
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

Mark O. Hatfield US Courthouse, 1000 SW 3rd Avenue, Room 740, Portland, OR 97204-2802

Unified United States Common Law Grand Jury;¹
P.O. Box 59, Valhalla, NY 10595; Fax: (888) 891-8977;
Proceeding as Next Friend under Rule 17, 28 USCA³

Sureties of the Peace²

USA

Plaintiffs

- Against -

Bundy et al

Defendants

Jurisdiction: Court of Record, under
the rules of Common Law⁴

Case no. 3:16-cr-00051-BR
Magistrate Anna J. Brown

MOTION FOR ORDER OF PROTECTION & NOTICE OF GRAND JURY INVESTIGATION

Comes now, the Unified United States Common Law Grand Jury; proceeding as Next Friend and Judicial Oversight, here in after Sureties of the Peace, under Rule 17, 28 USCA to move the court for an order of protection for Ryan and Ammon Bundy and all the defendants from Deputy Sgt. Curtis E. Sanders, Deputy Sgt. Jacobs Rose and Deputy John Does to be identified.

¹ **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 1000's 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 3133 United States counties

² **SURETIES OF THE PEACE:** If anyone has been dispossessed without the legal judgment of his peers, from his lands, castles, franchises, or from his right, we will immediately restore them to him; and if a dispute arise over this, then let it be decided by the five and twenty jurors of whom mention is made below in the clause for securing the peace. Moreover, for all those possessions, from which anyone has, without the lawful judgment of his peers, been disseized or removed by our government we will immediately grant full justice therein. - Magna Carta Paragraph 52.

³ **Next Friend:** "A next friend is a person who represents someone who is unable to tend to his or her own interest." Federal Rules of Civil Procedures, Rule 17, 28 USCA; Haines v. Kerner, 404 U.S. 519 (1972)

⁴ **"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.

Seeing that the court has no lawful reasons to detain the defendants, they should be released on their own recognizance, under 18 USC§3142 with the Promise to Appear for their own protection, see Motion to Release;

ATROCITIES UNDER COLOR OF LAW

The Supreme Court has held that prisoners have a fundamental right of court access, the right to “petition for a redress of grievances”⁵ and the right of “due process”⁶ in courts of law, Ex parte Hull, 312 U.S. 546 (1941), Johnson v. Avery, 383 U.S. 483 (1969); Bounds v. Smith, 430 U.S. 817 (1977). The Supreme Court has also held, in Bivens v. Six Unknown Named Agents 456 F.2d 1339 (1972), that when the violation of one’s constitutionally protected rights have been violated by federal officers acting under the color of law, prisoners have a right to file actions at law for damages under 42 USC 1983⁷. They also have a right to petition the Grand Jury to seek criminal charges under 18, USC 242 for deprivation of rights under color of law and they have the unalienable right of Habeas Corpus Petitions, being the very essence of due process that may not be ignored nor denied by any officer for any reason; to do so is high treason⁸.

And when officers prevent this right of access through intimidation, harassment, beat-downs, block the preparation and filing of lawsuits, refuse to mail legal papers, take away legal research materials, deny access to law books, use solitary confinement and false charges all in an effort to prevent the pursuit of Justice We the People through the Grand Jury, being the Sureties of the Peace have a duty and a fundamental unalienable right to pursue these cases on our own accord. It is by our consent⁹, or not, that a court

⁵ **Bill of Rights, Amendment I:** Congress shall make no law respecting ... the right of the people ... to petition the Government for a redress of grievances.

⁶ **Amendment V:** No person shall be held to answer ... without due process of law...

⁷ **42 USC 1983; CIVIL ACTION FOR DEPRIVATION OF RIGHTS:** Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable. For the purposes of this section, any Act of Congress applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia.

⁸ **High Treason:** Treason against the king or sovereign, as distinguished from petit or petty treason, which might formerly be committed against a subject. 4 Bl.Comm. 74, 75; 4 Steph. Comm. 183, 184.

⁹ **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...

of law may proceed. We the Peoples' "untainted" trial juries will have the final word from which there is "no appeal".

