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

• 445 Broadway; Albany, NY 12207-2936 •

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

**Sureties of the Peace**<sup>2</sup>

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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:

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Grand Jury, Sovereigns of the Court  
We the People

- Against -

Governor A. Cuomo, N.Y.S. Senate Majority  
Leader John J. Flanagan and N.Y.S. Assembly  
Speaker Carl E. Heastie

Defendants

Jurisdiction: Court of Record, under  
the rules of Common Law<sup>3</sup>  
Action at law:<sup>4</sup> (see form 7 attached)

Case NO: 1:16-CV-1490

Magistrate: Daniel J. Stewart

**WRIT MANDAMUS  
TO SHOW CAUSE**

We the Sovereign People<sup>5</sup> of the United States of America, under the power and authority of the Sureties of the Peace, hereinafter the Grand Jury, whereas the Unified Common Law Grand Juries arose out of We the Sovereign People in each of the Fifty

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<sup>1</sup> **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.

<sup>2</sup> **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.

<sup>3</sup> **"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.

<sup>4</sup> **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.

<sup>5</sup> **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.

States which came together to form a Unified United States Common Law Grand Jury and in this court of record hereby DEMAND that Governor A. Cuomo, N.Y.S. Senate Majority Leader John J. Flanagan; N.Y.S. Assembly Speaker Carl E. Heastie, hereinafter defendants, to give a VERIFIED accounting of defendants stewardship by showing cause concerning defendants contempt for the unalienable right of *We the Sovereign People* to bear arms protected by the 2<sup>nd</sup> Amendment.

N.Y.S. Senate Majority Leader John J. Flanagan is being served on behalf of the entire Senate and is to provide copies to all members of the Senate. N.Y.S. Assembly Speaker Carl E. Heastie is being served on behalf of the entire Assembly and is to provide copies to all members of the House.

Defendants are elected Representatives and have a legal and moral duty to speak directly to *We the Sovereign People* unfiltered (without an attorney). Defendants, being stewards with vested Constitutional authority do not have the right to remain silent or the right to an attorney concerning questions of their vested actions.

**ANSWERS TO THE GRAND JURY IN THIS ACTION THROUGH AN ATTORNEY WILL BE CONSIDERED A NON-ANSWER.** Hired servants are required to give an account to their master directly, and upon demand, any resistance can only be equated to fraud.

*“Silence can only be equated with fraud where there is a legal or moral duty to speak or where an inquiry left unanswered would be intentionally misleading...”* -- U.S. v. Tweel, 550 F.2d 297, 299. See also U.S. v. Prudden, 424 F.2d 1021, 1032; Carmine v. Bowen, 64 A. 932

## **JURISDICTION**

Article III Section 2: *“The judicial power shall extend to all cases, in law and equity, arising under this Constitution...;”* This Article III Court of Record, proceeding under the Common Law has jurisdiction for cause in violation of Amendment II.

FOR CAUSE: The Governor and legislators of both houses violated 42 U.S. Code §1983 and entered into a conspiracy to disarm *We the Sovereign People* when they passed under the color of law, statutes, ordinances and regulation in New York State, thereby causing *We the Sovereign People* to be deprived of our unalienable *“right to bear Arms”* secured by the Constitution and laws of the United States.

FOR CAUSE: The Governor and legislators of both houses violated 42 USC 1985(3) and entered into a conspiracy to disarm *We the Sovereign People* when they passed, under the color, of law statutes, ordinances and regulations in New York State knowingly causing swarms of code enforcement officers, under the color of law, disguised as law enforcement officers, sent upon our highways for the purpose of depriving *We the Sovereign People* by force, intimidation and threat, the equal protection of the laws of our unalienable "*right to bear Arms*" secured by the Constitution and Laws of the United States.

FOR CAUSE: The Governor and legislators of both houses violated 42 USC 1986 and entered into a conspiracy to disarm *We the Sovereign People* when they knowingly neglected and refused to prevent the passing and signing into statutory law repugnant to the Constitution and the Laws of the United States, statutes, ordinances and regulation in New York State for the purpose of depriving by force, intimidation and threat *We the Sovereign People* the equal protection of the laws of our unalienable "*right to bear Arms*" secured by the Constitution and Laws of the United States.

