
**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 PETIT JURY AUTHORITY

10 The purpose of this memorandum is to clarify that the Petit Jury, a/k/a as the King's Bench is the sovereign authority of the court. Any court proceeding with a Petit Jury is a Court of Record that proceeds according to Natural Law a/k/a Common Law under the authority of the People, and their decisions are final. There is no appeal from the decision of a court of record, not even the United States Supreme Court can overturn the decisions of a Court of Record.

¹The 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.

⁴The 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.

15 “The decisions of a superior court may only be challenged in a court of appeal. The
decisions of an inferior court are subject to collateral attack. In other words, in a
superior court one may sue an inferior court directly, rather than resort to appeal to an
appellate court. Decision of a court of record may not be appealed. It is binding on ALL
other courts. However, no statutory or constitutional court (whether it be an appellate
or supreme court) can second guess the judgment of a court of record. The judgment of
20 a court of record whose jurisdiction is final, is as conclusive on all the world as the
judgment of this court would be. It is as conclusive on this court as it is on other courts.
It puts an end to inquiry concerning the fact, by deciding it.”⁷

25 “A Court of Record is a judicial tribunal [petit jury] 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.”⁸

Any court that proceeds with a tribunal of one or more appointed or elected judges is
not a Court of Record. Any court proceeding under statutes is not a court of record.
Courts that proceed under statutes with appointed or elected judges are equity courts.
Equity court tribunals are constituted by Congress, who was vested by the People,
30 whereas the Kings bench is the tribunal constituted by natures’ God composed of twelve
sovereign People vested by God with the power to fine or imprison for contempt,
functioning independently of the person of the magistrate [*clerk of the court*] and whose
decisions are to mirror the will of the King of Kings⁹ to do Justice via Natural Law that
is written in the hearts of all men.¹⁰ Whenever the Kings bench is impaneled “by the
35 people” a Court of Record is open whether it is in its investigative role as Grand Jury or
in its trial mode as Petit Jury its authority, power, judgments, and jurisdiction is final
and cannot be challenged or overturned.

All courts not of record are inferior courts whose jurisdiction is limited and special and
whose proceedings are not according to the course of the common law. Criminal courts

⁷ Ex parte Watkins, 3 Pet., at 202-203. [cited by SCHNECKLOTH v. BUSTAMONTE, 412 U.S. 218, 255 (1973).

⁸ 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.

⁹ **Rev 19:11-16** And I saw heaven opened, and behold a white horse; and he that sat upon him was called Faithful and True, and in righteousness he doth judge and make war. His eyes were as a flame of fire, and on his head were many crowns; and he had a name written, that no man knew, but he himself. And he was clothed with a vesture dipped in blood: and his name is called The Word of God. And the armies which were in heaven followed him upon white horses, clothed in fine linen, white and clean. And out of his mouth goeth a sharp sword, that with it he should smite the nations: and he shall rule them with a rod of iron: and he treadeth the winepress of the fierceness and wrath of Almighty God. And he hath on his vesture and on his thigh a name written, KING OF KINGS, AND LORD OF LORDS.

¹⁰ Rom 2:13-15 (For not the hearers of the law are just before God, but the doers of the law shall be justified. For when the Gentiles, which have not the law, do by nature the things contained in the law, these, having not the law, are a law unto themselves: Which show the work of the law written in their hearts, their conscience also bearing witness, and their thoughts the mean while accusing or else excusing one another;)

40 proceed according to statutory law. Jurisdiction and procedure is defined by statute. Likewise, civil courts and admiralty courts proceed according to statutory law. Any court proceeding according to statutory law is not a court of record (which only proceeds according to common law); it is an inferior court.

THE PEOPLE ARE THE AUTHOR & SOURCE OF LAW

45 *“The constitutions of most of our states assert that all power is inherent in the people; that they may exercise it by themselves, in all cases to which they think themselves competent, as in electing their functionaries executive and legislative, and deciding by a jury of themselves, both fact and law, in all judiciary cases in which any fact is involved ...”*¹¹ *“The people of this State, as the successors of its former sovereign, are entitled to*
50 *all the rights which formerly belonged to the King by his prerogative.”*¹² *And “the state cannot diminish the rights of the people.”*¹³ *“Supreme sovereignty is in the people and no authority can, on any pretense whatsoever, be exercised over the citizens of this state, but such as is or shall be derived from and granted by the people of this state.”*¹⁴
55 *“Sovereignty itself is, of course, not subject to [legislative] law, for it is the author and source of law; but in our system, while sovereign powers are delegated to the agencies of government, sovereignty itself remains with the people, by whom and for whom all government exists and acts, And the law is the definition and limitation of power...”*¹⁵
*“‘Sovereignty’ means that the decree of sovereign makes law, and foreign courts cannot condemn influences persuading sovereign to make the decree.”*¹⁶
60 *“For more than six hundred years--that is, since Magna Carta, in 1215, there has been no clearer principle of English or American constitutional law, than that, in criminal cases, it is not only the right and duty of juries to judge what are the facts, what is the law, and what was the moral intent of the accused; but that it is also their right, and their primary and paramount duty, to judge of the justice of the law, and to hold all laws*
65 *invalid, that are, in their opinion, unjust or oppressive, and all persons guiltless in violating, or resisting the execution of, such laws.”*¹⁷ *“The pages of history shine on*

¹¹ Thomas Jefferson, letter to John Cartwright; June 5, 1824.