These atrocities are prevalent today and we clearly see them in the Hammons case in Oregon, the Bundy case in Nevada, the Robinson case in Montana and also this case in Oregon to name just a few. We have reports from "every" State of the Union of these atrocities not only in the federal courts but in the state courts where these tyrants are taking our children for trafficking, our elderly parents for their estates, our homes and our personal property for RICO "ALL WITHOUT DUE PROCESS IN JURISDICTIONS UNKNOWN", We the People have become prisoners of War.

"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)

And We the People, through the Sureties of the Peace, "resolutely set our face" against these tyrants in Courts of Justice.

TAKE NOTICE: Both the Sheriff's Department and this court are on notice that the Sureties of the Peace will hold all the officers of this court, Sheriff Michael Reese, Deputy Sgt. Curtis E. Sanders, Deputy Sgt. Jacobs Rose and to be named deputies responsible for any loss of life or limb should this court and Sheriff's Department not respond justly, appropriately and immediately.

Attached is an affidavit of Ammon Bundy by a next friend concerning the beat-down of Ryan Bundy by Deputy Sgt. Curtis E. Sanders and Deputy Sgt. Jacobs Rose and two transcripts. We demand investigations by this court and Sheriff Michael Reese and both are ordered to report to us by fax and mail within 72 hours of receiving this notice giving us the details and the names of all officers involved and other witnesses. We also demand that Ryan Bundy be released from solitary confinement immediately.

Date: August 22, 2016

SEAL


Grand Jury Foreman

AFFIDAVIT OF AMMON BUNDY

I, James Magee, Affiant, being of lawful age, qualified and competent to testify to, and having firsthand knowledge of the following facts, do hereby swear that the following facts are true, correct and not misleading:

I am functioning in the capacity as a next friend under Rule 17, 28 USCA for Ammon Bundy who was arrested and is in prison.

The following is a true and accurate transcript from a video posted on Facebook¹ of a recorded phone call on August 9, 2016 between Ammon Bundy who is incarcerated speaking from the Multnomah County Jail, Portland Oregon and Shannon A Bushman who made the recording and posted it on facebook.

Next Friend: *"A next friend is a person who represents someone who is unable to tend to his or her own interest."* Federal Rules of Civil Procedures, Rule 17, 28 USCA; Haines v. Kerner, 404 U.S. 519 (1972)

AMMON BUNDY: This morning I woke up to pounding on the door on my cell. It was Ryan (Bundy) at 6 AM. He quickly told me that they were trying to transport him to force him to have surgery to take the bullet out of his arm. He also slipped me a note under the door that said they were taking him to Oregon State University Hospital to have surgery forced on him. The guard would not let him use the phone to call the attorney. He was calm but firm that they did not have consent to take the bullet out of his arm, to have surgery on him.

He told the guard that he did not know about any of this, and neither did his legal team. Nothing was on the court docket, no orders were made and nobody knew anything about it. The guard called in a sergeant, Sanders, and he told Ryan that the marshals were ready to transport him. I only briefly heard this, and then Ryan ran upstairs again to tell me that the marshals were here to take him, but they did not have his consent!

The Sergeant ran up the stairs after him and then Ryan walked calmly back down the stairs. The Sergeant began pushing Ryan violently and then slammed him against the wall. Ryan was calm and non-aggressive. He said over and over again. "I am going. I'm consenting, I'm going." The Sergeant then slammed him into the sally port door, and violently shoved him through it. Ryan was continually saying "I am going, I'm complying, I am going."

The Sergeant then grabbed him by the body and swung him around and rammed Ryan's head into the metal door jam. I heard a grunt from Ryan, but he kept saying "I am going, I am going, I'm complying." The Sergeant then slammed Ryan to the floor on his face. After a few grunts, he

¹ <https://www.facebook.com/bundyranch/videos/vb.623383454405133/1074391485970992/?type=2&theater>

continued to say, "I am going, I am complying, I'm going." Shortly after, three or four men came into the sally port and forcefully handcuffed Ryan and drug him out. I could not see Ryan's face where he was slammed into the metal door jam.

Ryan has never refused to go to court before or anything else for that matter. He was afraid and had every reason to believe that they were going to force him to surgery. Just a few days before, the Department of Justice, I believe it was the Department of Justice, had a hearing and was trying to get the courts to force Ryan to surgery. They already forced him to x-ray, and one doctor refused to do the surgery. He was informed that another doctor said he would do it.