FOR CAUSE: The Governor and legislators of both houses violated 18 USC 241 and entered into a conspiracy to disarm *We the Sovereign People* when they knowingly conspired to injure, oppress, threaten and intimidate by the passing and signing into statutory law, repugnant to the Constitution and the Laws of the United States, legislation preventing the free exercise and enjoyment of *We the Sovereign Peoples'* unalienable right causing swarms of code enforcement officers, under the color of law, disguised as law enforcement officers, sent upon our highways for the purpose of depriving by said force *We the Sovereign People* the equal protection of the laws of our unalienable "*right to bear Arms*" secured by the Constitution and Laws of the United States.

FOR CAUSE: The Governor and legislators of both houses violated 18 USC 242 and entered into a conspiracy to disarm *We the Sovereign People* when they willfully conspired to deprive *We the Sovereign People* of our unalienable "*right to bear Arms*" secured by the Constitution and Laws of the United States, subjecting *We the Sovereign People* to punishments, pains and penalties.

Thomas Jefferson, founder of America's freedom formula warned: "*No freeman shall be debarred the use of arms ... When governments fear the people, there is liberty. When the people fear the government, there is tyranny. ... The strongest reason for the*  
Governor A. Cuomo, et al

*people to retain the right to keep and bear arms is, as a last resort, to protect themselves against tyranny in government."*

Therefore, when governments are seized by tyrants, as is the present case in New York State, the disarming of **We the Sovereign People** is just the beginning of a long train of abuses these tyrants intend on imposing upon **We the Sovereign People**. The only reason the United States and many unarmed countries around the world remain free today is because **We the Sovereign People** of the United States of America are armed. See attached Memorandum in Support of Amendment II.

## **RESOLUTIONS INITIATED BY OUR FOUNDERS**

**We the Sovereign People** ordained and established through the Constitution for the United States of America and our State Constitutions the following resolutions:

**IT HAS BEEN RESOLVED THAT **We the Sovereign People**, from whom all law derives,<sup>6</sup> ordained<sup>7</sup> that IN ORDER TO PREVENT MISCONSTRUCTION OR ABUSE OF LEGISLATIVE AND JUDICIAL POWERS RESOLVED that further declaratory and restrictive clauses should be added,<sup>8</sup> among which were "...the right of the people to keep and bear Arms, shall not be infringed."<sup>9</sup>**

**IT HAS BEEN RESOLVED THAT **We the Sovereign People** established and ordained the Law of the Land<sup>10</sup> through constitutions that govern all elected and appointed servants, outside of which there can be no law making.**

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<sup>6</sup> *"The very meaning of 'sovereignty' is that the decree of the sovereign makes law."* -- American Banana Co. v. United Fruit Co., 29 S.Ct. 511, 513, 213 U.S. 347, 53 L.Ed. 826, 19 Ann.Cas. 1047; *"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; *"Sovereignty itself is, of course, not subject to 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."*... *"For, the very idea that man may be compelled to hold his life, or the means of living, or any material right essential to the enjoyment of life, at the mere will of another, seems to be intolerable in any country where freedom prevails, as being the essence of slavery itself."* -- Yick Wo v. Hopkins, 118 US 356, 370.

<sup>7</sup> **LAW:** *"That which is laid down, ordained, or established."* Koenig v. Flynn, 258 N.Y. 292, 179 N. E. 705.

<sup>8</sup> **BILL OF RIGHTS, PREAMBLE** *"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."*

<sup>9</sup> **AMENDMENT II:** *"A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."*

<sup>10</sup> **Constitution for the United States of America, 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 Governor A. Cuomo, et al*

**IT HAS BEEN RESOLVED THAT** We the Sovereign People are independent of all legislated statutes, codes, rules, and regulations.<sup>11</sup>

**IT HAS BEEN RESOLVED THAT** Statutes, codes, rules, and regulations are for the aforesaid government authorities<sup>12</sup> and NOT We the Sovereign People.

**IT HAS BEEN RESOLVED THAT** We the Sovereign People are independent of all laws, except those prescribed by nature.<sup>13</sup>

**IT HAS BEEN RESOLVED THAT** We the Sovereign People are under the Laws of Nature's God,<sup>14</sup> a/k/a Common Law.<sup>15</sup> The significance of this prerogative<sup>16</sup> is found in His judges', a/k/a the jury, tribunal or the Kings bench.

**IT HAS BEEN RESOLVED THAT** it is We the Sovereign People as Grand Jurists who, when there is an injured party, decide if a crime has been committed,<sup>17</sup> not legislators or prosecutors imposing their will upon ours in an effort to control our behavior.

**IT HAS BEEN RESOLVED THAT** it is We the Sovereign People as Petit Jurors who enforce the laws<sup>18</sup> of God that are written in the hearts of men,<sup>19</sup> not written by legislators or enforced by servant judges.

