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

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

Unified United States Common Law Grand Jury;¹
P.O. Box 59, Valhalla, NY 10595; Fax: (888) 891-8977.

Sureties of the Peace²

AL. AK. AZ. AR. CA. CO. CT. DE. FL. GA. HI. IL. IN. IA. KS. KY. LA. ME. MD. MA. MI. MN. MS. MO. MT. NE. NV. NH. NJ. NM. NY. NC. ND. OH. OK. OR. PA. RI. SC. SD. TN. TX. UT. VT. VA. WA. WV. WI. WY.

Grand Jury, Sovereigns of the Court
We the People

- Against -

Lawrence K Baerman, Clerk of Court
Defendant

Jurisdiction: Court of Record, under
the rules of Common Law³
Action at law:⁴

Case NO: 1:16-CV-1490
Magistrate: Daniel J. Stewart

ORDER

We the People move the court, ordering Magistrate Daniel J. Stewart to perform his administrative duty as Magistrate of the court by signing and sealing the attached default order “as required by law”.

Default Judgment; Entering a Default: *“When a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by Affidavit or otherwise [under seal], the clerk must enter the party's default.”* FRCP Rule 55(a); FRCP Rule 58(b)(2); 28 U.S.C. §2243.

¹ **The UUSCLGJ** is comprised of fifty Grand Juries 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.

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 **"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.

⁴ **AT LAW:** Bouvier's This phrase is used to point out that a thing is to be done according to the course of the common law; it is distinguished from a proceeding in equity.

Five copies are to be signed by Magistrate, attached:

One copy is to be filed in the court.

Two copies are to be mailed to the Unified United States Common Law Grand Jury; P.O. Box 59; Valhalla, NY 10595, for the record and for serving Lawrence K Baerman, Clerk of Court.

Ordered by Grand Jury, Sureties of the Peace for ~~We~~ the People under Seal:

SEAL



Grand Jury Foreman

Attached: Three copies Default Judgment Decision and Order

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

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

Unified United States Common Law Grand Jury;¹
P.O. Box 59, Valhalla, NY 10595; Fax: (888) 891-8977.

Sureties of the Peace²

AL. AK. AZ. AR. CA. CO. CT. DE. FL. GA. HI. ID. IL. IN. IA. KS. KY. LA. ME. MD. MA. MI. MN. MS. MO. MT. NE. NV. NH. NJ. NM. NY. NC. ND. OH. OK. OR. PA. RI. SC. SD. TN. TX. UT. VT. VA. WA. WV. WI. WY.

Grand Jury, Sovereigns of the Court
We the People

- Against -

Lawrence K Baerman, Clerk of Court
Defendants

Jurisdiction: Court of Record, under
the rules of Common Law³

Case NO: 1:16-CV-1490

Magistrate: Daniel J. Stewart

Decision and Order

Default Judgment; Entering a Default: *“When a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by Affidavit or otherwise [under seal], the clerk must enter the party's default.”* FRCP Rule 55(a); FRCP Rule 58(b)(2); 28 U.S.C. §2243.

COMES NOW THE ABOVE-ENTITLED COURT OF RECORD, to review the record, summarily determine the facts, and dispose of the matter as law and justice require.⁴

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 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.

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 **"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.

⁴ 28 U.S.C. §2243.

The Defendants, Lawrence K Baerman, Clerk of Court against whom a judgment for affirmative relief is sought, have failed to plead or otherwise defend as provided by these rules; and, that fact is made to appear by Grand Jury Foreman sworn under seal, see attached.

NOW, THEREFORE, THIS COURT OF RECORD issues this Default Judgment Coram Ipso Rege to dispose of the matter as law and justice require, to wit:

SUMMARY

On April 1, 2017, the Grand Jury acting as the Sureties of the Peace on behalf of the People filed in the above-entitled court of record and served upon Lawrence K Baerman, Clerk of Court, a writ mandamus to show cause by what authority they act statutorily against the People thereby infringing upon the Peoples' unalienable right to Justice.

The U.S. Supreme Court has ruled that a natural man or woman is entitled to relief for free access to its judicial tribunals and public offices in every State in the Union (2 Black 620, see also Crandell v. Nevada, 6 Wall 35).

“Plaintiff should not be charged fees, or costs for the lawful and constitutional right to petition this court in this matter in which he is entitled to relief, as it appears that the filing fee rule was originally implemented for fictions and subjects of the State and should not be applied to the Plaintiff who is a natural individual and entitled to relief” (Hale v. Henkel) (201 U.S. 43)

The Writ Mandamus to Show Cause presented issues of both fact and law. The respondent was duly⁵ served with the Order to Show Cause. The record shows that no respondent made any Return; no respondent requested more time to answer; and, no respondent provided any objection to the proceedings.