This bullet is one of the bullets that was shot by the FBI, or Oregon State police when LaVoy was killed. Ryan said he was shot in the arm before LaVoy left the vehicle. Ryan believes the FBI were going for his head and when it hit the glass, it deflected to his shoulder. The bullet is one that is unaccounted for, and part of the FBI shooting cover-up. He also knows that another shot came through the roof that the FBI did not report, possibly others as well.

He also believes that LaVoy was shot at least once when he was still in the truck. The shots and holes in the roof are possibly why the FBI or Oregon state police will not release LaVoy's truck. The FBI and Department of Justice want to take the bullet by force without anyone present. Ryan told them that if he consents, the bullet will remain in his custody and go through the Grand Vic investigation by a private neutral party. They did not like his terms.

This was just a few days ago, and then this morning, without any warning, the deputies come to take him down to be transported by the US marshals. No warning, nothing on the court docket. Ryan had every reason to believe that he was forcefully going to surgery. I have not talked with Ryan, other than a few quick words this morning. I am not sure where he is at, but have some reports that say that he is in the "hole" for disciplinary reasons, for resisting being taken.

A few of the inmate workers said that they heard the guard's joking and laughing about it downstairs. These workers saw the whole incident themselves this morning and then hearing the guards joke and make fun with it this afternoon upset them. I have several affidavits from those that heard and saw what they did to Ryan. All of them say that Ryan was non-aggressive and was calmly trying to help the deputies understand his concern. Even when they used excessive force, Ryan remained calm.

It was difficult to see my brother abused. I watched the entire event, locked in while I pounded on the doors to wake others to witness. I do not believe that any man, woman, or child should be forced to let another person enter their body without consent. And then, to use drugs to sedate the person without consent even makes it more egregious. This appears very close to be something that we call rape.

When they finally let me out of my cell a few hours later, Deputy Rose would not give me a form to report the incident. Then later, a sergeant came in and he told me to use the "general request form" to report it if I would like. Rose was one of the guards joking and making fun of what was going on downstairs. He also refused my attorney from calling in to get my report and seek help. The phone

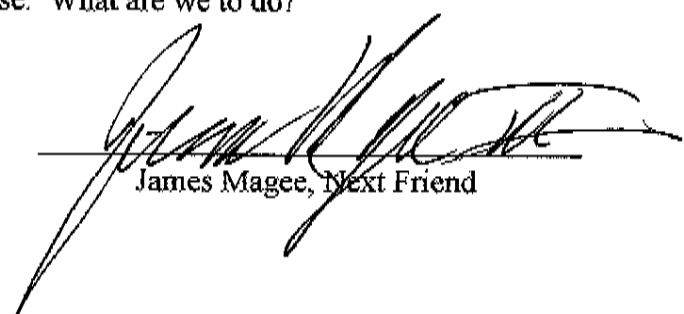
receipts will prove this. My attorney tried to call through all afternoon to help. They were denied access to me multiple times for several hours.

Finally, my attorney decided to get on a plane and to speak to me in person. Need I say Ryan nor I have been convicted. We are only accused by a lady with an affidavit that has more inaccurate statements in it, than my seven-year-old daughter would make. Any just grand jury would have seen through it. But of course we know the grand jury is controlled by the prosecutors.

So much for the fourth amendment, so much for being innocent until proven guilty. So much for the 1st, 2nd, 5th, 6th, 7th, 8th, 9th, and 10th, amendments, the Bill of Rights. In fact, so much for the entire Constitution! Just like Sergeant Jacobs said to me today. "I don't know, I don't care, I don't want a history lesson, I don't want to listen to you. We just do to you what the feds tell us to do."

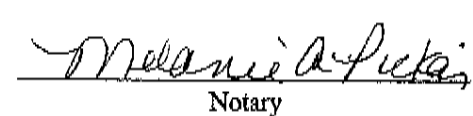
So much for federalism, where the county, state and federal government are for the people and designed to say no to each other when the rights of the people are being violated. The people's guards have become the offenders and the people have no defense. What are we to do?

