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

• 445 Broadway, Unit 509, Albany, NY 12207 •

Unified United States Common Law Grand Jury
Plaintiffs

- against -

Chief Judge James Lewis, et al.
Defendants

JURISDICTION: Court of Record
Federal Case No: _____

GRAND JURY PRESENTMENT FOR
A DECLARATION & AN ORDER
TO GUARANTEE A REPUBLICAN
FORM OF GOVERNMENT

SUMMONS

DEFENDANTS: Chief Judge James Lewis, Kansas State Legislators, New York State Legislators, Alaska State Legislators, Connecticut State Legislators, Delaware State Legislators, Hawaii State Legislators, Rhode Island State Legislators, Pennsylvania State Legislators, Colorado State Legislators, Florida State Legislators, Indiana State Legislators, Kentucky State Legislators, Louisiana State Legislators, Maryland State Legislators, Massachusetts Legislators, Michigan State Legislators, Montana State Legislators, Nebraska State Legislators, Nevada State Legislators, New Jersey State Legislators, New Mexico State Legislators, North Carolina State Legislators, South Dakota State Legislators, Tennessee State Legislators, Virginia State Legislators, Washington State Legislators, and West Virginia State Legislators, New York Manhattan County, New York Bronx County, New York Brooklyn County, New York Queens County, New York King County, New York Nassau County, New York Westchester County, Pennsylvania State Northampton County, Pennsylvania State Luzerne County, Pennsylvania State Riley County, Colorado State Denver city County, Colorado State Broomfield County, Florida State Duval County, Florida State Miami-Dade County, Maryland State Anne Arundel County, Maryland State Baltimore County, Maryland State Baltimore City, Maryland State Howard County, Maryland State Montgomery County, Maryland State Prince George's County, Montana State Butte-Silver Bow County, Nevada State Ormsby County, Nevada State Clark County

YOU ARE HEREBY SUMMONED to appear and answer this endorsed summons in the United States District Court for the Northern District of New York, Court of Record; located at 445 Broadway, Unit 509, Albany, NY 12207;

You must answer within 30 days after service of this summons on you (*not counting the day you received it*) and you must serve on the plaintiff an answer to the attached action.

Upon your failure to appear and answer, judgment will be taken against you for the relief demanded in the Action at Law.

You also must file your answer with the above said court.

Seal



New York, Albany County, August 1, 2024

Grand Jury Foreman

Unified United States Common Law Grand Jury
PO Box 64, Valhalla, New York 10595-9998

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

• 445 Broadway, Unit 509, Albany, NY 12207 •

FEDERAL COURT OF RECORD CASE NO: _____

COVER SHEET

NATIONAL EMERGENCY

Unified United States Common Law Grand Jury

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:

PO Box 64, Valhalla, New York 10595-9998

PLAINTIFF

~ AGAINST ~

- Chief Judge James Lewis, 2nd Circuit Ct., 2425 Nimmo Pkway Blding 10, 3rd Fl VA Beach, VA 23456-9017
- Kansas State Legislators, c/o Speaker of the House Rep Daniel Hawkins, 300 SW 10th Ave, Topeka, KS 66612,
- NYS Legislators, c/o Speaker Carl E Heastie, State Street and Washington Avenue Albany, NY 12224
- Alaska State Legislators, c/o Speaker Mike Chenault, 129 Sixth St, Juneau, AK 99801
- Connecticut State Legislators, c/o Speaker Matt Ritter, 300 Capitol Ave, Hartford, CT 06106
- Delaware State Legislators, c/o Speaker Valerie J. Longhurst, 411 E Legislative Ave, Dover, DE 19901
- Hawaii State Legislators, c/o Speaker Saiki K Scott, 415 S Beretania St, Honolulu, HI 96813
- Rhode Island State Legislators, c/o Speaker, 82 Smith Street, Providence, RI 02903
- Pennsylvania State Legislators, c/o Speaker K. Joseph Shekarchi, 11 York St, Hanover, PA 17331
- Colorado State Legislators, c/o Speaker McCluskie, Colorado State Capitol, 200 East Colfax Denver CO 80203
- Florida State Legislators, c/o Speaker Renner, 400 N Adams St, Tallahassee, FL 32301
- Indiana State Legislators, c/o Speaker Mike Karickhoff, 200 W. Washington St. Indianapolis, IN 46204-2786
- Kentucky State Legislators, c/o Speaker David Osborne, 700 Capital Ave., Frankfort, KY 40601
- Louisiana State Legislators, c/o Speaker DeVillier, PO Box 94062, Baton Rouge, Louisiana 70804-9062
- Maryland State Legislators, c/o Speaker Adrienne A Jones, 90 State Cir, Annapolis, MD 21401
- Massachusetts Legislators, c/o Speaker Ron Mariano, 24 Beacon St., Room 1, Boston, MA 02108
- Michigan State Legislators, c/o Speaker Joe Tate, PO Box 30014 Lansing, MI 48909-7514
- Montana State Legislators, c/o Speaker Matt Regier, Room 110, P.O. Box 200400 Helena, MT 59620-0400
- Nebraska State Legislators, c/o Speaker John Arch, State Capitol PO Box 94604 Lincoln NE 68509-4604
- Nevada State Legislators, c/o Speaker Steve Yeager, 401 South Carson St Carson City, NV 89701-4747

- NJ State Legislators, c/o Speaker C. J. Coughlin, Rm B50 State House Annex Box 068 Trenton, NJ 08625-0068
- New Mexico State Legislators, c/o Speaker Javier Martínez, P.O. Box 25491, Albuquerque, NM 87125
- North Carolina State Legislators, c/o Speaker Tim Moore, 16 W Jones St, Raleigh, NC 27601
- South Dakota State Legislators, c/o Speaker H. Bartels, Capitol Building, 500 E Capitol Ave. Pierre, SD 57501-5070
- Tennessee State Legislators, c/o Speaker John Lewis Way N, Suite 600 Cordell Hull Bldg., Nashville, TN 37243
- Virginia State Legislators, c/o Speaker Don Scott, General Assembly Building: 201 No 9th St, Richmond, VA
- Washington State Legislators, c/o Speaker Johnson, 416 Sid Snyder Ave SW, Olympia, WA 98504
- West VA State Legislators, c/o Speaker Roger Hanshaw, West VA State Capitol, Blding 1 Charleston, WV 25305
- New York Manhattan County, New York Bronx County, New York Brooklyn County, New York Queens, County, New York King County; The Honorable Eric Adams City Hall New York, NY 10007 New York
- Nassau County Government, 60 Charles Lindbergh Blvd. Uniondale, New York 11553
- NY. Westchester County Government, 110 Dr. Martin Luther King Jr. Blvd. Room L-221 White Plains, New York 10601
- PA Northampton County Government, 669 Washington Street. Easton, PA 18042
- PA Luzerne County Government, 200 N River Street, Wilkes-Barre, PA 18711
- PA Riley County Government, 13042 Belle River Rd., Riley, MI 48041
- Denver City Council 1437 Bannock St, Unit 451, Denver, CO 80202
- Colorado Broomfield County Government, One DesCombes Drive, Broomfield, CO 80020
- Florida Duval County Government, 501 West Adams Street, Room 1253, Jacksonville, Florida 32202
- Florida Miami-Dade County Government, 111 NW 1st Street, Miami, FL 33128
- Maryland Anne Arundel County Government, 433 Andover Road, Linthicum Heights, MD 21090
- Maryland Baltimore County Gov, 111 West Chesapeake Avenue. Room 120. Towson, Maryland 21204
- Maryland Baltimore City Government, City Hall - Room 250 100 N. Holliday St, Baltimore, MD 21202
- Maryland Howard County Government, Building: 3430 Court House Drive, Ellicott City, MD 21043.
- Maryland Montgomery County Government, Executive Office Building 101 Monroe Street, 2nd Floor Rockville, MD 20850
- Maryland Prince George's County Gov, Wayne K. Curry Administration Building, 1301 McCormick Drive, Largo, MD 20774
- Montana Butte-Silver Bow County Government, 155 W Granite Street, Butte, MT 59701
- Nevada Ormsby County Government, 214 W. King Street, Carson City, Nevada, 89706
- Nevada Clark County Government, 500 S. Grand Central Pkwy. 6th Floor Las Vegas, Nevada 89155