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*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."*

<sup>11</sup> "Under our system of government upon the individuality and intelligence of the citizen, the state does not claim to control him/her, except as his/her conduct to others, leaving him/her the sole judge as to all that affects himself/herself." *Mugler v. Kansas* 123 U.S. 623, 659-60.

<sup>12</sup> "All codes, rules, and regulations are for government authorities only, not human/Creators in accordance with God's laws. All codes, rules, and regulations are unconstitutional and lacking due process..." *Rodriques v. Ray Donovan* (U.S. Department of Labor) 769 F. 2d 1344, 1348 (1985).

<sup>13</sup> "There, every man is independent of all laws, except those prescribed by nature. He is not bound by any institutions formed by his fellowman without his consent." -- *Cruden v. Neale*, 2 N.C. 338 (1796) 2 S.E.

<sup>14</sup> **Declaration of Independence:** When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

<sup>15</sup> **Amendment VII** ..., the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

<sup>16</sup> "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." -- *Fortesc.c.8. 2Inst.186*; "His judges are the mirror by which the king's image is reflected." 1 *Blackstone's Commentaries*, 270, Chapter 7, Section 379.

<sup>17</sup> **Amendment V:** 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; nor shall private property be taken for public use, without just compensation.

<sup>18</sup> **Amendment VI** 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; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defense.

**IT HAS BEEN RESOLVED THAT** unalienable rights are not to be defeated under the name of local practice;<sup>20</sup> the state is not to violate plain and obvious principles, the state is not to diminish unalienable rights<sup>21</sup> and the state is not to violate common reason.<sup>22</sup>

**IT HAS BEEN RESOLVED THAT** the state may not convert a right into a crime.<sup>23</sup>

**IT HAS BEEN RESOLVED THAT** states have no authority to impose a permit or penalty<sup>24</sup> for exercising an unalienable right.<sup>25</sup>

**IT HAS BEEN RESOLVED THAT** all laws repugnant to the Constitution and restrictions concerning the unalienable rights of **We the Sovereign People** that Governor Andrew Cuomo, New York Legislators and all other state legislators and governors have placed upon **We the Sovereign People** are “NULL AND VOID”<sup>26</sup> and in reality are no law, but are wholly void and ineffective for any purpose.<sup>27</sup>

**IT HAS BEEN RESOLVED THAT** for the defense and protection of the state, and of the United States,<sup>28</sup> it is the obligation of **We the Sovereign People**, a/k/a as the militia, to

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<sup>19</sup> **Rom 2:14-15** 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;)

<sup>20</sup> "The assertion of federal rights, when plainly and reasonably made, is not to be defeated under the name of local practice." Davis v. Wechsler, 263 US 22, at 24.

<sup>21</sup> "The State cannot diminish rights of the people." Hertado v. California, 110 U.S. 516.

<sup>22</sup> "Statutes that violate the plain and obvious principles of common right and common reason are null and void." Bennett v. Boggs, 1 Baldw 60.

<sup>23</sup> "The Claim and exercise of a Constitutional Right cannot be converted into a crime."-Miller v. U.S. , 230 F 2d 486. 489; "If the state converts a liberty into a privilege the citizen can engage in the right with impunity" Shuttlesworth v Birmingham, 373 USs 262.

<sup>24</sup> "A State may not impose a charge for the enjoyment of a right granted by the Federal Constitution." Murdock v. Pennsylvania, 319 U.S. 105, at 113.

<sup>25</sup> "For a crime to exist there must be an injured party. There can be no sanction or penalty imposed upon one because of this exercise of Constitutional rights."-- Sherar v. Cullen, 481 F. 945.

<sup>26</sup> "All laws, rules and practices which are repugnant to the Constitution are null and void." -- Marbury v. Madison, 5th US (2 Cranch) 137, 180.

<sup>27</sup> "The general rule is that an unconstitutional statute, though having the form and name of law, is in reality no law, but is wholly void and ineffective for any purpose, since its unconstitutionality dates from the time of its enactment... In legal contemplation, it is as inoperative as if it had never been passed... Since an unconstitutional law is void, the general principles follow that it imposes no duties, confers no right, creates no office, bestows no power or authority on anyone, affords no protection and justifies no acts performed under it... A void act cannot be legally consistent with a valid one. An unconstitutional law cannot operate to supersede any existing law. Indeed insofar as a statute runs counter to the fundamental law of the land, (the Constitution) it is superseded thereby. No one is bound to obey an unconstitutional law and no courts are bound to enforce it." -- Bonnett v. Vallier, 116 N.W. 885, 136 Wis. 193 (1908); NORTON v. SHELBY COUNTY, 118 U.S. 425 (1886).

