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

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

United States Grand Jury¹ (*Status: sovereign*²)
Tribunal, the People

- against -

United States Supreme Court, Federal Judiciary
U.S. Senate, and U.S. House of Representatives
(*Status: clipped sovereignty*)

Defendants

JURISDICTION: Court of Record³
Law Case No. 1776-1789-1791-2019

Administrator Grand Jury Foreman
Depository Case No. 1:16-CV-1490

- **WRIT MANDAMUS**⁴
- **ACTION AT LAW**⁵ **DEMANDING
A RETURN TO THE LAW**⁶
- **DECISION & ORDER**

Copied: President Trump, AG William Barr

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MEMORANDUM OF LAW ACTS OF TREASON BY THE JUDICIARY

10 The purpose of this memorandum is to establish the sovereign authority of the authors of the Constitution, the People and make clear that there never was a rule of absolute judicial immunity nor could there be. Judges are not above the law; they are creatures of the law and are bound to obey it. If judges break the law, they can be removed for bad behavior, prosecuted and sued for damages; they are duty bound to;

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, subverters 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 **“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 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.

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 The action of mandamus is one, brought in a court of competent jurisdiction, to obtain an order of such court **commanding an inferior tribunal to do without discretion**, which the law enjoins as a duty resulting from an office, trust, or station. Rev Code Iowa, 1880, §3373 (Code 1931, §12440).

⁵ **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.

⁶ **AT LAW:** Blacks 4th 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.

- 1) Obey the Law of the land,
- 2) Interpret the Constitution with ordinary understanding,
- 3) Liberally construe the Constitution to the benefit the People,
- 15 4) Actively resist any encroachments upon the Constitution, and
- 5) Nullification of any legislation in conflict with the Constitution.

SOVEREIGN AUTHORITY IS IN THE PEOPLE ALONE *“The very meaning of 'sovereignty' is that the decree of the sovereign makes law.”*⁷ *“A consequence of this prerogative is the legal ubiquity of the king. His majesty in the eye of the law is always present in all his courts, though he cannot personally distribute justice.”*⁸ *“His judges (We the People, Jurist) are the mirror by which the king's (Natures God) image is reflected.”*⁹

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WE THE PEOPLE ORDAINED THE LAW OF THE LAND ARTICLE VI, CLAUSE 2: *“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.”*

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JUDGES MUST HAVE JURISDICTION *“No judicial process, whatever form it may assume, can have any lawful authority outside of the limits of the jurisdiction of the court or judge by whom it is issued; and an attempt to enforce it beyond these boundaries is nothing less than lawless violence.”*¹⁰ *“A judge must be acting within his jurisdiction as to subject matter and person, to be entitled to immunity from civil action for his acts.”*¹¹

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JUDGES ARE ACCOUNTABLE Justice Douglas, in his dissenting opinion at page 140 said, *“If (federal judges) break the law, they can be prosecuted.”* Justice Black, in his dissenting opinion at page 141) said, *“Judges, like other people, can be tried, convicted and punished for crimes.”*¹²

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JUDICIAL IMMUNITY DOES NOT EXIST *“No man in this country is so high that he is above the law. No officer of the law may set that law at defiance with impunity. All*

⁷ American Banana Co. v. United Fruit Co., 29 S.Ct. 511, 513, 213 U.S. 347, 53 L.Ed. 826, 19 Ann.Cas. 1047.

⁸ (Fortesc.c.8. 2Inst.186)

⁹ 1 Blackstone's Commentaries, 270, Chapter 7, Section 379.

¹⁰ Ableman v. Booth, 21 Howard 506 (1859)

¹¹ Davis v. Burris, 51 Ariz. 220, 75 P.2d 689 (1938)

¹² Chandler v. Judicial Council of the 10th Circuit, 398 U.S. 74, 90 S. Ct. 1648, 26 L. Ed. 2d 100

40 *the officers of the government, from the highest to the lowest, are creatures of the law and are bound to obey it. ... It is the only supreme power in our system of government, and every man who, by accepting office participates in its functions, is only the more strongly bound to submit to that supremacy, and to observe the limitations which it imposes on the exercise of the authority which it gives.*”¹³