DEFENDANTS

COPIED: Judge Advocate General
 1322 Patterson Ave., Suite 3000, Washington Navy Yard, DC 20374-5066

NATIONAL GUARD BUREAU, Gen. Daniel R. Hokanson;
 111 S. George Mason Dr., Arlington, VA 22204

NORAD/US. NORTHCOM PA, Gen. Glen D. VanHerck
 250 Vandenberg, Ste. B-016, Peterson Space Force Base, CO 80914-3808

Office of the Air Force Inspector General, Maj Gen Junius Jones
 1140 Air Force Pentagon, Washington DC. 20330-1140

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3 Bl. Comm. 24; 3 Steph. Comm. 383; The Thomas Fletcher, C.C.Ga., 24 F. 481;
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GRAND JURY PRESENTMENT FOR
A DECLARATION & AN ORDER
TO GUARANTEE A REPUBLICAN
FORM OF GOVERNMENT

10

COMES NOW, the Constituted¹ Unified² United States Common Law³ Grand Jury⁴ of the fifty United States of America (see memorandum Grand Jury Authority attached), hereinafter “We the People, in this Court of Record”⁵ for a declaratory relief and an order against, Chief Judge James Lewis, Kansas State Legislators, New York State Legislators, Alaska State Legislators, Connecticut State Legislators, Delaware State Legislators, Hawaii State Legislators, Rhode Island State Legislators, Pennsylvania State Legislators, Colorado State Legislators, Florida State Legislators, Indiana State Legislators, Kentucky State Legislators, Louisiana State Legislators, Maryland State Legislators, Massachusetts

15

¹ **CONSTITUTED** – The People of each county have come together to agreed and declared a return to Common Law Juries.

² **UNIFIED** - Every county in all fifty states have constituted the Common Law Juries.

³ **COMMON LAW** – Article VI – 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.

⁴ **COMMON LAW GRAND JURY** – 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...; The Court of Appeals’ rule would neither preserve nor enhance the traditional functioning of the grand jury that the “common law” of the Fifth Amendment demands. UNITED STATES v. WILLIAMS, Jr.112 S.Ct. 1735; 504 U.S. 36; 118 L.Ed.2d 352.

⁵ **COURT OF RECORD**: Proceeding according to the course of common law – 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; Black’s Law Dictionary, 4th Ed., 425, 426

Legislators, Michigan State Legislators, Montana State Legislators, Nebraska State
20 Legislators, Nevada State Legislators, New Jersey State Legislators, New Mexico State
Legislators, North Carolina State Legislators, South Dakota State Legislators, Tennessee
State Legislators, Virginia State Legislators, Washington State Legislators, and West
Virginia State Legislators, New York Manhattan County, New York Bronx County, New
York Brooklyn County, New York Queens County, New York King County, New York
25 Nassau County, New York Westchester County, Pennsylvania State Northampton County,
Pennsylvania State Luzerne County, Pennsylvania State Riley County, Colorado State
Denver city County, Colorado State Broomfield County, Florida State Duval County,
Florida State Miami-Dade County, Maryland State Anne Arundel County, Maryland State
Baltimore County, Maryland State Baltimore City, Maryland State Howard County,
30 Maryland State Montgomery County, Maryland State Prince George’s County, Montana
State Butte-Silver Bow County, Nevada State Ormsby County, Nevada State Clark County,
hereinafter defendants; for a Declaration of a right that, “States” are to Guarantee a
Republican form of government” under Article IV §4” that requires a CLEO in every
county whose Supreme duty is to uphold and protect the “Supreme Law of the Land”
35 ordained and codified by We the People under Article VI; Without-which there is no Law
enforcement and therefore a lawless county because; “Power tends to corrupt and
absolute power corrupts absolutely.”

WE THE PEOPLE DEMAND THAT; Defendants guarantee a Republican Form of Government
by restoring the power and authority to our County Sheriffs that the Common Law
40 requires in order to guarantee a “Republican Form of Government.” Whereas defendants
have blocked the election of, dimmish, or entirely removed the powers of the People’s
“Chief Law Enforcer Officer” of the County within their respective state or counties.
Whereas defendants have put every person in the United States in jeopardy, for a cancer
left untreated will eventually spread throughout the whole body!

45 **JURISDICTION**

The Federal Declaratory Judgment, Act 28 U.S.C. § 2201(a) states: “*In a case of actual
controversy within its jurisdiction, . . . any court of the United States, upon the filing of
an appropriate pleading, may declare the rights and other legal relations of any*

interested party seeking such declaration, whether or not further relief is or could be
50 sought. Any such declaration shall have the force and effect of a final judgment or decree
and shall be reviewable as such.”

The Federal Court has both subject matter jurisdiction and personam jurisdiction
having judicial power in all cases in Law arising under the Constitution via Article III §2.
Whereas this is a dispute concerning serious constitutional violations. Whereby
55 defendants violated their duty to guarantee to the People of their respective state and
counties a Republican form of government. Whereas the United States Federal Court
being a branch of the United States Government is to guarantee a Republican form of
government in every state in this Union via Article IV §4;

VENUE

60 The Northern District of New York Court is the proper venue because the New York State
Legislators located in Albany County New York is one of the defendants and all the People
of New York have been injured and are in jeopardy.

GENERAL ALLEGATIONS

Defendants violated their duty to conform to the Law of the Land in violation of Article
65 IV Section 4. The United States shall guarantee to every state in this union a Republican
form of government, ... And, Article VI clause 2 which states that; “*This Constitution, ...
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.*” Whereas, “*in order to establish justice, ensure domestic tranquility,
70 promote the general welfare, and secure the blessings of liberty*”⁶ within each county of
their respective state requires an elected CLEO; the only Conservator of the Peace;
without which there is No Peace! The Sheriff is an officer of great antiquity, dignity, trust,
and authority that the Common Law demands; and, must be elected by the People and
answer to the People and not the government. All other law enforcers throughout the
75 United States are code enforcers that answer to a human political authority and not the
Laws’ of nature and natures’ God. The Free and Independent Sheriff; the Protector and

⁶ Preamble

Enforcer of our Founding Documents; is the failsafe of our Common Law Republic; without which domestic tranquility and the blessings of liberty is in jeopardy. As President George Washington said, “*Government is not reason; it is not eloquence. It is force. And force, like fire, is a dangerous servant and a fearful master.*”

HISTORICAL BACKGROUND OF THE COUNTY SHERIFF AND THE SHERIFF’S ROLE AS CLEO TODAY

The Declaration of Independence is the foundation of American Law ordained and established by We the People and blessed by God where we said that, we are “*entitled to be under the Laws of Nature and of Nature’s God.*” We additionally said,

“*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 the governed, --That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to affect their Safety and Happiness.*”

County, state or federal governments cannot write statutes or rules that would alter that which “We the People” ordained. Our “Declaration of Independence” the foundation of our Law is a covenant with our Creator who said, “*Blessed is the Nation whose God is the Lord*” – Ps: 33:12. Making the United States of America the second “Natural Law Republic,” ancient Israel being the first established in 1400 BC. 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.*”

We read in 16 American Jurisprudence 2nd §114: “*As to the construction, with reference to Common Law, an important canon of construction is that constitutions must be construed to reference to the Common Law.’ The Common Law, so permitted destruction of the abatement of nuisances by summary proceedings and it was never supposed that a constitutional provision was intended to interfere with this established principle and although there is no common law of the United States in a sense of a*

110 *national customary law [such as comity] as distinguished from the common law [natural
Law, the Bible] of England [founded upon the Magna Carta], adopted in the several
states. In interpreting the Federal Constitution, recourse may still be had to the aid of
the Common Law of England. It has been said that without reference to the common
law, the language of the Federal Constitution could not be understood.*

115 Whereas, the BAR being in violation of 18 USC §2385 deceitfully teach attorneys that,
common law is comprised of judicial precedent aka judge-made law or case law, which is
the body of law created by judges and similar quasi-judicial tribunals by virtue of being
stated in written opinions; Claiming that stare-decisis supports that defective thinking.
Such conclusions violate the ‘Common Law Maxum,’ “*A thing similar is not necessarily
the same thing.*” Lawyers and judges are to be guided by the principles of “American
120 Jurisprudence” that rest on “authoritative decisions” being the United States Supreme
Court or State Supreme Courts, known by other names in some states, not trial courts!
Stare-decisis, contrary to what they have been taught does not include comity.