<sup>28</sup> **NEW YORK STATE CONSTITUTION ARTICLE XII SECTION 1:** *The defense and protection of the state and of the United States is an obligation of all persons within the state. The legislature shall provide for the discharge of this obligation and for the maintenance and regulation of an organized militia.*

be armed. This is “*necessary*”<sup>29</sup> to the security of a free state” to protect against enemies both foreign and domestic. Any act of disarming freemen violates their unalienable right to defend themselves from the very tyrants that try to disarm them.

**IT HAS BEEN RESOLVED** THAT the disarming of **We the Sovereign People** is an ACT OF WAR; in violation of 18 U.S. Code §2381 - Treason: and 18 U.S. Code §2384 - Seditious conspiracy:

*"...no state legislator or executive or judicial officer can war against the Constitution without violating his undertaking to support it." -- 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).*

*“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)*

## WAR

As with our Founding Fathers, so with their posterity; “*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 We the Sovereign People*” through untainted juries, Free Committeemen and the Supreme Law of the Land. These have been seized by party bosses and corrupt judges and orchestrated by the BAR hell-bent to maintain the status quo inflicting upon **We the Sovereign People** a long train of abuses and usurpations, invariably pursuing the same objective which demonstrates a design to subjugate us under absolute Despotism.

TO PROVE THIS, WE SUBMIT THE FOLLOWING FACTS:

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<sup>29</sup> **ARTICLE 2 - NY CIVIL RIGHTS LAW §4:** *Right to keep and bear arms; A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms cannot be infringed.*

- These usurpers refuse Assent to Laws, the most wholesome and necessary for the public good.
- These usurpers relentlessly try to disarm us exposing us to all the dangers of invasion from without and within.
- These usurpers obstruct the Administration of Justice.
- These usurpers made Judges dependent upon their will alone.
- These usurpers erected a multitude of new offices, and sent hither swarms of Officers to harass the people, and eat out our substance.
- These usurpers subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving assent to their Acts of pretended Legislation.
- These usurpers conduct mock trials imprisoning patriots as terrorists.
- These usurpers tax our rights.
- These usurpers deprive us of our unalienable right of Trial by an untainted Jury of our peers.
- These usurpers try us for pretended offences in jurisdictions unknown.
- These usurpers are abolishing our most valuable Laws, and fundamentally altering the Forms of our Governments.
- These usurpers declare themselves invested with powers not vested them by our Constitution.
- These usurpers wage War against us.
- These usurpers have destroyed the lives of many of our people.
- These usurpers have been deaf to the voice of justice

In every stage of these oppressions, we have petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. Servants whose character is thus marked by every act which may define a Tyrant, is unfit to be a Steward of a free people.

We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us.

We have appealed to their native justice and magnanimity to disavow these usurpations.

*“We must therefore hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.”* – Declaration of Independence

## THIS IS NOT A LAWSUIT

This is a revolution! Not to overthrow but to restore! Not to bring violence but justice! Not to bring upheaval but law and order! A revolution in the spirit of the words of President John F Kennedy, who gave his life for it, saying:

*“A revolution is coming – a revolution which will be peaceful if we are wise enough; compassionate if we care enough; successful if we are fortunate enough – but a revolution which is coming whether we will it or not. We can affect its character; we cannot alter its inevitability” -- President JFK*

America can only be “Great Again” if we are blessed with the unadulterated Laws and Liberties that our Creator bestowed upon us. **We the Sovereign People** stand at that precipice whereas America will only be as great as its Laws and its obedience to the same. And that starts right here, right now, with this Action at Law, in this court! **We the Sovereign People** will not be overturned by a hired servant, you are either with us or against us!

## CONSPIRACY

The false impression given by the enemies of **We the Sovereign People** that these RESOLVED<sup>30</sup> issues are moot is the propaganda of lawless servants snared by the poison of the National Lawyers Guild. It is the nation’s oldest and largest progressive BAR association, a communist organization hell-bent on the destruction of our Constitutional Republic (see attached, Report on the National Lawyers Guild, Legal Bulwark of the Communist Party, by the Committee on Un-American Activities, House Report No. 3123 81st Congress 2nd Session) that have seized control of our government at every level; whereas, no decision is made, no law is passed and no issue is resolved without the seditious BAR orchestrated legislation intended to regulate our Liberties and eventually abolish them; a necessity for their NWO.

