoers actions have denied the sovereign Peoples right of self rule[[37]](#footnote-37) by claiming that the fifth amendment’s unfettered right of Jury[[38]](#footnote-38),[[39]](#footnote-39) has been abrogated.

Wrongdoers, who are hired servants, claim courts have supervisory control over the sovereign People and that they cannot form outside the auspices of the court. Whereas in US v Williams concluded: “*Because the grand jury is an institution separate from the courts, over whose functioning the courts do not preside, we think it clear that, as a general matter at least, no such "supervisory" judicial authority exists, and that the disclosure rule applied here exceeded the Tenth Circuit's authority. ... Given the grand jury's operational separateness from its constituting court, it should come as no surprise that we have been reluctant to invoke the judicial supervisory power as a basis for prescribing modes of grand jury procedure. Over the years, we have received many requests to exercise supervision over the grand jury's evidence-taking process, but we have refused them all, including some more appealing than the one presented today*”. UNITED STATES v. WILLIAMS; 112 S.Ct. 1735; 504 U.S. 36; 118 L.Ed.2d 352; Furthermore the preamble[[40]](#footnote-40) states; “*We the people ... ordain and establish this Constitution for the United States of America*” which clearly ranks the People above the constitution and our servant government under the chains of the constitution, with no authority whatsoever to alter it.

Wrongdoers claim the Fifth Amendment is territorial and does not apply to the States. But the Supremacy Clause says different; “*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*”. Constitution for the United States of America Article VI Clause 2.

Wrongdoers claim the courts, controlled by them, does not permit for a grand jury controlled by the people. But UNITED STATES v. WILLIAMS[[41]](#footnote-41) said “*Because the grand jury is an institution separate from the courts, over whose functioning the courts do not preside, we think it clear that, as a general matter at least, no such "supervisory" judicial authority exists*”; and NEW YORK CONSTITUTION ARTICLE I. BILL OF RIGHTS. §6. “*The power of grand juries to inquire into the willful misconduct in office of public officers, and to find indictments or to direct the filing of informations in connection with such inquiries, shall never be suspended or impaired by law*”; and ARTICLE I BILL OF RIGHTS, Section 1. “*No member of this state shall be disfranchised, or deprived of any of the rights or privileges secured to any citizen thereof*,”

Wrongdoers have defrauded the sovereign People by changing our common law courts of record to statutory courts not of record thereby fraud carrying the People away to foreign courts, unbeknown to them because of centralized education.

**INJURIES**

Because judges, not the sovereign People, monitor themselves our courts have lost Justice (Godliness).

Because judges, not the sovereign People, monitor themselves we have government (corporatism) by servant judges and not by the People.

Because judges, not the sovereign People, monitor themselves sovereign People without BAR attorneys consistently find themselves cast out of court under the guise of “no standing” or “no cause of action”.

Because judges, not the People, monitor themselves the sovereign People find themselves under corporate charter, not the constitution.

Because judges, not the sovereign People, monitor themselves People are hijacked into a nisi prius court.

Because judges, not the sovereign People, monitor themselves People after denying consent to the fraudulent jurisdiction are steamrolled anyway.

Because judges, not the sovereign People, monitor themselves judges maintain the status quo.

Because judges, not the sovereign People, monitor themselves judges are politically expedient and ignore jurisprudence.

Because judges, not the sovereign People, monitor themselves People are fleeced by corporate tax collectors.

Because judges, not the sovereign People, monitor themselves People imprisoned for crimes they did not commit.

Because judges, not the sovereign People, monitor themselves People imprisoned by statutes with no injured party.

Because judges, not the sovereign People, monitor themselves People lose their homes and savings to corporations without contracts or sworn affidavits.

Because judges, not the sovereign People, monitor themselves People lose their children to lawless corporate social services.

Because judges, not the sovereign People, monitor themselves People lose their dignity, life’s savings, homes, and their right to peace in their twilight years.

Because judges, not the sovereign People, monitor themselves People are exposed to poisons by the air they breathe, the food they eat, and the water that they drink.

Because judges, not the sovereign People, monitor themselves people have lost their unalienable right protected by the 1st Amendment for “redress of grievances”, for “freedom of religion”, and “free speech”.

Because judges, not the sovereign People, monitor themselves people have lost their unalienable right protected by the 2nd Amendment for “a regulated militia” and to “keep and bear arms” without infringement.

Because judges, not the sovereign People, monitor themselves people have lost their unalienable right protected by the 4th Amendment to be secure in their persons, houses, papers, and effects, (cars, financial institution) against unreasonable searches and seizures.

Because judges, not the sovereign People, monitor themselves people have lost their unalienable right protected by the 5th Amendment to administrate to their own Grand Jury, not puppets, thereby having due process of law.