JURISDICTION OF THIS COURT

Article III Section 2: The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; therefore, this court has jurisdiction.

⁵ Duly: According to law, in both form and substance. Black's 6th.

AUTHORITY OF THE GRAND JURY AS SURETIES OF THE PEACE

“If any of our civil servants shall have transgressed against any of the people in any respect; and, they shall ask us to cause that error to be amended without delay; or, shall have broken some one of the articles of peace or security; and, their transgression shall have been shown to four (4) Jurors of the aforesaid twenty five (25); and, if those four (4) Jurors are unable to settle the transgression, they shall come to the twenty-five (25), showing to the Grand Jury the error which shall be enforced by the law of the land.” Magna Carta, June 15, A.D. 1215, 61.

Justice Powell, in *United States v. Calandra*, 414 U.S. 338, 343 (1974), stated: *“The institution of the grand jury is deeply rooted in Anglo-American history; [n3] In England, the grand jury [p343] served for centuries, both as a body of accusers, sworn to discover, and present for trial, persons suspected of criminal wrongdoing; and, as a protector of citizens against arbitrary and oppressive governmental action. In this country, the Founders thought the grand jury so essential to basic liberties, that they provided, in the Fifth Amendment, that federal prosecution for serious crimes can only be instituted by a ‘presentment or indictment of a Grand Jury’. Cf. Costello v. United States, 350 U.S. 359, 361-362 (1956). The grand jury’s historic functions survive to this day. Its responsibilities determination whether there is probable cause to believe a crime has been committed, and the protection of citizens against unfounded criminal prosecutions. Branzburg v. Hayes, 408 U.S. 665, 686-687 (1972).”*

“[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, 94 S.Ct. 613, 617, 38 L.Ed.2d 561 (1974); Fed.Rule Crim.Proc. 6(a).

FINDINGS OF FACT

Therefore, based upon the record before this court the court finds that:

- (1) The plaintiffs are People as contemplated in the Preamble of the Constitution for the United States of America.
- (2) This above-entitled court is a court of record.
- (3) The defendants was duly served; and, court personnel were apprised of the plaintiffs' claims and the Writ; the defendant had full Notice and fair opportunity to argue their cause; and, defendant did not argue their cause.
- (4) The defendant have not presented any evidence.
- (5) The plaintiffs have suffered an unlawful and illegal diminishment of rights that must be restored.

CONCLUSIONS OF LAW

Further, the court concludes that:

- (1) This above entitled court has the sovereign authority to proceed as a court of record with jurisdiction to act in the instant case and subject matter.
- (2) Because all defendants were duly served; and, court personnel were apprised of the plaintiff's Writ; and, because all defendants had full Notice and fair opportunity to argue their cause; and, did not so do; and, because none of the aforementioned persons made a Return, Objection, or Motion, the above-entitled court has acquired "in personam jurisdiction" of the defendant.

IT IS ORDERED AND ADJUDGED THAT:

Default Judgment is hereby entered by this court in accordance with Federal Rules of Civil Procedure, Rule 55(b)(2).

Lawrence K Baerman, Clerk of Court shall return the \$400 extortion fee to National Liberty Alliance; 3979 Albany Post Road; Hyde Park, NY. 12538 and cease all future extortion of currency for Justice upon the People.

THE COURT, entered this _____ day of _____, 2017.

SEAL

Magistrate: Daniel J. Stewart

Grand Jury, Sureties of the Peace for ~~We~~ the ~~People~~

SEAL



Grand Jury Foreman

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

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

Unified United States Common Law Grand Jury;¹
P.O. Box 59, Valhalla, NY 10595; Fax: (888) 891-8977.

Sureties of the Peace²

AL, AK, AZ, AR, CA, CO, CT, DE, FL, GA, HI, ID, IL, IN, IA, KS, KY, LA, ME, MD, MA, MI, MN, MS, MO, MT, NE, NV, NH, NJ, NM, NY, NC, ND, OH, OK, OR, PA, RI, SC, SD, TN, TX, UT, VT, VA, WA, WV, WI, WY;

Grand Jury, Sovereigns of the Court
We the People
- Against -
Lawrence K Baerman, Clerk of Court
Defendant

Jurisdiction: Court of Record, under
the rules of Common Law³
Action at law:⁴ (see form 7 attached)

Case NO: 1:16-CV-1490
Magistrate: Lawrence E. Kahn

DEFAULT

Default Judgment

We the People move the court for a default judgment against Lawrence K Baerman, Clerk of Court.

I, Grand Jury Foreman, having firsthand knowledge of the following facts, do hereby swear under seal that the following facts are true, correct and not misleading:

¹ **The UUSCLGJ** is comprised of fifty Grand Juries 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.

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 **"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.

