

# MEMORANDUM OF LAW CONCERNING THE ABROGATION OF THE LAW OF THE LAND

*Article III §2. The judicial power shall extend to all cases, in law<sup>1</sup> and equity<sup>2</sup>...*

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The purpose of this memorandum is to expose the seditious conspiracy via the “1934 Rules Enabling Act,” perpetrated by the 73<sup>rd</sup> Congress, the American Bar Association, the United States Supreme Court, and the Federal Judiciary which have poisoned every attorney and every court in America by replacing Law and Equity with civil law in 1938. Subsequently, together said perpetrators did conspired and did overthrew the Government of the United States of America by abrogating the Peoples’ “Courts of Justice,” turning them into a “Den of Thieves,” in violation of 18 USC §2383<sup>3</sup> and, 18 USC §2384.<sup>4</sup> Whereas, the ABA being the chief orchestrator advocates, abets, advises, and teaches the duty, necessity, desirability, of abrogating the “Law of the Land” to their minions of the New World Order a/k/a BAR attorneys, in violation of 18 USC §2385.<sup>5</sup> This single treasonous act abrogated our courts of Law, courts of equity, Declaration of Independence, United States Constitution, and our Bill of Rights.

Said conspirators have levied war against the Constitution and thereby We the People. They have given aid and comfort to the enemy within the United States and elsewhere.

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<sup>1</sup> **AT LAW, Blacks 4<sup>th</sup>:** 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>2</sup> **EQUITY, Black's 4<sup>th</sup>:** Equity is a body of jurisprudence, or field of jurisdiction, differing in its origin, theory, and methods from the common law. – Laird v. Union Traction Co., 208 Pa. 574, 57 A. 987;

<sup>3</sup> **18 USC §2383 - Rebellion or insurrection** - Whoever incites, sets on foot, assists, or engages in any rebellion or insurrection against the authority of the United States or the laws thereof, or gives aid or comfort thereto, shall be fined under this title or imprisoned not more than ten years, or both; and shall be incapable of holding any office under the United States.

<sup>4</sup> **18 USC §2384 - Seditious conspiracy** - If two or more persons in any State or Territory, or in any place subject to the jurisdiction of the United States, conspire to overthrow, put down, or to destroy by force the Government of the United States, or to levy war against them, or to oppose by force the authority thereof, or by force to prevent, hinder, or delay the execution of any law of the United States, or by force to seize, take, or possess any property of the United States contrary to the authority thereof, they shall each be fined under this title or imprisoned not more than twenty years, or both.

<sup>5</sup> **§2385 Advocating overthrow of Government:** Whoever knowingly or willfully advocates, abets, advises, or teaches the duty, necessity, desirability, or propriety of overthrowing or destroying the government of the United States or the government of any State, Territory, District or Possession thereof, or the government of any political subdivision therein, by force or violence, or by the assassination of any officer of any such government; or Whoever, with intent to cause the overthrow or destruction of any such government, prints, publishes, edits, issues, circulates, sells, distributes, or publicly displays any written or printed matter advocating, advising, or teaching the duty, necessity, desirability, or propriety of overthrowing or destroying any government in the United States by force or violence, or attempts to do so; or Whoever organizes or helps or attempts to organize any society, group, or assembly of persons who teach, advocate, or encourage the overthrow or destruction of any such government by force or violence; or becomes or is a member of, or affiliates with, any such society, group, or assembly of persons, knowing the purposes thereof: Shall be fined under this title or imprisoned not more than twenty years, or both, and shall be ineligible for employment by the United States or any department or agency thereof, for the five years next following his conviction. If two or more persons conspire to commit any offense named in this section, each shall be fined under this title or imprisoned not more than twenty years, or both, and shall be ineligible for employment by the United States or any department or agency thereof, for the five years next following his conviction. As used in this section, the terms “organizes” and “organize,” with respect to any society, group, or assembly of persons, include the recruiting of new members, the forming of new units, and the regrouping or expansion of existing clubs, classes, and other units of such society, group, or assembly of persons.