125 Moreover, when it comes to unalienable rights such “authoritative decisions” by the
Supreme Courts and legislation are sometimes repugnant to the Law of the Land and are
thereby null & void, see Marbury v. Madison, 5th US (2 Cranch) 137, 180; and Miranda v.
Arizona, 384 U.S. 436, 491; And when We the People challenge such legislation or
authoritative decisions it must be heard for reconsideration. For example, the intent of
Amendment XVI which the US Supreme Court in Brushaber v. Union Pacific R.R. Co.,
240 U.S. 1, did see the encroachment and rightly and authoritatively decided that, “it
130 created no new power of taxation” and that it “did not change the constitutional
limitations which forbid any direct taxation of individuals.” Another example, yet to be
corrected, is Amendment XVII that destroyed the balance of power by removing “state
representation” that was codified and ordained by “We the People” in Article V where we
ordained that, “*no state, without its consent, shall be deprived of its equal suffrage in the
135 Senate.*” Whereas, Amendment XVII clearly deprives the states equal suffrage in the
Senate thereby destroying the balance of power intended by We the People. This is an
issue to be addressed for another time. Soon!

“THE SHERIFF IS THE CHIEF EXECUTIVE AND ADMINISTRATIVE OFFICER” of a county, being
chosen by popular election. Without a CEO there would be no orchestration of “Law and
140 Order,” there would be chaos! The Constitution and its “Capstone Bill of Rights” are
Common Law documents and cannot defend itself, it requires a Common Law Officer to
secure and enforce it. Common Law cannot exist without a fully informed and fully
empowered Sheriff. The Sheriff is an integral and essential element of the Common Law!
Without the CEO there would be lawlessness. All other law enforcement agencies are code
145 enforcement officers and answer to government agencies and are sadly clueless to the
unalienable rights of the People. And each of these agencies would be fighting for
jurisdiction over its victim unless the CEO enforces the “Law of the Land” and puts an end
to the abuse and chaos. Thereby upholding the peace, being the “Chief Conservator of the
Peace” within his territorial jurisdiction.”⁷

150 WE ARE A NATION GOVERNED BY THE COMMON LAWS OF GOD which makes our Law superior
and more Just than any other nation’s law. Therefore, the Oath of the County Sheriff is a
Sacred Oath, which, when violated, is a direct assault upon God, whose judgement will
not rest forever.⁸ Thomas Jefferson professed America’s covenant between God and We
the People when he penned the following: “*When in the Course of human events, it
155 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. We hold these truths to be self-evident, that all men are
160 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 the governed.*”

⁷ Harston v. Langston, Tex.Civ. App., 292 S.W. 648, 650. When used in statutes, the term may include a deputy sheriff. Lanier v. Town of Greenville, 174 N.C. 311, 93 S.E. 850, 853

⁸ “*I tremble for my country when I reflect that God is just; that his justice cannot sleep forever.*”
– Thomas Jefferson

Justice Scalia, writing for the majority in a 1997 decision said, “*the Sheriff is the Chief Law Enforcement Officer of the county*” and also proclaimed that the States “*retained an inviolable sovereignty*.” Scalia went even further in this landmark decision, one in which two small-town sheriffs headed the Feds “*off at the pass*” and sent them on their way. Scalia, in his infinite obligation to the Constitution, took this entire ruling to the tenth power when he said, “*The Constitution protects us from our own best intentions... so that we may resist the temptation to concentrate power in one location as an expedient solution to the crisis of the day*.” Obviously, the Sheriff is the People’s last line of defense against a government or government agent(s) gone rogue. If it wasn’t for the Sheriff in the said 1997 case the Feds relying on ‘judicial precedent’ would have tramped on the Law and many People would have been injured in that state and every other state!

175 **THE DUTY OF THE COUNTY SHERIFF;** The Sheriff’s principal duties are in aid of the “Courts of Record,” “NOT” “Courts Not of Record,” such as serving process, summoning juries, executing judgments, holding judicial sales and the like. A portion of the sheriff’s office carries out civil process at the direction of the courts, such as eviction or process service of some legal documents. “Courts of record proceed according to the course of common law”⁹ and without a Sheriff there is no other Law enforcer.

185 “Sheriffs are to preserve the peace, apprehend felons, and execute due process of Law. The sheriff shall keep and preserve the peace within his county, for which purpose he is empowered to call to his aid such persons or power of his county as he may deem necessary. He must pursue and apprehend all felons, and must execute all writs, warrants, and other process from any court of record or magistrate which shall be directed to him by legal authority.”

Sheriffs still enlist the aid of the citizens. The National Neighborhood Watch Program, sponsored by the National Sheriffs’ Association, allows citizens and law enforcement officials to cooperate in keeping communities safe. This is why the new mission of the

⁹ 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][Black’s Law Dictionary, 4th Ed., 425, 426]

190 Indiana Sheriffs' Association and their slogan is "Building Communities of Trust in ALL
92 Indiana Counties."

As the sheriffs' law enforcement duties become more extensive and complex, new
career opportunities exist for people with specialized skills: underwater diving, piloting,
boating, skiing, radar technology, communications, computer technology, accounting,
195 emergency medicine, and foreign languages (especially Spanish, French, and
Vietnamese.)

Sheriffs have a duty to provide Law Enforcement officers who are a Sheriff's Deputy,
often called bailiffs in the court which means guardian or steward in all Courts of Record.
Like the Sheriff, deputies are to have a "proper education." It is the duty of the Sheriff to
200 make sure that his Deputies have a "proper education."

Bailiffs are not in the courtroom as a private body guard for the judge, he is there to
protect the People and the judge who is also one of the People. He is there to keep the
peace by making sure the Law of the Land is being adhered to and that unalienable rights
are not being violated. The Sheriff's primary duty is to protect the sovereign (People) and
205 ensure Justice. They are responsible for maintaining the safety and security of the court.
A bailiff is required to attend all court sessions, to take charge of juries whenever they are
outside the courtroom, to serve court papers, to extradite prisoners, and to perform other
court-related functions.

Sheriffs are responsible for serving lawful warrants. AMENDMENT IV: "*The right of the*
210 *people to be secure in their persons, houses, papers, and effects, against unreasonable*
searches and seizures, shall not be violated, and no Warrants shall issue, but upon
probable cause, supported by Oath or affirmation, and particularly describing the place
to be searched, and the persons or things to be seized." According to Black's Law
Dictionary, the word oath, in its broadest sense, includes "all forms of attestation by which
215 a party signifies that (s)he is bound in conscience by "a solemn and formal declaration or
asseveration that an affidavit is true.

No warrant, including a federal warrant, is to be served without going through the
Sheriff's office. Any warrant without a sworn affidavit and a judge's wet ink signature (not
a stamp) is not an executable warrant. It is the Sheriff's duty to make sure that all

220 warrants, federal or state, served within their county pass constitutional scrutiny. IRS warrants rarely, if ever, pass constitutional scrutiny. For example, the IRS has a form 4490 called Proof of Claim for Internal Revenue taxes, which is an affidavit form that must be filled out and sworn to, without which the warrant with the wet ink signature cannot be lawfully executed.

225 Sheriffs are responsible for maintaining and operating the county jail or other detention centers, community corrections facilities such as work-release, and halfway houses. Sheriffs are responsible for supervising inmates, protecting their rights and providing food, clothing, exercise, recreation and medical services.

Before the Sheriff is to accept any prisoner, he is to make sure that due process has
230 been exercised. Unfortunately, because of systemic ignorance of the Law, county jails are filled with prisoners that have not received their right of due-process. Black's Law defines an "*infamous crime*" as a crime punishable by imprisonment. Amendment V provides 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.*" And Amendment VI provides
235 that "*In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury.*"

The Sheriff cannot accept any prisoners that were tried in courts "Not of Record" that cannot provide due process because they act without an indictment and are statutory nisi prius courts, not having the power to fine or incarcerate. "*Courts not of record are those
240 of inferior dignity, which have no power to fine or imprison, and in which the proceedings are not enrolled or recorded.*"¹⁰

LAW ENFORCEMENT; A sheriff always has the power to make arrests within his or her own county. Some states extend this authority to adjacent counties or to the entire state. Many sheriffs' offices also perform routine patrol functions such as traffic control, accident
245 investigations, and transportation of prisoners. Larger departments may perform

¹⁰ 3 Bl. Comm. 24; 3 Steph. Comm. 383; The Thomas Fletcher, C.C.Ga., 24 F. 481; Ex parte Thistleton, 52 Cal 225; Erwin v. U.S., D.C.Ga., 37 F. 488, 2 L.R.A. 229; Heining v. Davis, 96 Ohio St. 205, 117 N.E. 229, 231.

criminal investigations, and some unusually large sheriffs' offices command an air patrol, a mounted patrol, or a marine patrol.

