

**FILED JUNE 27TH 2014 IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**

James T. Foley Courthouse; Suite 509; 445 Broadway; Albany, NY 12207

UNIFIED NEW YORK COMMON LAW GRAND JURY:

PO Box 59; Valhalla, New York 10595

Prov 29:2 When the righteous are in authority, the people rejoice: but when the wicked beareth rule, the people mourn.

PRESENTMENT UNDER COMMON LAW

A TRUE BILL, BY THE PEOPLE¹

COMES NOW THE CONSTITUTED² UNIFIED³ COMMON LAW GRAND JURIES⁴ of the fifty united States of America; including New York, Florida, Connecticut, Rhode Island, New Jersey, New Hampshire, Arizona, Massachusetts, Maryland, Maine, Washington, Pennsylvania, Minnesota, West Virginia, Colorado, Alabama, Illinois, Kansas, Oregon, Michigan and Numerous other American counties from the following states yet to be unified: Alaska, Arkansas, California, Delaware, Georgia, Hawaii, Idaho, Indiana, Iowa, Kentucky, Louisiana, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Wisconsin and Wyoming.

COMES NOW WE THE PEOPLE of New York, concurred by the People of the united States of America to present this "True Bill" against Glenn T Suddaby in the Northern District of New York with the following Information and True Bill:

¹ **PEOPLE.** People are supreme, not the state. [Waring vs. the Mayor of Savannah, 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.]

² **CONSTITUTED** - The People of each county have come together to agreed and declared a return to Common Law Juries.

³ **UNIFIED** - Every county in the state has constituted the Common Law Juries.

⁴ **COMMON LAW GRAND JURY** - Amendment V No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury...; 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, Jr.112 S.Ct. 1735; 504 U.S. 36; 118 L.Ed.2d 352

Because the judges holding New York Executive Offices, who are responsible for guarding the unalienable rights of the People, betrayed their oaths by knowingly involving themselves in a statewide conspiracy to rob and deny the People of their ordained constitutional republican form of government in exchange for power and profit violating USC 18 §201, USC 18 §241, USC 18 §242, USC 18 §245, USC 18 §341, USC 42 1983, USC 42 1985, RICO & conspiracy.

Said judges and other conspirators did engage knowingly in misleading conduct intimidating and persuading other persons to engages in misleading conduct with intent to prevent the testimony of the N.Y. Unified Common Law Grand Jury [NYUCLGJ] in an official proceeding by withholding and removing documents from an official proceeding, as is their manner; in violation of 18 USC §1512b, 18 USC §872, 18 USC §1346, 18 USC §201 and 18 USC §1961-68 [RICO]

On September 26th 2013 Chief Administrative Judge A. Gail Prudenti acting under the color of law exceeded her authority by starting a statewide campaign, in a disgraceful open conspiracy, to foil the efforts of the awakening People taking their proper seat in the courts as consentors of their servants in government. In Prudenti's 9-26-13 memorandum she instructed all county and court clerks to violate 18 USC § 2076 and 2071 by rejecting or removing the filing of documents by the People attempting to take back control of their out of control judiciary. These fascist tactics continued for more than six months as the momentum of the People grew from one State to Fifty in response to these shameful acts that threaten the very existence of the Land of the free.

On March 24th 2014 NYUCLGJ purchased an Index #7303-14 in Columbia County, N.Y. in order to file True Bills of Presentments and Informations. Said conspirators in violation of 18 USC § 2071 removed all the documents from that file.

On April 10th 2014 NYUCLGJ purchased Index #140384 in Greene County N.Y. in order to transfer the documents to a secure location under judicial auspices, then said conspirators, through Judge Raymond Elliott opened a chancery court, after being warned by writ of prohibition not to do so, to rule the people no standing and then prevented the filing of any more documents in violation of 18 USC § 2076.

On May 9th 2014, NYUCLGJ moved said files into the U.S. Northern District Court of N.Y. under case #1:14-cv-552 an Article III Court⁵ in order to secure and protect the documents.

On May 14th 2014 NYUCLGJ notified, by postal mail and fax, every New York State Supreme Court Judge of the conspiracy, each having a duty to act, but instead chose felony rescue of their peers in violation of 18 USC § 2384, 42 USC §1986, and 18 USC § 2382, thereby solidifying the complete collapse of the New York Supreme Court Judiciary.

⁵ **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.

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, did ordain and establish the Constitution for the United States of America. **WHEREAS:** Glenn T Suddaby by oath to the same had a duty to perform and thereby was vested with the authority and a lawful duty to secure the Peoples constitutional republic, promised by the following:

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;

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.

"State judges, as well as federal, have the responsibility to respect and protect persons from violations of federal constitutional rights." Gross v. State of Illinois, 312 F 2d 257; (1963).