They have concealed a conspiracy to destroy our Republic. They have engaged in actions to subvert the Government of the United States. They have, conspired to conceal “Natural Law” a/k/a the “Law of the Land. They have, in congruence with the teaching of the American Bar Association, the National Lawyers Guild, the American Civil Liberties Union, the National Lawyers Association, the Southern Poverty Law Center, and many other anti-constitutional associations, knowingly and willfully advocate, abet, advise, and teach that Natural Law, and thereby the Law of the Land, has been abrogated and thus have conspired to overthrow our Republic.

Under the ABA’s Rules Enabling Act of 1934, the 73<sup>rd</sup> Congress, enabled the United States Supreme Court the authority to prescribe rules under 28 USC §2072(a).<sup>6</sup> The United States Supreme Court and Federal Judiciary then covertly abused that authority to conceal and abridge the “*Supreme Law of the Land*” under Federal Rule 2. According to the Federal Judicial Center, a government agency, on September 16, 1938, pursuant to its de facto authority, under the repugnant “Rules Enabling Act of 1934,” via Rule 2 stated that;

*“The Supreme Court enacted uniform rules of procedure for the federal courts. Under the new rules, suits in equity and suits at common law were grouped together under the term “civil action,” claiming that “rigid application of common-law rules brought about injustice.” See FJC page attached.*

This was an act of Treason whereas;

*“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<sup>7</sup>*

The “ABA/Judiciary’s” dark reasoning for abolishing Common Law is because they claim that “*a rigid application of common-law-rules, a/k/a God’s self-evident truths/maxims, brought about injustice.* This is absurd considering that God is good, just, and merciful and they are not! And, therefore it follows that His Law is just and merciful while the hearts of men are desperately wicked, who can know it?<sup>8</sup>

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<sup>6</sup> **28 USC §2072(a)** The Supreme Court shall have the power to prescribe general rules of practice and procedure and rules of evidence for cases in the United States district courts (including proceedings before magistrate judges thereof) and courts of appeals.

<sup>7</sup> **Cooper v. Aaron**, 358 U.S. 1, 78 S. Ct. 1401 (1958)

<sup>8</sup> **Jeremiah 17:7-9** Blessed is the man that trusteth in the LORD, and whose hope the LORD is. For he shall be as a tree planted by the waters, and that spreadeth out her roots by the river, and shall not see when heat cometh, but her leaf shall be green; and shall not be careful in the year of drought, neither shall cease from yielding fruit. The heart is deceitful above all things, and desperately wicked: who can know it?

The truth of the matter is that Common Law sheds light on the “ABA/Judiciary’s” dark deeds thereby revealing their true intentions. Their claim that, “common-law rules brought about injustice” was an act of deflection, whereas their “civil law rules” brought about injustice. This seditious act under the teachings and guidance of the subversive American Bar Association and the aforesaid anti-constitutional associations executed a silent coup by claiming the abrogation of Common Law, with its Unalienable Rights that were endowed by our Creator and covertly substituted them with civil rights legislated by lawless men.

THE ABA FEDERAL JUDICIAL CENTER, proceeding under the de facto authority of 28 USC §620(a),<sup>9</sup> claim, “their purpose is to further the development and adoption of improved judicial administration in the courts of the United States. One of the Center’s main functions is to educate and train personnel of the judicial branch of the Government including, but not limited to, judges, magistrates, clerks of court, probation officers, lawyers, and persons serving as mediators and arbitrators. Presently the Center’s governing board is chaired by the Chief Justice of the United States John G. Roberts, Jr.