Blackstone confirms the common-law power of the sheriff to make arrests without warrant for felonies and for breaches of the peace committed in his presence. Blackstone, *Commentaries on the Common Law*, Vol. IV, at 289. Indeed, such powers are so widely known and so universally recognized that it is hardly necessary to cite authority for the proposition.

GENERAL ALLEGATIONS

There is a "Covert Anti-Common Law Plot" by enemies domestic nibbling away at the office of Sheriff; To diminish his powers and eventually the Sheriff's removal altogether, like some states have. Defendants via ignorance of the Law or willing participants to destroy our Republic, are denying the People's unalienable right of a Republican form of government in a systematic and continuous course of conduct to remove the People's last line of defense against tyrants or a tyrannical rogue state.

Sheriffs are elected and recognized as fully empowered CLEO in the following twenty-three states, Alabama State, Arizona State, Arkansas State, California State, Georgia State, Idaho State, Illinois State, Iowa State, Maine State, Minnesota State, Mississippi State, Missouri State, New Hampshire State, North Dakota State, Ohio State, Oklahoma State, Oregon State, South Carolina State, Texas State, Utah State, Vermont State, Wisconsin State and Wyoming State

Whereas, the following twenty-seven states Sheriffs have limited powers, or no elected Sheriffs in some or all counties, or empowering the Sheriff with unlawful powers such as enforcing civil law upon the People. They are, Kansas State, New York State, Alaska State, Connecticut State, Delaware State, Hawaii State, Rhode Island State, Pennsylvania State, Colorado State, Florida State, Indiana State, Kentucky State, Louisiana State, Maryland State, Massachusetts, Michigan State, Montana State, Nebraska State, Nevada State, New Jersey State, New Mexico State, North Carolina State, South Dakota State, Tennessee State, Virginia State. Washington State, and West Virginia State.

**POLICE ARE EMPOWERED BY MEN ‘VIA’ LEGISLATION
SHERIFF ARE EMPOWERED BY GOD ‘VIA’ NATURAL LAW ITSELF**

275

Every citizen has a personal stake in the outcome of this Action at Law. If there is no Sheriff then there is no Chief Law Enforcement Officer of the counties in question and People will be at the mercy of politically controlled code enforcement officers enforcing unlawful municipality statutes, in courts not of record, upon the People without mercy!
280 Where everyone is guilty and fleeced of their property; Thereby providing more revenue to spread the cancer that will eventually kill our Republic, that today is hanging on by a thread. These nisi prius courts¹¹ are self-serving and economically serves to grow more and more power and authority to villages, towns, and cities that have no constitutional authority to do so. We the People are also at the mercy of any federal officer that enters
285 the county that all too often abuse the People with unconstitutional authority.

City, town, village, and state police forces are a relatively modern invention, sparked by changing notions of public order, driven in turn by economics and politics. As the nation grew, however, different regions made use of different policing systems. State police are hired, serve, and answer to the governor; City police are hired, serve, and
290 answer to the mayor or a city board; Town & village police are hired, serve, and answer to the town boards; All of which unlawfully enforce unlawful statutes written to economically serve the municipality and control the behavior of the People, a nuisance to the People!!!

Blacks Law defines police officer: as one of the staff of men employed in cities and
295 towns to enforce the municipal policies, the laws [statutes], and ordinances for preserving the peace and good order of the community, otherwise called “policeman.” Therefore, appointed or police employees answer to statutes, regulations, codes, and to whatever political board of individuals that hired them. All of which are constitutionally ignorant and abusive in their alleged authorities. Whereas an elected officer of the Law is hired by

¹¹ Nisi prius meaning “unless first;” Judge Bork said: “85 percent of the people in jail for minor crimes are there because they opened their mouth.” [fraudulently forced to make a plea thereby giving them de facto jurisdiction] - When people are arrested under a statute they are arraigned and when asked how they plead they open their mouth and accept the court’s jurisdiction and go to jail or pay the fine.

300 the People and answers to the Law and the People a protector against these barrages of nuisances.

“We the People” are subject only to the Laws of Nature and of Nature’s God.¹² The Common Law permits destruction of the abatement of nuisances via summary proceedings;¹³ It is not the government’s duty to govern the Peoples’ behavior. “*At the*
305 *Revolution, the sovereignty transferred to the people; and they are truly the sovereigns of the country, but they are sovereigns without subjects, with none to govern but ‘themselves,’*”¹⁴ see Memorandum of Law “Sovereign Authority” attached.

Police receive their arrest authority from legislation and in reality, make citizen arrests. All too often these arrests are unconstitutional. The final arbiter of the arrest is
310 the Sheriff when they deliver the accused to the county jail. Whose job it is to protect the rights of the People from overzealous code enforcement officers and city, town, and village courts that depend on the revenue generated by these code enforcement officers that they empowered.

The Sheriff being the Chief Law Enforcer Officer of the county is hired by the People
315 and serve, and answer to the People by preserving the Law of the Land and protecting the rights of the People. Sheriffs are authorized and empowered by the Law of the Land aka Natural Law, whose power and authority is also confirmed in Mack v. United States, 856 F. Supp. 1372 (D. Ariz. 1994). Most State Constitutions “Require by Law,” the election of a County Sheriff.

320 The Sheriff is an officer of great antiquity, dignity, trust and authority. He was chief officer to the king, today the People, within his county; no suit began, no process was

¹² Declaration of Independence.

¹³ 16 AMERICAN JURISPRUDENCE 2ND, SECTION 114: “As to the construction, with reference to Common Law, an important canon of construction is that constitutions must be construed to reference to the Common Law. The Common Law, so permitted destruction of the abatement of nuisances by summary proceedings and it was never supposed that a constitutional provision was intended to interfere with this established principle and although there is no common law of the United States in a sense of a national customary law as distinguished from the common law of England, adopted in the several states. In interpreting the Federal Constitution, recourse may still be had to the aid of the Common Law of England. It has been said that without reference to the common law, the language of the Federal Constitution could not be understood.”

¹⁴ CHISHOLM v. GEORGIA (US) 2 Dall 419, 454, 1 L Ed 440, 455 @DALL (1793) pp471-472.

served, but by the Sheriff. He was to return indifferent juries for the trial of men's lives, liberties, lands, goods, etc. At the end of suits, he was and still is required to make execution which is the life and fruit of the law. The powers and duties of the Sheriff as implied from the name and nature of his office are still the same today under the common law. He is still an officer of the court and subject to its orders and directions on behalf of the People. The Sheriff is still made responsible as conservator of the peace. Without the Sheriff there is lawlessness because the Sheriff is the only Law guardian, without which there is no peace! America cannot exist without the Office of Sheriff. The County Sheriff is a fixture of Common Law well established in history; a Constitutional Officer elected by the People; bound by oath as guardian of the People's unalienable Rights, the vested Rights of the State and the Law secured by the Constitution. If the "Office of Sheriff," the "Protector of Rights," were removed, the way for abusive government would be paved, resulting in the banishment of Law, unalienable Rights and vested Rights; and, We the People would become the servant and plaything of tyrants.

INHERENT ATTRIBUTE OF THE UNION ENVISIONED IN THE CONSTITUTION

The United States is a "Common Law Republic," the Declaration of Independence is the foundation of American Law that is built upon the Laws of Nature and of Nature's God. Article IV, Section 3, Clause 1 states, "New States may be admitted by the Congress into this Union; The equal footing doctrine is a constitutional requirement and not merely a statutory interpretation of Congress's acts of admission."¹⁵ The Supreme Court has held the sovereign equality of states to be an inherent attribute of the "Union" envisioned in the Constitution.¹⁶ The constitutional basis for the doctrine was clear at least by the 1845 decision in *Pollard's Lessee v. Hagan*, if not before.

