



# Unified New York Common Law Grand Jury

LEX NATURALIS DEI GRATIA

- Bronx County • Columbia County • Dutchess County • Greene County • Kings County • Monroe County
- Nassau County • New York County • Niagara County • Orange County • Putnam County • Queens County
- Rockland County • Schenectady County • Suffolk County • Sullivan County • Ulster County • Westchester County

Psa 89:14 Justice and judgment are the habitation of thy throne: mercy and truth shall go before thy face.

• Fax (888) 891-8977

November 4, 2013

## NOTICE OF QUO WARRANTO<sup>1</sup>

**PRESENTED TO:** George J. Pulver, Jr., Supreme Court Judge  
 Charles M. Tailleir, Supreme Court Judge  
 Michelle Carrol, Supreme Court Chief Clerk  
 Greene County Courthouse; 320 Main Street; Catskill, NY 12414

**RE:** For purposes of obtaining full disclosure.

On Tuesday, October 22, 2013, at 11:25 AM a Presentment of a true Bill, by Eighteen Constituted Common Law Grand Juries, was filed; against A. Gail Prudenti, Michael V. Cocomma, C. Randall Hinrichs, and Allan, D Scheinkman, hereinafter conspirators; with the New York Supreme Court, Green County Chief Clerk Michelle Carrol who, under USC 18 §2076<sup>2</sup>, USC 18 §2071<sup>3</sup> and 18 USC §1512b<sup>4</sup>; was to process said Bill as required by law for Justice assignment, arraignment, scheduling, and the removal of said defendants from office. Whereas the Grand Jury was to be contacted for the presenting of witnesses and affidavits to the prosecutor for the same.

<sup>1</sup> **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.;** An extraordinary proceeding, prerogative in nature, addressed to preventing a continued exercise of authority unlawfully asserted. Johnson v. Manhattan Ry. Co., N.Y., 53 S.Ct. 721, 289 U.S. 479, 77 L.Ed. 1331.; It is intended to prevent exercise of powers that are not conferred by law, and is not ordinarily available to regulate the manner of exercising such powers. State ex rel. Johnson v. Conservative Savings & Loan Ass'n, 143 Neb. 805, 11 N.W.2d 89, 92, 93.

<sup>2</sup> **USC 18 § 2076** - Clerk is to file: Whoever, being a clerk willfully refuses or neglects to make or forward any report, certificate, statement, or document as required by law, shall be fined under this title or imprisoned not more than one year, or both.

<sup>3</sup> **USC 18 §2071** - Whoever willfully and unlawfully conceals, removes, mutilates, obliterates, or destroys, or attempts to do so, documents filed or deposited with any clerk or officer of any court, shall be fined or imprisoned not more than three years, or both.

<sup>4</sup> **18 USC §1512b** - Whoever knowingly uses intimidation, threatens, or corruptly persuades another person, or attempts to do so, or engages in misleading conduct toward another person, with intent to - (1) influence, delay, or prevent ... an official proceeding; (2) cause or induce any person to - (a) withhold ... a document, or other object, from an official proceeding; (b) alter, destroy, mutilate, or conceal an official proceeding; ... shall be fined under this title or imprisoned not more than 20 years, or both.

Twelve (12) days have expired since the handing down of said True Bill for indictment, no action has been taken, no press release has been noticed. Therefore in the interest of Justice the Grand Jury is now formally inquiring<sup>5</sup> as to the reason for delay and or if said bill has been concealed, removed, mutilated, or destroyed, and if so by whom?

Supreme Court Chief Clerk, Michelle Carrol, Supreme Court Judge Charles M. Tailleur, and Supreme Court Judge George J. Pulver, Jr., is to answer the following questions to this demand and give account of their stewardship concerning this matter, under penalty of law, within ten (10) calendar days from the date of this demand, plus one day mailing.

The Supreme Court Chief Clerk and Supreme Court Justices are servants of the People. Servants have a duty to answer the People, without delay, and are not to answer through attorneys. Furthermore the Sixth Amendment right to counsel does not attach<sup>6</sup> when an individual is summoned to answer before a grand jury<sup>7</sup>.

Therefore an answer through an attorney will be construed as silence which can only be equated with fraud when there is a legal or moral duty to speak, or where an inquiry left unanswered would be intentionally misleading<sup>8</sup> and thereby may subject you to indictment as co-conspirator.

As agents of trusts you have a duty to be careful not to exceed your entrusted jurisdiction. Your corporation and all persons named above, and others yet to be unmasked, have a moral and lawful duty to obey the law to operate with clean hands and provide honest services to We the People .

**THEREFORE**, the Grand Jury requires that you [both], in good faith, perform your Judicial Process duties and answer the following questions immediately, by faxing your answers to (888) 891-8977.

- 1) Are you being intimidated or threatened? - yes or no? if so by who?
- 2) Have the conspirators been instructing you? - yes or no?
- 3) Have there been cooperation with the conspirators? - yes or no?

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<sup>5</sup> **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. R. Enterprises, 498 U.S. ----, ----, 111 S.Ct. 722, 726, 112 L.Ed.2d 795 (1991) (quoting United States v. Morton Salt Co., 338 U.S. 632, 642-643, 70 S.Ct. 357, 364, 94 L.Ed. 401 (1950)).

<sup>6</sup> **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).

<sup>7</sup> **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 information's in connection with such inquiries, shall never be suspended or impaired by law.

<sup>8</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

- 4) Are you being intimidated into making false reports? - yes or no?
- 5) Why has the Grand Jury NOT been notified in order to pass on further information necessary for prosecution?
- 6) Why has there been no arraignment?
- 7) Why has there been no press release?
- 8) Is the True Bill being concealed by someone? - yes or no? if so by who?
- 9) Has the True Bill been removed from the file? - yes or no? if so by who?
- 10) Has the True Bill been mutilated, or destroyed? - yes or no? if so by who?

Supreme Court Judge Charles M. Tailleir, and Supreme Court Judge George J. Pulver, Jr., is to provide copies of the below listed documents, said copies to be certified under penalty of perjury and exemplified in accordance with 1 Stat 122 and 2 Stat 298 and FRCP Rule 902, under Article [the] VI of the Constitution of the United States for the united States of America, Anno Domini 1789, with Articles of Amendment Anno Domini 1791.

- 1) Oath of Office (New York Constitution, ARTICLE XIII, §1; N.Y. CVP. LAW § 2309)
- 2) Letter of Appointment from, if applicable
- 3) Delegation of Authority Affidavit
- 4) Employee Affidavit, if applicable
- 5) Official Surety Bond, required for lawfully holding office
- 6) Registration Statement (Title 22 U.S.C. § 611 & 612)
- 7) Loyalty and Security Clearance (Title 22 U.S.C. 272b)
- 8) State Economic Statement of Interest - Make full disclosure of any and all economic conflicts of interest regarding holding public office or duality of allegiance)

It is presumed and/or assumed that it is your sworn/affirmed duty and fiduciary obligation to provide the above information, in a timely and truthful manner. Should recipient not timely and fully comply in ten (10) days , it will be deemed, by tacit procuracy, your implied admission that you have failed to qualify for your office or employment pursuant to the principle of law embodied in the decision of Norton v. Lewis, 34 Cal. App. 621; 168 P. 388; 1917 Cal. App. LEXIS 227 (1917).

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



Administrator