45 *“Our own experience is fully consistent with the common law's rejection of a rule of judicial immunity. We never have had a rule of absolute judicial immunity. At least seven circuits have indicated affirmatively that there is no immunity... to prevent irreparable injury to a citizen's constitutional rights... Subsequent interpretations of the Civil Rights Act by this Court acknowledge Congress’ intent to reach unconstitutional*
50 *actions by all state and federal actors, including judges... The Fourteenth Amendment prohibits a state [federal] from denying any person [citizen] within its jurisdiction the equal protection under the laws. Since a State [or federal] acts only by its legislative, executive or judicial authorities, the constitutional provisions must be addressed to those authorities, including state and federal judges... We conclude that judicial*
55 *immunity is not a bar to relief against a judicial officer acting in her [his] judicial capacity.”*¹⁴

“By law, a judge is a state officer. The judge then acts not as a judge, but as a private individual (in his person). When a judge acts as a trespasser of the law, when a judge does not follow the law, the Judge loses subject-matter jurisdiction and the judges’
60 *orders are not voidable, but VOID, and of no legal force or effect. ... “when a state officer acts under a state law in a manner violating the Federal Constitution, he comes into conflict with the superior authority of that Constitution, and he is in that case stripped of his official or representative character and is subjected in his person to the consequences of his individual conduct. The State has no power to impart to him any*
65 *immunity from responsibility to the supreme authority of the United States.”*¹⁵

JUDGES HOLD THEIR OFFICE DURING GOOD BEHAVIOR Article III Section 1:

The Judicial power of the United States shall be vested in one Supreme Court and in such inferior courts as the Congress may from time to time ordain and establish. The

¹³ U.S. v. Lee, 106 U.S. 196, 220 1 S. Ct. 240, 261, 27 L. Ed 171 (1882).

¹⁴ Pulliam v. Allen, 466 U.S. 522 (1984); 104 S. Ct. 1781, 1980, 1981, & 1985.

¹⁵ Scheuer v. Rhodes, 416 U.S. 232, 94 S. Ct. 1683, 1687 (1974).

70 judges, both of the supreme and inferior courts, shall hold their offices during good behavior...¹⁶

JUDGES' ENGAGED IN ACTS OF TREASON *“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.”*¹⁷ *“No state legislator or executive or judicial officer can war against the*
75 *Constitution without violating his undertaking to support it.”*¹⁸ *“High Treason: Treason against the sovereign, as distinguished from petit or petty treason, which might formerly be committed against a subject.”*¹⁹

JUDGES' REMOVAL FROM OFFICE Article II Section 4: The President, Vice
80 President and all civil officers²⁰ (includes judges) of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

IMPEACHMENT Article I Section 2 Clause 4: The House of Representatives shall have the sole power of impeachment. And, Article I Section 3 Clause 6 The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be
85 on oath or affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no person shall be convicted without the concurrence of two thirds of the members present.

INDICTMENT: Article I Section 3 Clause 7: Judgment in cases of impeachment shall not
90 extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust or profit under the United States: but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment and punishment, according to law.

¹⁶ **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.

¹⁷ *Cooper v. Aaron*, 358 U.S. 1, 78 S. Ct. 1401 (1958).

¹⁸ *Sawyer*, 124 U.S. 200 (188); *U.S. v. Will*, 449 U.S. 200, 216, 101 S. Ct. 471, 66 L. Ed. 2d 392, 406 (1980); *Cohens v. Virginia*, 19 U.S. (6 Wheat) 264, 404, 5 L. Ed 257 (1821).

¹⁹ 4 Bl.Comm. 74, 75; 4 Steph. Comm. 183, 184, note.

²⁰ **Civil officer:** The word “civil,” as regards civil officers, is commonly used to distinguish those officers who are in public service but not of the military. *U. S. v. American Brewing Co.*, D.C.Pa., 296 F. 772, 776; *State v. Clarke*, 21 Nev. 333, 31 P. 545, 18 L.R.A. 313, 37 Am.St.Rep. 517. Hence, any officer of the United States who holds his appointment under the national government, whether his duties are executive or judicial, in the highest or the lowest departments of the government, with the exception of officers of the army and navy, is a “civil officer.” 1 Story, Const. § 792. See, also, *Com'rs v. Goldsborough*, 90 Md. 193, 44 A. 1055.