With that said it goes two ways; When a state joins the union, the state must conform to Law of the land. The "Law of the land, due course of law, and due process of law are

¹⁵ *Coyle v. Smith*, 221 U.S. 559, 567 (1911).

¹⁶ *Id.*; accord *McCabe v. Atchison, T. & S.F. Ry.*, 235 U.S. 151 (1914); *Illinois Cent. R.R. v. Illinois*, 146 U.S. 387, 434 (1892); *Knight v. U.S. Land Ass'n*, 142 U.S. 161, 183 (1891); *Weber v. Harbor Commissioners*, 85 U.S. (18 Wall.) 57, 65 (1873).

synonymous.”¹⁷ Article IV Section 4. Requires states to have a Republican form of government. Article VI Clause 2 Requires that every state shall be bound to the supreme law of the land; And Article III Section 2. Provides for two jurisdictions on the land “Law
350 and equity.” Equity provides for legislation to be written to control government agencies and commercial activities. Whereas, the People are under the Laws of nature and of nature’s God, aka Common Law, regardless of federal rule 2 which is in violation of TITLE 28 §2072(b), Declaration of Independence, Article IV §4 and Article VI §2, Amendment VII, Amendment X and due course of law; this phrase is synonymous with “due process
355 of law” or “*law of the land*” and means law in its regular course of administration through courts of justice.”¹⁸ “Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them.”¹⁹

Common Law Demand’s a “Constitutional Law Enforcer” known as the Sheriff vested by
Common Law with all the powers and duties of Sheriff implied from name and nature of
360 his office, an officer of great antiquity, dignity, trust and authority. The Sheriff is the last line of defense against rouge government agents. He is a protector of rights and enforcer of the Law of the Land.

Common Law and our Common Law Founding Documents cannot defend itself. A
Constitutional officer is the only defender of the Law; Only the County Sheriff can fulfill
365 that role, there is none other. Without a Sheriff our “Natural Law Republic” is in jeopardy especially today with out-of-control federal agencies such as the FBI, DEA, ATF, and DHS.

THE COUNTY SHERIFF’S DEMESIS are the municipal police forces; It is claimed that, “*Police are the function of that branch of the administrative machinery of government which is charged with the preservation of public order and tranquility, the promotion of the
370 public health, safety, and morals, and the prevention, detection, and punishment of crimes.*”²⁰ “Acts of an officer which are to be deemed as acts of administration and are

¹⁷ People v. Skinner, Cal., 110 P.2d 41, 45; State v. Rossi, 71 R.I. 284, 43 A.2d 323, 326; Direct Plumbing Supply Co. v. City of Dayton, 138 Ohio St. 540, 38 N.E.2d 70, 72, 137 A.L.R. 1058; Stoner v. Higginson, 316 Pa. 481, 175 A. 527, 531.

¹⁸ Kansas Pac. Ry. Co. v. Dunmeyer 19 KAN 542.

¹⁹ Miranda v. Arizona, 384 U.S. 436, 491.

²⁰ State v. Hine, 59 Conn. 50, 21 A. 1024, 10 L.R.A. 83; People v. Squire, 107 N.Y. 593, 14 N.E. 820, 1 Am.St.Rep. 893.

commonly called “administrative acts.” And classed among those governmental powers properly assigned to the executive department, “are those acts which are necessary to be done to carry out legislative policies and purposes already declared by the legislative
375 body or such as are devolved upon it by the organic law of its existence.”²¹ These statements may hold true if they did not apply civil law upon the People.

In order for a municipality to enforce statutes upon a free and independent People, under the guise of necessity, they needed a police force because the Sheriff would not, should not, and could not enforce statutes that control the behaviour of the People. The
380 Sherriff will however enforce statutes upon government agencies and their agents and those operating under commercial activities. Therefore, all police forces are “code enforcement” officers that serve the government and not the People. Newly sworn, local and state police officers take an ethical pledge that is called the Law Enforcement Oath of Honor. Separate from the Law Enforcement Code of Ethics an oath written by the
385 governing board of the International Association of Chiefs of Police both of which is in conflict with their constitutional oath. If a police officer holds a constitutional position over the will of the government they are dismissed. Whereas Sheriffs are not conflicted by two or three oaths, they do not answer to government agencies or their agents. They are duty bound to uphold the Constitution and answer to the People at the ballot box, or
390 recall.

IN **C**ONCLUSION: a county without a Sheriff is a “lawless county. We have a “NATURAL LAW
REPUBLICAN FORM OF GOVERNMENT,” guaranteed by the United States Constitution Article IV Section 4,²² which means rule by law,²³ under our Common Law Constitution. Common Law provides for a Sheriff that, dates back to at least 871 AD. Because a Common
395 Law Sheriff must be free and independent there cannot be any legislation that can define or restrict his power. Therefore, the Sheriff is a fixture of the Common Law and part of our Common Law due process, and the final arbiter of what the Common Law is in his

²¹ Ex parte McDonough, 27 Cal.App.2d 155, 80 P.2d 485, 487.

²² Article IV Section 4. The United States shall guarantee to every state in this union a republican form of government, and shall protect each of them against invasion.

²³ Article III Section 2 The judicial power shall extend to all cases, in law and equity, arising under this Constitution. Law proceeds under Common Law.

county. Without the County Sheriff there is NO protector and champion for our “Common Law Constitution!”

400 The powers and duties of the Sheriff, as implied from the name and nature of his office, are still the same today as they were throughout history. The Sheriff being the necessary Chief Law Enforcer of the County, whose office cannot be abrogated by referendum, legislation, or even constitutions. Nor can the Sheriff’s powers be diminished by legislation, courts of the federal or state, or constitutions. The Sheriffs
405 receive their power from the Laws of nature’s God and are elected by the People and therefore do not answer to government agencies. The Sheriff is the only law enforcer responsible for executing all “Lawful warrants.” The Sheriff also has an obligation to protect the unalienable rights of the citizens, they are the People’s enforcement. The County Sheriff is the last line of defense when it comes to upholding and defending the
410 Constitution. Without the Free and Independent Common Law Office of the Sheriff Common Law has no teeth.

STANDING; The loss of one Sheriff is a threat to all citizens that live in or travels through a lawless county. To permit lawlessness to prevail in one county is a threat of lawlessness to all 3134 counties because a cancer does not stop until the entire body succumbs to
415 death! We the People “NOW” see the threat like a cancer moving across America and are in jeopardy of losing the protection of the Law: Of the fifty states of the union twenty - seven states (54%) are already in a state of imminent jeopardy.

Plaintiffs are more than 11,449 Grand Jurist; whereas Law requires only twelve; many of which live in counties without Sheriffs or whose powers are diminishing. We are the
420 “Sureties of the Peace” on behalf of all the People. We are the People of the United States of America clearly having standing in all courts of record such as this one. We the Unified United States Common Law Grand Jury through this ‘Presentment;’ filed in the form of an action because the courts have denied lawful presentments; demand that the defendants obey the Law of the Land and restore the fully informed and fully empowered
425 County Sherriff.

CAUSES OF ACTION

I: CHIEF JUDGE JAMES LEWIS

430 The Constitution for Virginia Section 4 states that the Sheriff “Shall be Elected,” “Not Appointed,” by qualified voters of the county as per Title 24. §2-228.1 which provides for Constitutional Officers vacancies to be filled by special election.

In September 2023, the Sheriff of Virginia Beach County resigned his position for medical reasons; And Rocky Holcomb was unlawfully appointed and sworn in as Sheriff
435 by Chief Judge James Lewis in October 2023. Whereas, the Governing Body, Chief Judge James Lewis, and City Clerk Tina Sinnen did not follow the law. And the appointment and oath were unlawfully accepted and filed on the record by the elected City Clerk Tina Sinnen without providing for a special election in violation of the law §2-228.1 C which states, “*Upon receipt of written notification by an officer or officer-elect of his*
440 *resignation as of a stated date, the governing body may immediately petition the circuit court to issue a writ of election, and the court may immediately issue the writ to call the election.*”

Whereas, the governing body did not petition the circuit court to issue a writ of election, and the court did not immediately issue the writ to call the election.” In some
445 cases, ignoring the Law and placing into power, such as Virginia Beach County with a government desired CLEO that owes his allegiance to the government and not the People. §2-228.1 B provides that, “*If a vacancy in any elected constitutional office occurs within the 12 months immediately preceding the end of the term of that office, the governing body may petition the circuit court to request that no special election be ordered. Upon*
450 *receipt of such petition, the court shall grant such request.*” Because the next election is in November 2025, being 25 months till the end of the term of the office of Sheriff, the governing body was not at liberty to petition the circuit court to request that no special election be ordered.