"Decency, security, and liberty alike demand that government officials be subjected to the same rules of conduct that are commands to the citizen. In a Government of laws, existence of the government will be imperiled if it fails to observe the law scrupulously. Crime is contagious. If government becomes a lawbreaker, it breeds contempt for the law...it invites every man to become a law unto himself...and against that pernicious doctrine, this court should resolutely set its face." Olmstead v U.S., 277 US 348, 485; 48 S. Ct. 564, 575; 72 LEd 944.

Instead Glenn T Suddaby was found in bad behavior⁶ and did obstruct justice and perform felony rescue in violation of 18 USC §1349, USC 42 §1986 and thereby enjoined the conspiracy to overthrow the People.

We the People moved said documents, on behalf of the American People in order to save the Republic, to the United States District Court for the Northern District of New York [an Article III Court], under Seal and thereby opened a Court of Record and became the Tribunal of the Supreme Court of the Land until a petit jury could receive the mantle to mete out justice.

Instead of performing his sacred duty, on May 23, 2014 Glenn T Suddaby under color of law seized the court by opening a Chancery Court, an inferior court not of record; even after being

⁶ **GOOD BEHAVIOR.** The term "good behavior" means conduct that is authorized by law, and "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 merely 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.

informed by Writ of Prohibition, Bill of Information and a Writ of Mandamus clearly revealing the extraordinary nature of this court;

Glenn T Suddaby then rendered a ruling by applying rules from several jurisdictions foreign to this court without leave of court, and finding that the orderly decorum of the court was replaced by defective impromptu process and usurpation of legislative and court powers without leave of court, therefore on May 27, 2014 the Tribunal impeached and rescinded the actions and statements made by Chancellor Glenn T Suddaby by Writ of Error, Quae Coram Nobis.

When Glenn T Suddaby failed to respond within 8 days to the Writ of Error to correct his error after being warned that We the People will determine for him the consequences of his action he snubbed the Tribunal, and now thereby found by the Unified Common Law Grand Jury in Bad Behavior which resulted in the issue of this True Bill.

To view a complete copy of this case it can be found at the United States District Court for the Northern District of New York file #1:14-cv-552.

BY WHAT AUTHORITY WE THE PEOPLE ACT

“We [*posterity of the founders*] 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...**” Declaration of Independence.

The following was quoted in the 1992 case UNITED STATES v. WILLIAMS, Jr.112 S.Ct. 1735; 504 U.S. 36; 118 L.Ed.2d 352; Justice Antonin Scalia, writing for the majority, confirmed that “the American grand jury is neither part of the judicial, executive nor legislative branches of government, but instead belongs to the people. It is in effect a fourth branch of government "governed" and administered to directly by and on behalf of the American people, and its authority emanates from the Bill of Rights”.

"[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 (1973)), cert. denied, 434 U.S. 825, 98 S.Ct. 72, 54 L.Ed.2d 83 (1977). 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. Stirone v. United States, 361 U.S. 212, 218, 80 S.Ct. 270, 273, 4

L.Ed.2d 252 (1960); *Hale v. Henkel*, 201 U.S. 43, 61, 26 S.Ct. 370, 373, 50 L.Ed. 652 (1906); G. Edwards, *The Grand Jury* 28-32 (1906). 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. Judges' direct involvement in the functioning of the grand jury has generally been confined to the constitutive one of calling the grand jurors together and administering their oaths of office. *United States v. Calandra*, 414 U.S. 338, 343, 94S.Ct. 613, 617, 38 L.Ed.2d 561 (1974); Fed.Rule Crim.Proc 6(a)

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)). It need not identify the offender it suspects, or even "the precise nature of the offense" it is investigating. *Blair v. United States*, 250 U.S. 273, 282, 39 S.Ct. 468, 471, 63 L.Ed. 979 (1919). The grand jury requires no authorization from its constituting court to initiate an investigation, see *Hale*, supra, 201 U.S., at 59-60, 65, 26 S.Ct., at 373, 375, nor does the prosecutor require leave of court to seek a grand jury indictment. And in its day-to-day functioning, the grand jury generally operates without the interference of a presiding judge. See *Calandra*, supra, 414 U.S., at 343, 94 S.Ct., at 617. It swears in its own witnesses, Fed.Rule Crim.Proc. 6(c), and deliberates in total secrecy, see *United States v. Sells Engineering, Inc.*, 463 U.S., at 424-425, 103 S.Ct., at 3138; see Memorandum of Law on Authorities, attached

Sealed and Delivered⁷



Common Law Grand Jury Foreman

⁷ **SEALED AND DELIVERED.** These words, followed by the signatures of the witnesses, constitute the usual formula for the attestation of conveyances.