OBSTA PRINCIPIIS²¹ “It may be that it is the obnoxious thing in its mildest form; but illegitimate and un-constitutional 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*.”²²

INTERPRETING THE CONSTITUTION

LIBERALLY CONSTRUED The purpose of a written constitution is entirely defeated if, in interpreting it as a legal document, its provisions are manipulated and worked around so that the document means whatever the manipulators wish. Jefferson recognized this danger and spoke out constantly for careful adherence to the Constitution as written, with changes to be made by amendment, not by tortured and twisted interpretations of the text.

ORDINARY UNDERSTANDING Thomas Jefferson said, “*The Constitution to which we are all attached was meant to be republican, and we believe to be republican according to every candid interpretation. Yet we have seen it so interpreted and administered, as to be truly what the French have called, a monarchie masque (or oligarchy’s mask).*” “*Laws are made for men of ordinary understanding and should, therefore, be construed by the ordinary rules of common sense. Their meaning is not to be sought for in metaphysical subtleties which may make anything mean everything or nothing at pleasure.*”²³

“*Common sense [is] the foundation of all authorities, of the laws themselves, and of their construction.*”²⁴ *The Constitution on which our Union rests, shall be administered by me [Thomas Jefferson as President] according to the safe and honest meaning contemplated by the plain understanding of the people of the United States at the time of its adoption--a meaning to be found in the explanations of those who advocated, not those who opposed it, and who opposed it merely lest the construction should be applied*

²¹ **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.

²² *Boyd v. United*, 116 U.S. 616 at 635 (1885)

²³ Thomas Jefferson to William Johnson, 1823. ME 15:450.

²⁴ Thomas Jefferson: *Batture at New Orleans*, 1812. ME 18:92.

125 which they denounced as possible.²⁵ I do then, with sincere zeal, wish an inviolable preservation of our present federal Constitution, according to the true sense in which it was adopted by the States, that in which it was advocated by its friends, and not that which its enemies apprehended, who therefore became its enemies.”²⁶

TWO MEANINGS

130 “Whenever the words of a law will bear two meanings, one of which will give effect to the law, and the other will defeat it, the former must be supposed to have been intended by the Legislature, because they could not intend that meaning, which would defeat their intention, in passing that law; and in a statute, as in a will, the intention of the party is to be sought after.²⁷ On every question of construction carry ourselves back to the time when the Constitution was adopted, [Federalist and Anti Federalist papers] recollect the spirit manifested in the debates and instead of trying what meaning may be 135 squeezed out of the text or invented against it, conform to the probable one in which it was passed.”²⁸

KENTUCKY RESOLUTIONS

140 “Where powers are assumed which have not been delegated, a nullification of the act is the rightful remedy.²⁹ [The States] alone being parties to the [Federal] compact... [are] solely authorized to judge in the last resort of the powers exercised under it, Congress being not a party but merely the creation of the compact and subject as to its assumptions of power to the final judgment of those by whom and for whose use itself and its powers were all created and modified.³⁰ The government created by this compact was not made the exclusive or final judge of the extent of the powers delegated to itself, 145 since that would have made its discretion and not the Constitution the measure of its powers; but... as in all other cases of compact among powers having no common judge, each party has an equal right to judge for itself, as well of infractions as of the mode and measure of redress.”³¹

²⁵ Thomas Jefferson: Reply to Address, 1801. ME 10:248.

²⁶ Thomas Jefferson to Elbridge Gerry, 1799. ME 10:76.

²⁷ Thomas Jefferson to Albert Gallatin, 1808. ME 12:110.

²⁸ Thomas Jefferson to William Johnson, 1823. ME 15:449.

²⁹ Thomas Jefferson: Draft Kentucky Resolutions, 1798. ME 17:386.

³⁰ Thomas Jefferson: Draft Kentucky Resolutions, 1798. ME 17:387.

³¹ Thomas Jefferson: Draft Kentucky Resolutions, 1798. ME 17:380.

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THE CONSTITUTION IS NOT MOOT³²

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As the man who discovered America's Freedom Formula, Thomas Jefferson warned of those that read the Constitution as a legal document to be manipulated and worked around by tortured and twisted interpretations of the text so that the document means whatever the manipulators wish it to mean in order to empower themselves and or suppress others.

