

NEW YORK SUPREME COURT, GREENE COUNTY

The People of New York

Coram Ipso Rege:¹

&

New York Unified Common Law Grand Jury

Coram Nobis:²

-a-

STATE OF NEW YORK SUPREME COURT

Holly Tanner, Richard Mabee Jonathan Lippman,
Fern A. Fisher, Lawrence K. Marks, Barry Kamins,
Ronald Younkins, A. Gail Prudenti

Wrongdoers:⁴

INDEX # _____

MAGISTRATE _____

VERIFIED UNDER SEAL

OBSTA PRINCIPIIS³

WRIT OF MANDAMUS

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New York Unified Common Law Grand Jury, hereinafter the People⁵, come against charging Holly Tanner, Richard Mabee, and A. Gail Prudenti hereinafter wrongdoers, in this court of record⁶ proceeding according to the common law⁷ for \$175.05 for Falsifying business records in

¹ Before the king himself the old name of the court of king's bench, which was originally held before the king in person. 3 Bl.Comm. 41. "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. [tribunal during trial]

² [Blacks Law] Before us ourselves, (the king, i. e., in the king's or queen's bench.) [tribunal pre trial] **CORAM NOBIS**. [Blacks Law] Before us ourselves, (the king, i. e., in the king's or queen'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. See Writ of Error.

³ **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.

⁴ **WRONGDOER.** "One who commits an injury; a tort-feasor. The term ordinarily imports an invasion of right to the damage of the party who suffers such invasion". Merrill v. Comstock, 154 Wis. 434, 143 N.W. 313, 317.

⁵ **PEOPLE.** People are supreme, not the state. [Waring vs. the Mayor of Savannah, 60 Georgiaat 93]; The state cannot diminish rights of the people. [Hertado v. California, 100 US 516]; Preamble to the US and NY Constitutions - We the people ... do ordain and establish this Constitution...; ...at the Revolution, the sovereignty devolved on the people; and they are truly the sovereigns of the country, but they are sovereigns without subjects...with none to govern but themselves... [CHISHOLM v. GEORGIA (US) 2 Dall 419, 454, 1 L Ed 440, 455, 2 DALL (1793) pp471-472]: The people of this State, as the successors of its former sovereign, are entitled to all the rights which formerly belonged to the King by his prerogative. [Lansing v. Smith, 4 Wend. 9 (N.Y.) (1829), 21 Am. Dec. 89 10C Const. Law Sec. 298; 18 C Em.Dom. Sec. 3, 228; 37 C Nav.Wat. Sec. 219; Nuls Sec. 167; 48 C Wharves Sec. 3, 7].

⁶ **NY Constitution Article VI.b.** ... the supreme court ... shall be courts of record.; "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].

⁷ **COMMON LAW** - As distinguished from law created by the enactment of legislatures [admiralty], the common law comprises the body of those principles and rules of action, relating to the government and security of persons and property, which derive their authority solely from usages and customs of immemorial antiquity, or from the judgments and decrees of the courts recognizing, affirming, and enforcing such usages and customs; and, in this sense, particularly the ancient unwritten law of

the second degree, a class A misdemeanor; §175.10 Falsifying business records in the first degree, a class E felony; §175.20 Tampering with public records in the second degree, a class A misdemeanor; §175.25 Tampering with public records in the first degree a class D felony, 18 USC §1341 Frauds through postal service, felony rescue, and conspiracy;

On March 24, 2014 at 1:25 PM the Unified common law grand jury did file with the Columbia County Clerk Holly Tanner an Action at Law. Said action possessed no inconsistencies or violation of civil practice, law, or rules and was accepted. A fee of \$305 for the filing and RJI was paid, said action was recorded under index number 7303-14, see exhibit 1, attached.

Wrongdoers A. Gail Prudenti, Holly Tanner, and Richard Mabee, under color of law, acting under the capacity of clerks and/or officers of the court while engaging in governmental activities did alter the business record maintained by the enterprise and did knowingly and in concert with others to be discovered did conspire and did remove a prima facie⁸ document titled “Action at Law” from the court records.

Wrongdoers A. Gail Prudenti, Holly Tanner, and Richard Mabee acting in concert in an effort to remove said documents out of the building did on March 28, 2014 place documents in to the United States Post Office, thereby committing mail fraud, see exhibit 2, attached.

WHEREFORE New York Unified Common Law Grand Jury demands that wrongdoers, Holly Tanner, Richard Mabee, and A. Gail Prudenti show cause by what authority they acted upon and why a true bill should not be presented and warrants for their immediate arrest should not be executed.

Signed by ORDER *and on behalf of the* UNIFIED COMMON LAW GRAND JURY *of* NEW YORK



Administrator

England. [1 Kent, Comm. 492. Western Union Tel. Co. v. Call Pub. Co., 21 S.Ct. 561, 181 U.S. 92, 45 L.Ed. 765; Barry v. Port Jervis, 72 N.Y.S. 104, 64 App. Div. 268; U. S. v. Miller, D.C.Wash., 236 F. 798, 800.];

⁸ **PRIMA FACIE**, Lat. At first sight; on the first appearance; on the face of it; so far as can be judged from the first disclosure; presumably; a fact presumed to be true unless disproved by some evidence to the contrary. State ex rel. Herbert v. Whims, 68 Ohio App. 39, 38 N.E.2d 596, 599.