II: ALASKA STATE

455 Alaska State Constitution nor legislation does not provide for a Sheriff.

III: VIRGINIA STATE

Virginia sheriffs are elected, unlike other states the sheriff is not the chief law enforcement officer in a city that has a police department, a Chief of Police has that distinction
460 according to statute. In such areas, the Chief of Police is the highest-ranking officer.

IV: NEW YORK STATE

New York State Constitution §13. (a) ...; the sheriff and the clerk of each county shall be chosen by the electors once in every three or four years as the legislature shall direct. Whereas, the sheriff of New York City Manhattan, Bronx, Brooklyn, Queens, and King
465 counties have just one “appointed” Sheriff by the mayor who applies statutes in place of the Law. Nassau County Sheriff and Westchester County Sheriff are appointed by the county executives.

V: CONNECTICUT STATE

The House voted 147 to 2 to put a constitutional amendment eliminating the office of
470 county sheriff to a statewide vote in November 2000. The Senate overwhelmingly passed the measure, and it didn’t need the governor’s approval.

VI: DELAWARE STATE

The first Constitution of Delaware in 1776 required the sheriff a conservator of the peace within the county in which he resides, Delaware sheriffs since 1897 have not had arrest
475 powers and instead act as ministerial officers serving subpoenas and other papers for the courts.”

VII: HAWAII STATE

Hawaii State Constitution nor legislation does not provide for a Sheriff. Hawaii provides for an employed Sheriff with no Common Law authorities.

480 VIII: RHODE ISLAND STATE

Rhode Island Constitution and legislation does not provide for a Sheriff. The Rhode Island Division of Sheriffs is a statewide law enforcement agency under the Rhode Island Department of Public Safety.

485 **IX: PENNSYLVANIA STATE**

Pennsylvania State Constitution Section 4. ... County Sheriff ... shall be elected at the municipal elections and shall hold their offices for the term of four years. Northampton and Luzerne counties have adopted home rule charters that stipulate the sheriff will be an appointed position and no longer elected.

490 **X: KANSAS STATE**

Session of 2022 House Concurrent Resolution No. 5022 Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Sections 2 and 5 of article 9 of the constitution of the state of Kansas are hereby amended to read as follows: § 2.

495 County and township officers. (a) Except as provided in subsection (b), each county shall elect a sheriff for a term of four years by a majority of the qualified electors of the county voting thereon at the time of voting designated for such office pursuant to law in effect on January 11, 2021 2022, and every four years thereafter. (b) The provisions of subsection (a) shall not apply to a county that abolished the office of sheriff prior to January 11, 2021
500 2022. Riley County abolished its sheriff's office in 1974 and is the only county in Kansas without a sheriff. Instead of a sheriff's office, Riley County has a consolidated law enforcement agency. The model includes an appointed director position. According to Riley County Police Department officials, the unique structure has helped streamline communication and interactions between different branches of the department.

505 **XI: COLORADO STATE**

Denver's sheriff is appointed by the mayor. The Denver Sheriff is, along with Broomfield County. In every other county, the sheriff is an elected official and is the chief law enforcement officer of their county.

XII: FLORIDA STATE

510 Sheriffs are elected recognized as fully empowered CLEO. With exceptions of Duval County Sheriff's Department and the Jacksonville Police Department were merged into a single unified law enforcement agency. And Miami-Dade County has two directors appointed by its county commission.

515 **XIII: INDIANA STATE**

Sheriffs are elected recognized as fully empowered CLEO and limited by the state constitution to serving no more than two four-year terms consecutively.

XIV: KENTUCKY STATE

520 Sheriffs in Kentucky are elected in most counties in Kentucky sheriffs do not run the county jails.

XV: LOUISIANA STATE

525 The sheriff is an elected chief law enforcement officer in the parish. The sheriff is the collector of ad valorem taxes and other taxes and license fees as provided by law. An **ad valorem tax** (Latin for “according to value”) is a tax whose amount is based on the value of a transaction or of a property. It also imposed annually, as in the case of a real or personal property tax, or in connection with another significant event (e.g. inheritance tax, expatriation tax, or tariff).

XVI: MARYLAND STATE

530 In Maryland, per the State Constitution, each county shall have an elected sheriff. Whereas In Anne Arundel County, Baltimore County, Baltimore City, Howard County, and Montgomery County the Sheriff’s duties are strictly limited to enforcing orders of the court except in rare instances, where called upon by the County Police or other law enforcement to assist. In Prince George’s County, the Sheriff’s Office and the County Police share the responsibility of county law enforcement.

535 **XVII: MASSACHUSETTS**

The state abolished eight of its 14 county governments between 1997 and 2000; those eight now exist only as geographic regions, with their elected sheriffs considered employees of the commonwealth.

XIII: MICHIGAN STATE

540 In Michigan, sheriffs are constitutionally mandated, elected county officials. In some counties (primarily urban counties such as Oakland, Macomb, Wayne, Kent, Genesee, Saginaw, Bay, Midland and Washtenaw), sheriff’s offices provide dedicated police services under contract to some municipalities.

XIX: MONTANA STATE

545 The sheriff, as the county's chief law enforcement officer. The City and County of Butte-Silver Bow is a consolidated city-county that has a unified law enforcement agency, the Butte-Silver Bow Law Enforcement Department, the elected Sheriff of Butte-Silver Bow serves as the agency executive.

XX: NEBRASKA STATE

550 All Nebraska counties have sheriff's offices responsible for general law-enforcement functions in areas other than those covered by local city police departments. Sheriff's deputies in Nebraska are certified by the state law-enforcement commission and have full arrest powers.

XXI: NEVADA STATE

555 There are 17 sheriff's offices in Nevada, and two of them are unique, as the Carson City Sheriff's Office is a result of the 1967 merger of the old Carson City Police Department and the Ormsby County Sheriff's Department, as well as the Las Vegas Metropolitan Police Department which is the result of the 1973 merger of the Clark County Sheriff's Office and the old Las Vegas Police Department

560 **XXII: NEW JERSEY STATE**

Sheriffs in New Jersey are sworn law-enforcement officers with full arrest powers. In some counties, responsibility for the county jail rests with the sheriff's office; in other counties, this responsibility rests with a separate corrections department.

XXIII: NEW MEXICA STATE

565 County Sheriffs are regular law enforcement officials and have the authority to perform law enforcement duties at any location within their county of jurisdiction, but they primarily focus on unincorporated rural areas, while leaving law enforcement functions within the limits of incorporated municipalities to town or city police departments.

XXIV: NORTH CAROLINA STATE

570 The office of sheriff is an elected law enforcement office. The sheriff possesses no authority over state or municipal officers.

XXV: TENNESSEE STATE

The Tennessee Constitution requires each county to elect a sheriff. In Davidson County, the sheriff has the primary responsibility of serving civil process and jail functions without
575 the common law powers to keep the peace. Protection of the peace is instead the responsibility of the Metropolitan Nashville Police Department under the county's Metropolitan Charter.

XXVI: WASHINGTON STATE

Sheriff with the exception of King County is an elected official. The King County Sheriff is
580 the largest sheriff office in the state. The sheriff in this county, however, has no jurisdiction over the King County Jail as it was separated from his control. King County returned to an appointed Sheriff in 2020 by voter initiative.

XXVII: WEST VIRGINIA STATE

In West Virginia, the sheriff of a given county performs two distinct duties. They are the
585 chief law-enforcement officers in the county. West Virginia sheriffs are limited to two consecutive four-year terms.

XXVIII: SOUTH DAKOTA STATE

Sheriffs in South Dakota have a duty to follow all orders of the South Dakota Attorney
590 General. Sheriffs in South Dakota have a duty to provide information to their county State's Attorney, and to cooperate with investigation and criminal prosecution.