Because judges, not the sovereign People, monitor themselves people have lost their unalienable right protected by the 6th Amendment to a speedy and public trial, an impartial jury, and Assistance of Counsel, not attorneys.

Because judges, not the sovereign People, monitor themselves people have lost their unalienable right protected by the 7th Amendment to common law and trial by a jury of the People.

Because judges, not the sovereign People, monitor themselves people have lost their unalienable right protected by the 8th Amendment excessive bail, cruel and unusual punishments inflicted. Courts should not be all about jail and money for the state, but about the restoration of the injured party.

Because judges, not the sovereign People, monitor themselves people have lost their protection of domestic tranquility (through constant assault by corporate codes, agents and swarms of corporate police), common defense (foreign troops on American soil), general welfare, and liberty.

**DUTY OF COURTS**

Wrongdoers are derelict of duty:

"*It is the duty of the courts to be watchful for the Constitutional rights of the citizen and against any stealthy encroachments thereon*" Boyd v. United States, 116 U.S. 616, 635

Wrongdoers have brought upon the People an evil day:

"*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*." Downs v. Bidwell, 182 U.S. 244 (1901).

Wrongdoers are guilty of treason to the Constitution:

“*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

Wrongdoers were not watchful for the Constitutional Rights of the People:

"*It may be that it is the obnoxious thing in its mildest form; but illegitimate and unconstitutional practices get their first footing in that way; namely, by silent approaches and slight deviations from legal modes of procedure. This can only be obviated by adhering to the rule that constitutional provisions for the security of persons and property should be liberally construed. A close and literal construction deprives them of half their efficacy, and leads to gradual depreciation of the right, as if it consisted more in sound than in substance. It is the duty of the Courts to be watchful for the Constitutional Rights of the Citizens, and against any stealthy encroachments thereon. Their motto should be Obsta Principiis*." Boyd v. United, 116 U.S. 616 at 635 (1885)

**All the Wrongdoers acted in concert under color of law,** statute, regulations, and custom having willfully deprived the People of New York of our unalienable rights and immunities secured and protected by the United States Constitution;

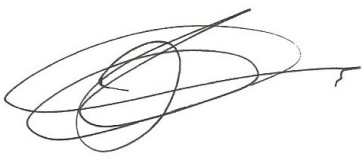
**Wherefore, We the People Demand** That you give account of your stewardship;

1. Answer the aforementioned grievances by affidavit under penalty of perjury and not through counsel.
2. Communicate to all court clerks and judges to stand-down
3. Introduce the Common Law Grand Jury Administrators of each county to the custodian for access to the courthouse for office space and a conference room.
4. Notify New York State comptroller of the transfer of duties and therefore the funds necessary for the expenses Unified New York Common Law Grand Jury Administrators.
5. A written certified copy of your constitutional oath of office, as required by Article VI, Paragraph 3 of the Constitution for the United States and 5 U.S.C. § 3331;
6. A written certified copy of your civil commission as agent or officer of the Government you claim to work for, as required by Article II § 3 of the Constitution of the United States of America and attending legislation;
7. Your affidavit declaring that you did not pay for or otherwise make or promise consideration to secure the office (5 U.S.C. § 3332);
8. Your personal surety bond; and documentation that establishes your complete line of chain of command delegated authority, including all intermediaries, beginning with the President of the United States, or the Governor of the State you claim authority from.
9. These documents should all be filed as public records. See 5 U.S.C.§ 2906 for requirements concerning filing oaths of office. In the event you do not have a personal surety bond, you may provide a copy of your financial statement, which you are required to file annually. Your financial statement will be construed as a private treaty surety bond in the event that you exceed lawful authority.
10. Collateral issues other than the above requests intended to document your personal standing will be addressed separately from this demand.
11. You must provide the requested items within ten (10) calendar days from receipt of this demand.
12. Failure to comply with all the demands of this Writ of Quo Warranto will be an admission that all parties are willful intent engaging in criminal activity against the People and will be interpreted as contempt of court.

If you fail to satisfy the demand within the allotted time after having been duly served with this Quo Warranto, then by tacit procuration the Unified New York Common Law Grand Jury will determine for the STATE OF NEW YORK SUPREME COURT wrongdoers, and persons acting in concert who caused said injuries to secure the Peoples substantive rights and to redeem damages owed the People and take lawful action in personam and in rem to redeem the damages owed the People and determine for you the following:

1. That the aforesaid demand is just,
2. Dissolution of the corporate charter
3. That a court of record in New York may enforce the demand either ex parte or con parte,
4. That you, and each of you, concur and are satisfied with the justness of the demand, and the process by which the demand shall be enforced.