¹² *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.

¹³ *Hurtado v. People of the State of California*, 110 U.S. 516.

¹⁴ NEW YORK CODE - N.Y. CVR. LAW § 2: NY Code - Section 2.

¹⁵ *Yick Wo v. Hopkins*, 118 US 356, 370 Quotiens dubia interpretatio libertatis est, secundum libertatem respondendum erit.

¹⁶ *Moscow Fire Ins. Co. of Moscow, Russia v. Bank of New York & Trust Co.*, 294 N.Y.S. 648, 662, 161 Misc. 903.;

¹⁷ *Lysander Spooner (An Essay on the Trial by Jury, 1852, p. 11).*

instances of the jury's exercise of its prerogative to disregard instructions of the judge"¹⁸. "It is presumed, that the juries are the best judges of facts; it is, on the other hand, presumed that the courts are the best judges of law. But still, both objects are within your power of decision. You have a right to take upon yourselves to judge of both, and to determine the law as well as the fact in controversy."¹⁹

"The bounds set to the power of the government, by the trial by jury, as will hereafter be shown, are these -- that the government shall never touch the property, person, or natural or civil rights of an individual, against his consent, except for the purpose of bringing them before a jury for trial, unless in pursuance and execution of a judgment, or decree, rendered by a jury in each individual case, upon such evidence, and such law, as are satisfactory to their own understandings and consciences, irrespective of all legislation of the government."²⁰ "To consider the judges as the ultimate arbiters of all constitutional questions is a very dangerous doctrine indeed, and one which would place us under the despotism of an oligarchy."²¹ "If a juror accepts as the law that which the judge states then that juror has accepted the exercise of absolute authority of a government employee and has surrendered a power and right that once was the citizen's safeguard of liberty, -- For the saddest epitaph which can be carved in memory of a vanished liberty is that it was lost because its possessors failed to stretch forth a saving hand while yet there was time."²²

PEOPLES' RIGHT OF EXTRAORDINARY WRITS

EXTRAORDINARY WRITS emanate from the Kings bench, they are a precept in writing, couched in the form of a letter, running in the name of the King issuing from a court of justice, and sealed with its seal, addressed to a sheriff or other officer of the law, or directly to the person whose action the court desires to command, either as the commencement of a suit or other proceeding or as incidental to its progress, and requiring the performance of a specified act, or giving authority and commission to have it done.

PREROGATIVE WRITS are those issued by the exercise of the extraordinary power of the crown [Kings Bench] on proper cause shown; namely, the writs of procedendo, mandamus, prohibition, quo warranto, habeas corpus, and certiorari.

¹⁸ "U.S. v. Dougherty, 473 F.2d. 1113, 1139 (1972).

¹⁹ US Supreme Court State of Georgia v. Brailsford, 3 DALL. 1,4.

²⁰ Lysander Spooner (An Essay on the Trial by Jury, 1852).

²¹ Thomas Jefferson

²² Theophilus Parsons (2 Elliot's Debates, 94; 2 Bancroft's History of the Constitution, p. 267).

100 **WRIT OF MANDAMUS** is Latin “We command.” This is the name of a writ (formerly a high prerogative writ) which issues from a court of superior jurisdiction, and is directed to a private or municipal corporation, or any of its officers, or to an executive, administrative or judicial officer, or to an inferior court, commanding the performance of a particular act therein specified, and belonging to his or their public, official, or ministerial duty, or directing the restoration of the complainant to rights or privileges of which he has been illegally deprived.²³ The writ of mandamus is either peremptory or alternative, according as it requires the defendant absolutely to obey its behest, or gives him an opportunity to show cause to the contrary. It is the usual practice to issue the alternative writ first. This commands the defendant to do the particular act, or else to appear and show cause against it at a day named. If he neglects to obey the writ, and either makes default in his appearance or fails to show good cause against the application, the peremptory mandamus issues, which commands him absolutely and without qualification to do the act.

115 **IN CONCLUSION** Amendment V states that; “no person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury... nor be deprived of life, liberty, or property, without due process of law;” Amendment VI provides that in all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury... and to be informed of the nature and cause of the accusation and to be confronted with the witnesses against him.” And, Amendment VII prevents a judge from trespassing on the case by second guessing or overturning Jury decisions. “The right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any Court of the United States, than according to the rules of the common law.” Statutory courts that second guess the judgment of a court of record are subject to collateral attack by the court of record.

125 SEAL

August 14, 2019



Grand Jury Foreman

²³ Lahiff v. St. Joseph, etc., Soc., 76 Conn. 648, 57 A. 692, 65 L.R.A. 92, 100 Am.St.Rep. 1012.