CONCLUSION "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
595 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,

600 (the Constitution) it is superseded thereby. No one is bound to obey an unconstitutional law and no courts are bound to enforce it.”²⁴

Federalist No. 78, p. 525 (A. Hamilton). As Chief Justice Marshall declared in the foundational decision of *Marbury v. Madison*, “it is emphatically the province and duty of the judicial department to say what the law is.”²⁵ In the decades following *Marbury*, when
605 the meaning of a statute was at issue, the judicial role was to “interpret the act of Congress, in order to ascertain the rights of the parties.” *Decatur v. Paulding*, 14 Pet. 497, 515. Today it is the duty of the court to, “*Guarantee to every state in this union a republican form of government, and shall protect each of them against invasion;*” – Article IV Section 4.

“Decency, security and liberty alike demand that government officials shall be
610 subjected to the same rules of conduct that are commands to the citizen. In a government of laws, existence of the government will be imperiled if it fails to observe the law scrupulously. [...Our government is the potent, the omnipresent teacher. For good or for ill, it teaches the whole people by its example...] Crime is contagious. If the Government becomes a lawbreaker, it breeds contempt for law; it invites every man to become a law
615 unto himself; it invites anarchy. To declare that, in the administration of the criminal law, the end justifies the means -- to declare that the Government may commit crimes in order to secure the conviction of a private criminal -- would bring terrible retribution. Against that pernicious doctrine this Court should resolutely set its face.”²⁶ “Judges have no more right to decline the exercise of jurisdiction which is given, than to usurp that which is not
620 given. The one or the other would-be treason to the Constitution.”²⁷

The Sheriff is the lawful Chief Executive Officer and highest Peace Officer of the entire County in which he was elected. Unlike the State Police and Municipal Police, the Sheriff reports directly to the Citizens of the County. In today’s terms, the Sheriff is the CLEO of the County. The duties, responsibilities and/or authorities of the Sheriff cannot be
625 diminished by those in the legislature or the courts of the State or of the County.

²⁴ *Bonnett v. Vallier*, 116 N.W. 885, 136 Wis. 193 (1908); *NORTON v. SHELBY COUNTY*, 118 U.S. 425 (1886)

²⁵ 1 Cranch 137, 177.

²⁶ *Olmstead v. United States*, 277 U.S. 438 (1928)

²⁷ *Cohen v. Virginia*, (1821), 6 Wheat. 264 and *U.S. v. Will*, 449 U.S. 200.

WHEREFORE; On behalf of all the People of these united states, We the Unified United States Common Law Grand Jury, the Sureties of the Peace, move this court for Declaratory Relief as follows:


630 All fifty states when joining the union agreed to obey the “Supreme Common Law²⁸ of the Land” and thereby establish a “Republican Form of Government,”²⁹ that requires a “Common Law Enforcer in every county;” Whose powers cannot be abrogated or diminished by state constitutions or legislation; Whereas, anything in the Constitution or laws of any State to the contrary notwithstanding. The powers and duties of the Sheriff is vested by the Common Law: Whose powers are delineated in history and implied in his
635 titles being the “Chief Law Enforcer of the County,” “Chief Conservator of the Peace,” and “Chief Executive and Administrative Officer” of a county with no term limits; Thereby being a fixture of Common Law, elected by the People, an unalienable right.

States, and their respective counties, must conform to the Supreme Law of the land by safeguarding the “Common Law Republican Form of Government” via the election of a
640 Sheriff in every county for the securing of justice, domestic tranquility, the general welfare, and the blessings of liberty for ourselves and our posterity. Any county without a “Chief Law Enforcer” is a lawless county. All defendants are to restore the CLEO to power and/or follow the election laws that will accomplish that goal.

645 FILED UNDER SEAL

New York, Albany County, July 30, 2024





Grand Jury Foreman

²⁸ 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. The common law is the real law, the Supreme Law of the land, the code, rules, regulations, policy and statutes are “not the law.” [its equity] –Self v. Rhay, 61 Wn (2d) 261

²⁹ Article IV §4

MEMORANDUM OF LAW

GRAND JURY AUTHORITY

May 11, 2023

The purpose of this Memorandum of Law is to “clearly establish” the sovereign unalienable right of the People to have “Government by Consent” through the free and independent administration of our own Juries. We the People have the unbridled right to empanel and preside over our own proceedings unfettered by technical rules and to investigate merely on suspicion. The judiciary through congresses’ BAR written laws and the Judiciary’s BAR written rules have subverted and tainted our Juries and hidden our Natural Law Courts’ of Record. It is the Grand Jury's function to consider criminal charges whereas prosecutors have no authority to change, or negotiate away our findings or, negotiate a **deal** with the accused, that would be the prerogative of the Petit Jury. Grand Jury indictments are final and cannot be added to or taken away from without our Consent.

WE THE PEOPLE ARE THE AUTHOR & SOURCE OF LAW

“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...”¹
“'Sovereignty' means that the decree of sovereign makes law, and foreign courts cannot condemn influences persuading sovereign to make the decree.”²

“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.”³ And “the state cannot diminish the rights of the people.”⁴ “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.”⁵

We the people have been providentially provided legal recourse to address the criminal conduct of the Judiciary ourselves entrusted via Natural Law to dispense justice.

¹ Yick Wo v. Hopkins, 118 US 356, 370 Quotiens dubia interpretatio libertatis est, secundum libertatem respondendum erit.

² Moscow Fire Ins. Co. of Moscow, Russia v. Bank of New York & Trust Co., 294 N.Y.S. 648, 662, 161 Misc. 903.;

³ 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.

⁴ Hurtado v. People of the State of California, 110 U.S. 516.

⁵ NEW YORK CODE - N.Y. CVR. LAW § 2: NY Code - Section 2.

- We the People ordained and established the Constitution for the United States of America.⁶
- We the People vested Congress with statute making powers.⁷
- We the People defined and limited Congresses power of law making.⁸
- We the People ordained limited law-making powers via the Constitution.⁹
- We the People did not vest the Judiciary with law making powers.
- We the People in ALL Courts of Law are Free and Independent Jurist independent from the Judiciary.¹⁰

“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

WE THE PEOPLE HAVE UNBRIDLED RIGHT TO EMPANEL OUR OWN GRAND JURIES

In the U.S. Supreme Court case of *United States v. Williams*,¹² Justice Antonin Scalia, writing for the majority, confirmed that, *“the American grand jury is neither part of the judicial, executive nor legislative branches of government, but instead belongs to the people. It is in effect a fourth branch of government “governed” and administered to directly by and on behalf of the American people, and its authority emanates from the Bill of [Unalienable] Rights. Thus, [People] have the unbridled right to empanel their own grand juries and present “True Bills” of indictment to a court, which is then required to commence a criminal proceeding. Our Founding Fathers presciently thereby*

⁶ We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America. Preamble.

⁷ **Article I Section 1:** ALL LEGISLATIVE POWERS herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

⁸ **Article I Section 8;** To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

⁹ “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...” [Yick Wo v. Hopkins, 118 US 356, 370 Quotiens dubia interpretatio libertatis est, secundum libertatem respondendum erit]

¹⁰ 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.; “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.

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

¹² 112 S.Ct. 1735, 504 U.S. 36, 118 L.Ed.2d 352 (1992).

created a "buffer" the people may rely upon for justice, when public officials, including judges, criminally violate the law."

RIGHT OF THE PEOPLE TO CONSENT

SUMMONSING THE GRAND JURY: Elected Sheriffs or Coroners vested by Natural Law may summons a Grand Jury, and We the People vested by natures' God may gather ourselves, if Liberty calls, as the "Sureties of the Peace" on behalf of all the People.

In 1215AD twenty-five (25) freemen assembled themselves in the name of the "Sureties of the Peace" stood-up to restore their Natural Law Courts of Justice, thereby taking back their island nation England that was subverted by a tyrant king.

In 1776 fifty-six (56) unalienable sovereigns assembled themselves in the name of "We the People" stood-up to restore their Natural Law Courts of Justice, thereby taking back their Thirteen American Colonies that were subverted by a tyrant king.

Today, herein more than 11,400 (and counting) Grand Jurist assembled themselves, from every state, in the name of "We the People" to stand and restore our Natural Law Courts of Justice, thereby taking back these Fifty United States of America that were subverted by the judiciary. We the People having been providentially provided legal recourse to address the criminal conduct of the said judiciary, ourselves entrusted to dispense justice.