The BAR has convinced the populous that the United States is a democracy which is a stepping-stone to totalitarianism<sup>31</sup> and that by orchestrating popular demand through

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<sup>30</sup> **RESOLVED** by the Senate and House of Representatives of the United States of America, in Congress assembled ... that the following Articles ... be valid to all intents and purposes, as part of the said Constitution; viz.

<sup>31</sup> Alexander Hamilton asserted that "We are now forming a Republican form of government. Real liberty is not found in the extremes of democracy, but in moderate governments. If we incline too much to democracy we shall soon shoot into a Governor A. Cuomo, et al

fear is then able to legislate statutes that abrogate the unalienable rights of **We the Sovereign People**. Democracy and totalitarianism are types of governments that offer different ways of making decisions on behalf of the people they govern. They share some similarities and at the end of the day yield the same results. While one focuses on oppression, the other embraces the differences of the people until egotistical tyrants seize control and over-time convince the sheeple to vote away their liberties as it morph's into totalitarian, as John Adams commented: "*democracy never lasts long it soon wastes, exhausts, and murders itself.*" Article IV, Section 4, declares: "*The United States shall guarantee to every State in this Union a Republican Form of Government.*"

Under our Common Law Republic a Constitution, ordained by the People is the Supreme Law of the Land to be followed and obeyed by all elected and appointed servants. While **We the Sovereign People** are under the Laws of the Governor of the Universe, legislators may not add to them. All legislated codes, rules, regulations and statutes are for governmental and corporate agencies as defined under Article I sections 8 and 9. **We the Sovereign People** are responsible to govern our own behavior and answer to courts of Justice under the Common Law when we injure our fellow man.

**We the Sovereign People** hereby DEMAND that Governor A. Cuomo, N.Y.S. Senate Majority Leader John J. Flanagan; N.Y.S. Assembly Speaker Carl E. Heastie answer the following directly and specifically without council as is the defendants duty as trustee.

- 1) Admit or deny that **We the Sovereign People** in 1776 Declared our Independence because of government abuse of our Liberties.
- 2) Admit or deny that **We the Sovereign People** in 1789 "*ordained and established the Constitution for the United States of America.*"
- 3) Admit or deny that **We the Sovereign People** ordained and established the New York Constitution.

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*monarchy, or some other form of a dictatorship.*" Hamilton, in the last letter he ever wrote, warned that "*our real disease is democracy.*"; Thomas Jefferson declared: "*A democracy is nothing more than mob rule, where fifty-one percent of the people may take away the rights of the other forty-nine.*"; Benjamin Franklin had similar concerns of a democracy when he warned that "*Democracy is two wolves and a lamb voting on what to have for lunch. Liberty is a well-armed lamb contesting the vote!*" After the Constitutional Convention was concluded, in 1787, a bystander inquired of Franklin: "*Well, Doctor, what have we got a Republic or a Monarchy?*" Franklin replied, "*A Republic, if you can keep it.*" John Adams, our second president, wrote: "*Remember, democracy never lasts long. It soon wastes, exhausts, and murders itself.*" James Madison, the father of the Constitution wrote in Federalist Paper No. 10 that pure democracies "*have ever been spectacles of turbulence and contention; have ever been incompatible with personal security or the rights of property; and have in general been as short in their lives as they have been violent in their deaths.*"

- 4) Admit or deny that *We the Sovereign People* in 1789 “...expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added:...” Therefore, in 1791 “RESOLVED that the Bill of Rights be valid to all intents and purposes, as part of the said Constitution; viz.”
- 5) Admit or deny that *We the Sovereign People* included within said Bill that “the right of the People to bear Arms shall not be infringed.”
- 6) Admit or deny that requiring a license or permit to own or carry a hand gun is an infringement.
- 7) Admit or deny that legislators must have written constitutional authority to write legislation.
- 8) Admit or deny that “...all codes, rules, and regulations are for government authorities and corporations and NOT *We the Sovereign People*.”
- 9) Admit or deny that *We the Sovereign People*, “...are independent of all laws, except those prescribed by nature.”
- 10) Admit or deny that “...[unalienable] rights are not to be defeated under the name of local practice.”
- 11) Admit or deny that “...the state is not to violate plain and obvious principles.”
- 12) Admit or deny that “...the state is not to diminish [unalienable] rights.”
- 13) Admit or deny that “...the state is not to violate common reason.”
- 14) Admit or deny that “...the state may not convert a right into a crime.”
- 15) Admit or deny that “...states have no authority to impose a permit or penalty for exercising an unalienable right. “
- 16) Admit or deny that all laws repugnant to the Constitution are “NULL AND VOID” “...and in reality is no law, but is wholly void and ineffective for any purpose from the time of passage.”
- 17) Admit or deny that *We the Sovereign People*, are under the Laws of Nature's God a/k/a Common Law.
- 18) Admit or deny that it is *We the Sovereign People* as Grand Jurists who, when there is an injured party, decide if a crime has been committed, not legislators or prosecutors imposing their will upon ours in an effort to control our behavior.
- 19) Admit or deny that it is *We the Sovereign People* as Petit Jurors who enforce the laws of God that are written in the hearts of men, not written by legislators or enforced by servant judges.