Signed by ORDER and on behalf of the UNIFIED COMMON LAW GRAND JURY of NEW YORK



Administrator

**Sixty Two Unified New York Common Law Grand Juries**

The fear of the LORD is to hate evil: pride, and arrogancy, and the evil way, and the froward mouth, do I hate. Counsel is mine, and sound wisdom: I am understanding; I have strength. By me kings reign, and princes decree justice. By me princes rule, and nobles, even all the judges of the earth. **Prov 8:13-16**

1. Before the king himself the old name of the court of king's bench, which was originally held before the king in person. 3 Bl.Comm. 41. “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. [tribunal during trial] [↑](#footnote-ref-1)
2. [Blacks Law] Before us ourselves, (the king, i. e., in the king's or queen's bench.) [tribunal pre trial] **CORAM NOBIS.** [Blacks Law] Before us ourselves, (the king, i. *e.,* in the king's or queen'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. See Writ of Error. [↑](#footnote-ref-2)
3. **OBSTA PRINCIPIIS. Lat.** Withstand begin-nings; resist the first approaches or encroach-ments. Bradley, J., Boyd v. U. S., 116 U.S. 635, 6 Sup.Ct. 535, 29 L.Ed. 746. [↑](#footnote-ref-3)
4. **WRONGDOER**. “One who commits an injury; a tort-feasor. The term ordinarily imports an invasion of right to the damage of the party who suffers such invasion”. Merrill v. Comstock, 154 Wis. 434, 143 N.W. 313, 317. [↑](#footnote-ref-4)
5. **QUO WARRANTO.** In old English practice. A writ, in the nature of a writ of right for the king, against him who claimed or usurped any office, franchise, or liberty, to inquire by what authority he supported his claim, in order to determine the right. It lay also in case of non-user, or long neglect of a franchise, or misuser or abuse of it; being a writ commanding the defendant to show by what warrant he exercises such a franchise, having never had any grant of it, or having forfeited it by neglect or abuse. 3 Bl.Comm. 262. [↑](#footnote-ref-5)
6. **PEOPLE.** People are supreme, not the state. [Waring vs. the Mayor of Savanah, 60 Georgiaat 93]; The state cannot diminish rights of the people. [Hertado v. California, 100 US 516]; Preamble to the US and NY Constitutions - We the people ... do ordain and establish this Constitution...; ...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, 2 DALL (1793) pp471-472]: 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]. [↑](#footnote-ref-6)
7. Executive Officer Chief Judge [↑](#footnote-ref-7)
8. Executive Officer Deputy Chief Administrative Judge within NYC [↑](#footnote-ref-8)
9. Executive Officer First Deputy Chief Administrative Judge [↑](#footnote-ref-9)
10. Executive Officer Chief of Policy & Planning [↑](#footnote-ref-10)
11. Executive Officer Executive Director [↑](#footnote-ref-11)
12. **42 USC §1986 - Action for neglect to prevent** - Every person who, having knowledge that any of the wrongs conspired to be done, and mentioned in section 1985 of this title, are about to be committed, and having power to prevent or aid in preventing the commission of the same, neglects or refuses so to do, if such wrongful act be committed, shall be liable to the party injured, or his legal representatives, for all damages caused by such wrongful act, which such person by reasonable diligence could have prevented; and such damages may be recovered in an action on the case; and any number of persons guilty of such wrongful neglect or refusal may be joined as defendants in the action; and if the death of any party be caused by any such wrongful act and neglect, the legal representatives of the deceased shall have such action therefor, and may recover not exceeding $5,000 damages therein, for the benefit of the widow of the deceased, if there be one, and if there be no widow, then for the benefit of the next of kin of the deceased. But no action under the provisions of this section shall be sustained which is not commenced within one year after the cause of action has accrued. [↑](#footnote-ref-12)
13. Executive Officer Chief Administrative Judge [↑](#footnote-ref-13)
14. Executive Officer Deputy Chief Administrative Judge outside NYC [↑](#footnote-ref-14)
15. District Administrative Judge for Suffolk County [↑](#footnote-ref-15)
16. Administrative Judge for the Ninth Judicial District [↑](#footnote-ref-16)
17. Green County Supreme Court Judge [↑](#footnote-ref-17)
18. Green County Supreme Court Clerk [↑](#footnote-ref-18)
19. Green County Supreme Court Judge [↑](#footnote-ref-19)
20. **NY Constitution Article VI.b**. ... the supreme court ... shall be courts of record.; "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]. [↑](#footnote-ref-20)