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The Constitution is to be read according to the true sense in which it was adopted by the States. However, because of intellectual laziness, particularly in Law and our political process, and subversive factions that have infiltrated our government, our government servants with vested powers are unconstitutionally taught by and provided with for their use, an Army of BAR attorneys, minions of the oligarchy, who are trained to expand their powers at the cost of suppressing our Liberties. They have expanded the powers of our public servants to the point of making the servant the master and the master the servant. They make everything a controversy and claim our Constitution moot or out of date.

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Our Constitution was written by ordinary men for ordinary understanding and interpreted with common sense. The Bill of rights was added "*to prevent misconstruction or abuse of its powers*". The People need to first understand that the Bill of Rights is a bill of prohibition. Thereby any misconstruction or abuse of its powers would be clearly seen if it denied, a right much like Article I Section 9 that also

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is a list of prohibitions.

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"...THE Conventions of a number of the States, having at the time of their adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added: And as extending the ground of public confidence in the Government, will best ensure the beneficent ends of its institution..." - Bill of Rights Preamble

³² **MOOT**, adj. Blacks 4th: A subject for argument; unsettled; undecided. A moot point is one not settled by judicial decisions. A moot case is one which seeks to determine an abstract question which does not arise upon existing facts or rights. Adams v. Union R. Co., 21 R.I. 134, 42 A. 515, 44 L.R.A. 273.

These tyrants in power have turned the “Bill of Rights” which was written to prevent
 misconstruction or abuse of government powers into a document of “Restriction of
 Rights” by turning common sense on its head. Judges have enabled government
 agencies to create “no free speech zones”; they have licensed our Liberties; they
 185 demonize, raid, arrest and terrorize people who assemble liberty meetings, teach
 common law, and question their authority.

These tyrants torture and twist to interpret the meaning of our right to bear arms for the
 militia only while Article I Section 8 Clause 16 divides the militia into two parts one
 employed in service and one ready for service, a/k/a the organized and the unorganized.
 190 The Militia Act of 1903 and most if not all State Constitutions makes it clear that the
 militia is “EVERY ABLE BODIED MALE”. This immediately destroys the argument
 that the second amendment is moot. And most importantly self-defense is an
 unalienable right.

Furthermore, the bearing of arms is understood to be a “military grade rifle” which is an
 195 automatic weapon in order to defend ourselves from an invading military force. These
 tyrants have infringe upon our right to defend ourselves, our state and our nation by
 licensing weapons and making a law against automatic weapons as they continue to try
 and disarm us. They serve and execute warrants without sworn affidavits and “wet ink
 signatures.” They try us in courts whose jurisdictions are unknown without a Grand
 200 Jury indictment and often without a trial jury or by puppet grand and trial juries,
 without sworn affidavits and without an injured party.

IN CONCLUSION, We the People being the authors of the Law of the Land do not have
 civil liberties that are determined by the whims of legislators providing us with “*the*
power of doing whatever the laws [statutes] permit.”³³ But to the contrary we have
 205 Natural Liberty which is “*the power of acting as one thinks fit, without any restraint or*
control, unless by the law of nature,”³⁴ in other words “*Liberty from all human law*”!

The debate is over; the reading of the Federalist papers and the Anti Federalists papers
 bear absolute proof that the Constitution is not moot and was written with ordinary
 common sense meaning simply what it says; needing no BAR interpreter whose job it
 210 is, unbeknown to most, to spread confusion and destroy the Constitution.

Judges are not above the law. They are creatures of the law and are bound to obey it. If
 judges break the law, they can be removed for bad behavior, prosecuted and sued for

³³ 1 Bl. Comm. 6; Inst. 1, 3, 1. See Dennis v. Moses, 18 Wash. 537, 52 P. 333, 40 L.R.A. 302.

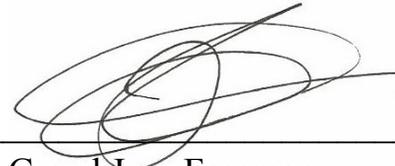
³⁴ 1 Bl. Comm. 125.

215 damages, they are duty bound to obey the Law, interpret the Constitution with ordinary
understanding, liberally construe the Constitution to benefit the People, actively resist
any encroachments upon the Constitution, and nullify any legislation in conflict with the
Constitution. If judges fail to defend the Constitution when brought before them they
war against it and must be removed and tried for treason.

SEAL

August 14, 2019

220



Grand Jury Foreman