- 20) Admit or deny that for the defense and protection of the state and of the United States, it is the obligation of ~~We~~ the ~~People~~, a/k/a as the militia, to be armed.
- 21) Admit or deny that any act of disarming freemen also violates their unalienable right to defend themselves from the tyrants that try to disarm them.
- 22) State what Article and sub-section in the N.Y.S. Constitution authorized the defendants to write and enforce §265.20.
- 23) State what Article and sub-section in the N.Y.S. Constitution authorized the defendants to write and enforce §265.01.
- 24) State what Article and sub-section in the N.Y.S. Constitution authorized the defendants to write and enforce §700.00.
- 25) State what Article and sub-section in the N.Y.S. Constitution authorized the defendants to write and enforce §400.00.
- 26) State what Article and sub-section in the N.Y.S. Constitution authorized the defendants to write and enforce §265.00.
- 27) State what Article and sub-section in the N.Y.S. Constitution authorized the defendants to write and enforce §265.02.
- 28) State what Article and sub-section in the N.Y.S. Constitution authorized the defendants to write and enforce §265.35.
- 29) State what Article and sub-section in the N.Y.S. Constitution authorized the defendants to write and enforce §35.20.
- 30) State what Article and sub-section in the N.Y.S. Constitution authorized the defendants to write and enforce §265.10.
- 31) State what Article and sub-section in the N.Y.S. Constitution authorized the defendants to write and enforce §2230.
- 32) State what Article and sub-section in the N.Y.S. Constitution authorized the defendants to write and enforce any statute that can regulate the 2<sup>nd</sup> Amendment.

An acceptable response to this Action at Law without having to answer the aforesaid thirty-two questions is to respond with a written and articulated open acknowledgment through a press release of error and nullification of all laws repugnant to the Second Amendment; ordering all law enforcement to stand down from infringing upon the unalienable right of ~~We~~ the ~~Sovereign~~ ~~People~~ to “*bear Arms*”.

**WHEREFORE**, We the Sovereign People demand that Governor A. Cuomo, N.Y.S. Senate and N.Y.S. Assembly cease all unconstitutional actions and stop blindly approving BAR legislation into laws that are repugnant to the Constitution. All legislation is to state clearly by what authority they act upon.

The common ploy moving the court for dismissal for “No Standing” used by Attorneys General with a willing judge in order to shield government servants is for slaves, not sovereigns. We the Sovereign People will not accept a dismissal; magistrates have no such leave in this court of record to dismiss by summary proceeding.<sup>32</sup>

If the defendants fail to answer unfiltered, We the Sovereign People authorize the movement of this court for a default, rendering all legislative infringements upon the second Amendment null and void in the United States including and not limited to N.Y.S. Code §265.20, §265.01, §700.00, §400.00, §265.00, §265.02, §265.35, §35.20, §265.10, §2230 and the court is to direct all County Sheriffs to protect the People, from state and federal law enforcement agents who are to cease and desist all abuse against We the Sovereign People for the exercising of our unalienable “right to keep and bear Arms”, protected by the 2<sup>nd</sup> Amendment.

*Quotiens dubia interpretatio libertatis est, secundum libertatem respondendum erit:*<sup>33</sup>

SEAL

**DATED:** March 1, 2017



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Grand Jury Foreman

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<sup>32</sup> **Summary proceeding:** “Any proceeding by which a controversy is settled, case disposed of, or trial conducted, in a prompt and simple manner, without the aid of a jury, without presentment or indictment, or in other respects out of the regular course of the common law.” Sweet; and see Phillips v. Phillips, 8 N.J.L. 122.

<sup>33</sup> Whenever there is a doubt between liberty and slavery, the decision must be in favor of liberty. Dig. 50, 17, 20