21. COMMON LAW - As distinguished from law created by the enactment of legislatures [admiralty], the common law comprises the body of those principles and rules of action, relating to the government and security of persons and property, which derive their authority solely from usages and customs of immemorial antiquity, or from the judgments and decrees of the courts recognizing, affirming, and enforcing such usages and customs; and, in this sense, particularly the ancient unwritten law of England. [1 Kent, Comm. 492. Western Union Tel. Co. v. Call Pub. Co., 21 S.Ct. 561, 181 U.S. 92, 45 L.Ed. 765; Barry v. Port Jervis, 72 N.Y.S. 104, 64 App. Div. 268; U. S. v. Miller, D.C.Wash., 236 F. 798, 800.]; [↑](#footnote-ref-21)
22. King, Grand Jury [↑](#footnote-ref-22)
23. See Memorandum of Law the Kings Bench, attached. [↑](#footnote-ref-23)
24. Executive Officer Chief of Policy & Planning [↑](#footnote-ref-24)
25. "'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 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].; 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.; The state cannot diminish rights of the people. Hurtado v. People of the State of California, 110 U.S. 516. [↑](#footnote-ref-25)
26. **THE 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, [↑](#footnote-ref-26)
27. **QUO WARRANTO** In England, and quite generally throughout the United States, this writ has given place to an "information in the nature of a quo warranto," which, though in form a criminal proceeding, is in effect a civil remedy similar to the old writ, and is the method now usually employed for trying the title to a corporate or other franchise, or to a public or corporate office. Ames v. Kansas, 111 U.S. 449, 4 S.Ct. 437, 28 L.Ed. 482; People v. Londoner, 13 Colo. 303, 22 P. 764, 6 L.R.A. 444; [↑](#footnote-ref-27)
28. 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)] [↑](#footnote-ref-28)
29. Executive Officer Chief of Policy & Planning [↑](#footnote-ref-29)
30. see Memorandum of Law and Jurisdiction attached [↑](#footnote-ref-30)
31. Grand Jury [↑](#footnote-ref-31)
32. UNITED STATES v. WILLIAMS; 112 S.Ct. 1735; 504 U.S. 36; 118 L.Ed.2d 352; [↑](#footnote-ref-32)
33. **AT ARM'S LENGTH.** Beyond the reach of personal influence or control. Parties are said to deal "at arm's length" when each stands upon the strict letter of his rights, and conducts the business in a formal manner, without trusting to the other's fairness or integrity, and without being subject to the other's control or overmastering influence. [↑](#footnote-ref-33)
34. VIOLENCE. Unjust or unwarranted exercise of force, usually with the accompaniment of vehemence, outrage or fury. People v. Mcllvain, 55 Cal. App.2d 322, 130 P.2d 131, 134.; the abuse of force, that force which is employed against common right, against the laws, and against public liberty. Merl. Repert; Anderson-Berney Bldg. Co. v. Lowry, Tex.Civ.App., 143 S.W.2d 401, 403. [↑](#footnote-ref-34)
35. **NEW YORK CONSTITUTION ARTICLE I. BILL OF RIGHTS. §6.** The power of grand juries to inquire into the wilful misconduct in office of public officers, and to find indictments or to direct the filing of informations in connection with such inquiries, shall never be suspended or impaired by law. [↑](#footnote-ref-35)
36. Because the grand jury is an institution separate from the courts, over whose functioning the courts do not preside, we think it clear that, as a general matter at least, no such "supervisory" judicial authority exists... UNITED STATES v. WILLIAMS; 112 S.Ct. 1735; 504 U.S. 36; 118 L.Ed.2d 352; [↑](#footnote-ref-36)
37. **THE DECLARATION OF INDEPENDENCE**, July 4, 1776. ...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,... [↑](#footnote-ref-37)
38. 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; 112 S.Ct. 1735; 504 U.S. 36; 118 L.Ed.2d 352; [↑](#footnote-ref-38)
39. "[R]ooted in long centuries of Anglo-American history," Hannah v. Larche, 363 U.S. 420, 490, 80 S.Ct. 1502, 1544, 4 L.Ed.2d 1307 (1960) (Frankfurter, J., concurring in result), 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 Articles. It " 'is a constitutional fixture in its own right.' " United States v. Chanen, 549 F.2d 1306, 1312 (CA9 1977) (quoting Nixon v. Sirica, 159 U.S.App.D.C. 58, 70, n. 54, 487 F.2d 700, 712, n. 54 - quoted in UNITED STATES v. WILLIAMS; 112 S.Ct. 1735; 504 U.S. 36; 118 L.Ed.2d 352; [↑](#footnote-ref-39)
40. Constitution for the United States of America [↑](#footnote-ref-40)
41. UNITED STATES v. WILLIAMS; 112 S.Ct. 1735; 504 U.S. 36; 118 L.Ed.2d 352; [↑](#footnote-ref-41)