As per Black’s Law, “*law derives from*” precedents, legislation, or custom under three categories:

- (1) Common Law – is subject to Natural Law written by nature’s God in His Word and the hearts of men.<sup>10</sup>
- (2) Equity – under our Constitution is subject to the Constitution written by the People by the authority vested in them by Nature’s God via the Declaration of Independence which was a covenant with God and therefore cannot be broken but by His wrath!
- (3) Civil law – is subject to the state. Any law subject to a constitution written by the state is civil law and not equity, written by men whose conscience is seared.<sup>11</sup>

The Constitution defines the Law of the Land as “Common Law and Equity” as the supreme law of the land, whereas the judges in every state shall be bound thereby, anything in the Constitution or laws of any State, *which includes rules*, to the contrary notwithstanding.

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<sup>9</sup> **§620(a)** There is established within the judicial branch of the Government a Federal Judicial Center, whose purpose it shall be to further the development and adoption of improved judicial administration in the courts of the United States.

<sup>10</sup> **Romans 2: 13-16** 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;

<sup>11</sup> **1 Timothy 4: 1** – Now the Spirit speaketh expressly, that in the latter times some shall depart from the faith, giving heed to seducing spirits, and doctrines of devils; Speaking lies in hypocrisy; having their conscience seared with a hot iron;

It appears that the judges, who are expected to know the law, need to be instructed in the Law, or are guilty of High Treason<sup>12</sup> under 18 USC §2381.<sup>13</sup> Whereas, Congress alone was empowered under Article I Section 8 clause 18 to write laws in equity. Congress does not possess the power to abrogate Natural law. That jurisdiction belongs to God, whereas ABA indoctrinated judges think they can change God's Law?<sup>14</sup> They think they are above God that they can just change our Natural Law to civil law which places the People under their merciless destructive jurisdiction of Leviathan?<sup>15</sup> This action is the very definition of a coup and the said defendants are therefore guilty of treason.

Until We the People take back our stolen Republic by reinstating "Law and equity" in our courts, there will be No Justice in American courts and America would be lost least until the People rise to end it! James Madison said,

*"The people have an indubitable, unalienable, and indefeasible right to reform or change their government, whenever it be found adverse or inadequate to the purposes of its institution."*

We the People agreed and codified this right in the Preamble of the Declaration of Independence when we declared, "Whenever any Form of Government becomes destructive to our Rights, it is the Right of the People to alter government, and Institute New Servants! We the People have the unalienable rights to be free, to have access to courts of Justice, and to have "Government by Consent," As Samuel Adams said;

*"The natural liberty of man is to be free from any superior power on Earth, and not to be under the will or legislative authority of man, but only to have the law of nature for his rule."*

FINALLY, the "Rules Enabling Act" violates the Peoples unalienable right to Common Law Rules in courts of Law as we read in Amendment VII, "In suits at common law, where the value in controversy shall exceed twenty dollars, 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, then ACCORDING TO THE RULES OF THE COMMON LAW."

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<sup>12</sup> **High Treason, Blacks Law 4<sup>th</sup>:** 3 Inst. 138: In high treason no one can be an accessory but only principal.

<sup>13</sup> **18 USC §2381 TREASON:** Whoever, owing allegiance to the United States, levies war against them or adheres to their enemies, giving them aid and comfort within the United States or elsewhere, is guilty of treason and shall suffer death, or shall be imprisoned not less than five years and fined under this title but not less than \$10,000; and shall be incapable of holding any office under the United States.

<sup>14</sup> **Daniel 7:25-28** And he shall speak great words against the most High, and shall wear out the saints of the most High, and think to change times and laws: and they shall be given into his hand until a time and times and the dividing of time. But the judgment shall sit, and they shall take away his dominion, to consume and to destroy it unto the end. And the kingdom and dominion, and the greatness of the kingdom under the whole heaven, shall be given to the people of the saints of the most High, whose kingdom is an everlasting kingdom, and all dominions shall serve and obey him. Hitherto is the end of the matter...

<sup>15</sup> Isaiah 27:1 In that day the LORD with his sore and great and strong sword shall punish leviathan the piercing serpent, even leviathan that crooked serpent; and he shall slay the dragon that is in the sea.