⁴ **AT LAW:** Bouvier's This phrase is used to point out that a thing is to be done according to the course of the common law; it is distinguished from a proceeding in equity.

That, on December 14, 2016 We the People filed papers in the above Article III court thereby opening a court of record. See Common Law Cover Sheet, attached.

Whereas the clerk demanded \$400 for justice, we then served upon the clerk a “File on Demand under penalty of law” and the clerk still insisted on \$400 for justice and National Liberty Alliance on behalf of the Grand Jury paid the \$400 extortion in order to file. See File on Demand, attached.

That, on January 9, 2017 the Grand Jury severed and filed a Show Cause upon Defendant Lawrence K Baerman. See show cause, attached.

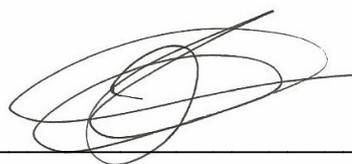
WHEREAS: on March 13, 2017 (62 days), defendant, Lawrence K Baerman defaulted; the record shows that the defendant made no Return; the defendant did not request more time to answer; neither did the defendant provided any objection to the proceedings; and,

THEREBY: the law requires the court be moved for a default judgment. The court is to order the defendant, Lawrence K Baerman to return the \$400 immediately. And this incident will be brought before the Grand Jury for consideration.

Default Judgment - Entering a Default: *“When a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend; and, that failure is shown by Affidavit or otherwise [under seal], the clerk must enter the party’s default.”* FRCP Rule 55(a); FRCP Rule 58(b) (2); 28 U.S.C. §2243.

SEAL

DATED: April 17, 2017



Grand Jury Foreman

Common Law CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Unified Common Law Grand Jury

(b) County of Residence of First Listed Plaintiff Westchester
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

*USRC Grand Jury
PO Box 59
Valhalla, N.Y. 10595*

DEFENDANTS

*US Congress, US Supreme Court, 50 Governors
President elect D. Trump, et al*

County of Residence of First Listed Defendant Washington DC
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
- 2 U.S. Government Defendant
- 3 Federal Question (U.S. Government Not a Party)
- 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|---|---------------------------------------|---------------------------------------|---|----------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input checked="" type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input checked="" type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input checked="" type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding
- 2 Removed from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from Another District (specify)
- 6 Multidistrict Litigation - Transfer
- 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
Constitution for the U.S. of America: Bill of Rights Violation Numerous Violations
Brief description of cause:

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ _____
CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE _____ DOCKET NUMBER 1:16-CV-1490

DATE 12-14-16 SIGNATURE OF ATTORNEY OF RECORD *[Signature]*

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

Unified United States¹ Common Law Grand Jury:²

Box 59; Valhalla New York 10595; • Fax: (888) 891-8977; • E-Mail: United States@uclgj.org
"Justice and Judgment are the inhabitation of thy throne: mercy and truth shall go before thy face." - Psa 89:14³

AL. AK. AZ. AR. CA. CO. CT. DE. FL. GA. HI. ID. IL. IN. IA. KS. KY. LA. ME. MD. MA. MI. MN. MS. MO. MT. NE. NV. NH. NJ. NM. NY. NC. ND. OH. OK. OR. PA. RI. SC. SD. TN. TX. UT. VT. VA. WA. WV. WI. WY.

WRIT MANDAMUS

CORAM NOBIS⁴

FILE ON DEMAND UNDER PENALTY OF LAW

Attention Clerk;

You are directed to file the attached document UNDER PENALTY OF LAW unimpeded as required by law without charge and MAIL A TIME STAMPED COPY W/CASE NO OF THE FRONT PAGE ATTACHED IN SELF ADDRESS STAMPED ENVELOPE. THIS IS A COMMON LAW PROCEDURE AND THEREFORE NOT HELD UNDER STATUTORY REQUIREMENTS

Rule 4 FEDERAL RULES OF CIVIL PROCEDURE 2(b) ISSUANCE. On or after filing the complaint, the plaintiff may present a summons to the clerk for signature and seal. If the summons is properly completed, the clerk must sign, seal, and issue it to the plaintiff for service on the defendant. A summons—or a copy of a summons that is addressed to multiple defendants—must be issued for each defendant to be served.

18 USC §2076 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. **18 USC §1512(b)**; Whoever obstructs or impedes any official proceeding shall be fined under this title or imprisoned not more than 20 years, or both.