Thank you, Ammon Bundy

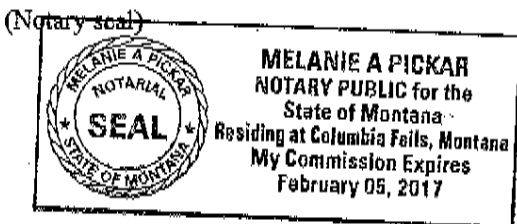

James Magee, Next Friend

NOTARY

In Montana State, Flathead County, on this 12 day of August, 2016, before me, Melanie A. Pickar, the undersigned Notary Public, personally appeared James Magee, to me known to be the living man described herein, who executed the forgoing instrument, and has sworn before me that he/she executed the same as his free-will act and deed.


Notary

My commission expires: 2/5/2017



TRANSCRIPT: Facebook Post of Ammon's wife, Lisa Sundloff Bundy, April 16, 2016, Nevada Detention Center Abuse of Ammon Bundy by Deborah Sue Venetucci.

Ammon wants everyone to know that God is still mindful of each one of them and is there watching over them. He shared with us an experience he had.

5 Upon being transferred to Nevada, he was chained to a bench for twenty-four (24) hours. They didn't feed him all that day. He was cold and tired. They didn't put him into his cell until the early hours of the next day. The cell was beyond dirty. They left him chained to the bed all day without checking on him or feeding him.

10 By night time, he was so extremely hungry that the pain in his stomach was unbearable. He knelt in his cell and cried as he prayed that God please hear him and show even a small tender mercy. He was there for several hours. This was the night before court.

15 He decided to start banging his shackles together trying to get someone's attention to help him. For a long time he kept banging his shackles together until finally the guy in the cell next to him asked him what was going on. Ammon told him he was starving; that they hadn't fed him for two (2) days. The guy said he would try to get a guard's attention, which he did. The guard finally came over and Ammon told him that he was starving; that he hadn't received any food for two (2) days. The guard told Ammon that the kitchen was closed for the night.

20 Ammon kept praying. A little while later in the late night hours a guard came to his door and said, "*You're coming with me.*"

25 The guard took him to his brother's cell. The guard took Ammon to Mel's cell! They were able to be cellmates for that night. Ammon said that he had been praying for just a small tender mercy; but, God gave him a huge miracle. The authorities have restricted all contact with his brothers. But, that night they were able to hug and spend the whole night together. They cried together and talked together for hours. Mel gave Ammon his entire commissary and any extra food he had so that finally after two (2) days Ammon could be fed.

The next day Ammon had court. When he left the cell Ammon was hoping Mel would still be there on his return, but knew that would probably not happen. Court was long. Ammon got back late. Again he was forced to go another whole day without eating.

30 Ammon got back after dinner, facing another day and night hungry. When he got to his cell, Mel was gone. Mel had been transferred; but, left Ammon his entire dinner. He had placed it under some things so it wasn't in direct view. Ammon cried.

35 Ammon wanted everyone to know that even though he got to share only one night with his brother, he knows that night was a miracle sent directly from God. Ammon knows that God is hearing all of our prayers; and, this knowing was confirmed one hundred (100) fold during this time.

TRANSCRIPT: Article on “*Courtwatcher Blog*” by Stephanie Noonan, April 8, 2016, “*FBI Agents Torture Political Prisoner*”.

Cliven Bundy’s Son Forced to Sit in His Own Waste While in the Custody of the FBI

5 During an interview with John B. Wells, Mel Bundy’s wife tells of the horrific conditions her husband was forced to endure after he was arrested.

“Forty (40) fully-armed men came to his job site that day dressed as construction workers who never identified themselves as FBI, even while they were beating him.



For almost two (2) full days Mel Bundy was forced to sit in a room with no bathroom, covered in his own urine, feces and vomit. During that time Mel Bundy was offered a slice of stale bread to sustain him. When they finally did bring him a meal on the third (3rd) day, he was forced to eat it on the floor ‘like a dog’.”

20 Is this what we have become? What does this say about us as a people; about our culture? Where is the outrage? This is an election year with one of the worst miscarriages of justice in our history and not one candidate, not one, has come to the defense of these men and women and demand that at the very least, they be treated humanely!!

Let this sink in:

- They beat him;
- Locked him in a room;
- Where he sat covered in his own urine, feces and vomit;
- For two full days;
- He was not allowed a shower;
- He was not allowed clean clothing;
- He was offered a slice of stale bread to eat; and,
- When they finally did allow him food, he was forced to eat on the floor!

30