American Jurisprudence Constitutional Law §326 "Free Justice and Open Courts; Remedy for All Injuries.- In most of the state Constitutions there are provisions, varying slightly in terms, which stipulate that justice shall be administered to all without delay or denial, without sale or prejudice, and that the courts shall always be open to all alike. These provisions are based largely upon the Magna Charta, chap. 40, which provides; "We will sell to no man. We will not deny to any man either justice or right." The chief purpose of the Magna Charta provision was to prohibit the King from selling justice by imposing fees on litigants through his courts and to deal a death blow to the attendant venal and disgraceful practices of a corrupt judiciary in demanding oppressive gratuities for giving or withholding decisions in pending causes. It has been appropriately said that in a free government the doors of litigation are already wide open and must constantly remain so. The extent of the constitutional provision has been regarded as broader than the original confines of Magna Charta, and such constitutional provision has been held to prohibit the selling of justice not merely by magistrates but by the State itself."

"Plaintiff should not be charged fees, or costs for the lawful and constitutional right to petition this court in this matter in which he is entitled to relief, as it appears that the filing fee rule was originally implemented for fictions and subjects of the State and should not be applied to the plaintiff who is a natural individual and entitled to relief." **Hale v. Henkel)(201 U.S. 43)**

CRIME TO INTERCEPT OR CONCEAL

¹ The UUSCLGJ is comprised of fifty Grand Juries 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 "The grand jury is an institution separate from the courts over whose functioning the courts do not preside... 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 (3) Articles. It is a constitutional fixture in its own right. 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... 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. John H. Williams; 112 S.Ct. 1735; 504 U.S. 36; 118 L.Ed.2d 352; 1992.

³ "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." Declaration of Independence; "We the people... ordained and establish this Constitution for the United States of America." U.S. Constitution:

⁴ CORAM NOBIS. Before us ourselves, (the king'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.

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

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

5 **Unified United States Common Law Grand Jury;**¹
P.O. Box 59, Valhalla, NY 10595; Fax: (888) 891-8977.

Sureties of the Peace²

10 AL, AK, AZ, AR, CA, CO, CT, DE, FL, GA, HI, ID, IL, IN, IA, KS, KY, LA, ME, MD, MA, MI, MN, MS, MO, MT, NE, NV, NH, NJ, NM, NY, NC, ND, OH, OK, OR, PA, RI, SC, SD, TN, TX, UT, VT, VA, WA, WV, WI, WY:

Grand Jury, Sovereigns of the Court
We the People

- Against -

Lawrence K. Baerman, Clerk of Court
Defendant

Jurisdiction: Court of Record, under
the rules of Common Law³
Action at law:⁴ (see form 7 attached)

Case NO: 1:16-CV-1490
Magistrate: Lawrence E. Kahn

SHOW CAUSE

15 On December 14, 2016 We the People filed papers in the above court opening a court of
record⁵ however, the clerk demanded \$400 in return for Justice. After notifying the clerk
that this is a common law procedure and therefore not held under statutory requirements,
we directed the clerk to file under penalty of law unimpeded as required by law under rule
4 and without charge under American Jurisprudence Constitutional Law §326. We notified

¹ **The UUSCLGJ** is comprised of fifty Grand Juries 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.

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 **"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.

⁴ **AT LAW:** Bouvier's This phrase is used to point out that a thing is to be done according to the course of the common law; it is distinguished from a proceeding in equity.

⁵ **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

the clerk of the consequences of 18 USC §2076 and 18 USC §1512(b) the clerk continued to insist that money should be given in exchange for Justice. See File on Demand attached.

20 We made it clear that we are People and not a fiction or subjects:

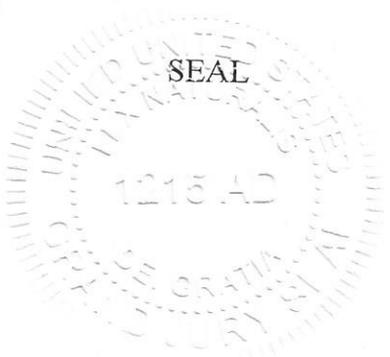
“Plaintiff should not be charged fees, or costs for the lawful and constitutional right to petition this court in this matter in which he is entitled to relief, as it appears that the filing fee rule was originally implemented for fictions and subjects of the State and should not be applied to the plaintiff who is a natural individual and entitled to relief.” Hale v. Henkel)(201 U.S. 43)

25 A system of justice is an institution for the redress of grievances. It can only command the respect of a society's members if they trust that it is an impartial, equal, transparent and principled system that gives effect to the rule of law.⁶ These necessary qualities of any system of justice worthy of that name were revealed in the Magna Carta, that promised:

30 *“To no one will we sell, to no one will we deny or defer right or justice.”*

WHEREFORE, We the People demand that Lawrence K. Baerman, Clerk of Court, show cause by what authority the clerk may charge for Justice?

Or, admit to their error, return the money, and we will forgo bringing the defendant before the Grand Jury for extortion.

35
40

DATED: January 9, 2017



Grand Jury Foreman

⁶ Bremer Vulkan Schiffbau and Maschinenfabrik v South India Shipping Corporation Ltd [1981] AC 909 at 977 per Lord Diplock.