Natural Law demands that only the People via "free and independent Grand Juries and Petit Juries" have the supreme judicial authority to indict or not, to decide the law, to sit as the tribunal in all criminal cases, to nullify any statute, to deny any rules, to judge guilt or innocence, and pronounce the remedy or punishment, free from judiciary interference. Tribunals are established in 12 unalienable sovereigns whose decisions are final and cannot be overturned.

New York State Constitution Article I - Bill of Rights §8 states: *...the jury shall have the right to determine the law and the fact.*

The United States Supreme Court in *Schneekloth v. Bustamonte* said: *"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 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."¹³

Through Amendments V, VI, and VII We the People codified the jurisdiction for criminal and sovereign civilian cases to be heard in Natural Law Courts which provides that twelve witnesses, being peers of the accused decide the facts, the law and the remedy, NOT THE JUDICIARY!

GRAND JURY IS A CONSTITUTIONAL FIXTURE IN ITS OWN RIGHT¹⁴

In *United States v. Calandra*, quoted in *US v Williams*, the United States Supreme Court said: "*The grand jury is an institution separate from the courts, over whose functioning the courts do not preside. The "common law" of the Fifth Amendment demands the traditional functioning of the grand jury. The grand jury is an institution separate from the courts, over whose functioning the courts do not preside, we think it clear that, as a general matter at least, no such "supervisory" judicial authority exists. "[R]ooted in long centuries of Anglo-American history,*"¹⁵ *the grand jury is mentioned in the Bill of Rights, but not in the body of the Constitution. It has not been textually assigned, therefore, to any of the branches described in the first three Articles. It* 'is a constitutional fixture in its own right.'¹⁶ *In fact the whole theory of its function is that it belongs to no branch of the institutional government, serving as a kind of buffer or referee between the Government and the people.*¹⁷ *Although the grand jury normally operates, of course, in the courthouse and under judicial auspices, its institutional relationship with the judicial branch has traditionally been, so to speak, at arm's length. Judges' direct involvement in the functioning of the grand jury has generally been confined to the constitutive one of calling the grand jurors together and administering their oaths of office.*"¹⁸

GRAND JURY INVESTIGATES MERELY ON SUSPICION¹⁹

The United States Supreme Court in *US v Williams* went on to say: "*The grand jury's functional independence from the judicial branch is evident both in the scope of its power to investigate criminal wrongdoing, and in the manner in which that power is exercised. Unlike [a] [c]ourt, whose jurisdiction is predicated upon a specific case or controversy,*

¹³ *Ex parte Watkins*, 3 Pet., at 202-203. cited by *SCHNECKLOTH v. BUSTAMONTE*, 412 U.S. 218, 255 (1973)

¹⁴ *United States v. Williams*, 112 S.Ct. 1735, 504 U.S. 36, 118 L.Ed.2d 352 (1992)

¹⁵ *Hannah v. Larche*, 363 U.S. 420, 490, 80 S.Ct. 1502, 1544, 4 L.Ed.2d 1307 (1960) (Frankfurter, J., concurring in result)

¹⁶ *United States v. Chanen*, 549 F.2d 1306, 1312 (CA9 1977) (quoting *Nixon v. Sirica*, 159 U.S.App.D.C. 58, 70, n. 54, 487 F.2d 700, 712, n. 54 (1973)), cert. denied, 434 U.S. 825, 98 S.Ct. 72, 54 L.Ed.2d 83 (1977).

¹⁷ *Stirone v. United States*, 361 U.S. 212, 218, 80 S.Ct. 270, 273, 4 L.Ed.2d 252 (1960); *Hale v. Henkel*, 201 U.S. 43, 61, 26 S.Ct. 370, 373, 50 L.Ed. 652 (1906); *G. Edwards, The Grand Jury* 28-32 (1906).

¹⁸ *United States v. Calandra*, 414 U.S. 338, 343, 94 S.Ct. 613, 617, 38 L.Ed.2d 561 (1974); *Fed.Rule Crim.Proc.* 6(a).

¹⁹ *United States v. Williams*, continued

the grand jury 'can investigate merely on suspicion that the law is being violated, or even because it wants assurance that it is not.'"²⁰ It need not identify the offender it suspects, or even "the precise nature of the offense" it is investigating.²¹ The grand jury requires no authorization from its constituting court to initiate an investigation,²² nor does the prosecutor require leave of court to seek a grand jury indictment. And in its day-to-day functioning, the grand jury generally operates without the interference of a presiding judge.²³ It swears in its own witnesses²⁴, and deliberates in total secrecy.²⁵ We have insisted that the grand jury remain "free to pursue its investigations unhindered by external influence or supervision so long as it does not trench upon the legitimate rights of any witness called before it."²⁶ Recognizing this tradition of independence, we have said that the Fifth Amendment's "constitutional guarantee presupposes an investigative body 'acting independently of either prosecuting attorney or judge'"²⁷

RIGHT TO COUNSEL DOES NOT ATTACH BEFORE A GRAND JURY²⁸

"No doubt in view of the grand jury proceeding's status as other than a constituent element of a "criminal prosecution,"²⁹ we have said that certain constitutional protections afforded defendants in criminal proceedings have no application before that body. The Double Jeopardy Clause of the Fifth Amendment does not bar a grand jury from returning an indictment when a prior grand jury has refused to do so.³⁰ We have twice suggested, though not held, that the Sixth Amendment right to counsel does not attach when an individual is summoned to appear before a grand jury, even if he is the subject of the investigation.³¹ And although "the grand jury may not force a witness to answer questions in violation of [the Fifth Amendment's] constitutional guarantee" against self-incrimination,³² our cases suggest that an indictment obtained through the use of evidence previously obtained in violation of the privilege against self-incrimination "is nevertheless valid."³³

²⁰ United States v. R. Enterprises, 498 U.S. ----, ----, 111 S.Ct. 722, 726, 112 L.Ed.2d 795 (1991) (quoting United States v. Morton Salt Co., 338 U.S. 632, 642-643, 70 S.Ct. 357, 364, 94 L.Ed. 401 (1950)).

²¹ Blair v. United States, 250 U.S. 273, 282, 39 S.Ct. 468, 471, 63 L.Ed. 979 (1919).

²² see Hale, supra, 201 U.S., at 59-60, 65, 26 S.Ct., at 373, 375,

²³ See Calandra, supra, 414 U.S., at 343, 94 S.Ct., at 617.

²⁴ Fed.Rule Crim.Proc. 6(c)

²⁵ see United States v. Sells Engineering, Inc., 463 U.S., at 424-425, 103 S.Ct., at 3138.

²⁶ United States v. Dionisio, 410 U.S. 1, 17-18, 93 S.Ct. 764, 773, 35 L.Ed.2d 67 (1973).

²⁷ Id., at 16, 93 S.Ct., at 773 (emphasis added) (quoting Stirone, supra, 361 U.S., at 218, 80 S.Ct., at 273).

²⁸ United States v. Williams, continued

²⁹ U.S. Const., Amdt. VI,

³⁰ See Ex parte United States, 287 U.S. 241, 250-251, 53 S.Ct. 129, 132, 77 L.Ed. 283 (1932); United States v. Thompson, 251 U.S. 407, 413-415, 40 S.Ct. 289, 292, 64 L.Ed. 333 (1920).

³¹ United States v. Mandujano, 425 U.S. 564, 581, 96 S.Ct. 1768, 1778, 48 L.Ed.2d 212 (1976) (plurality opinion); In re Groban, 352 U.S. 330, 333, 77 S.Ct. 510, 513, 1 L.Ed.2d 376 (1957); see also Fed.Rule Crim.Proc. 6(d).

³² Calandra, supra, 414 U.S., at 346, 94 S.Ct., at 619 (citing Kastigar v. United States, 406 U.S. 441, 92 S.Ct. 1653, 32 L.Ed.2d 212 (1972)),

³³ Calandra, supra, 414 U.S., at 346, 94 S.Ct., at 619; Lawn v. United States, 355 U.S. 339, 348-350, 78 S.Ct. 311, 317-318, 2 L.Ed.2d 321 (1958); United States v. Blue, 384 U.S. 251, 255, n. 3, 86 S.Ct. 1416, 1419, n. 3, 16 L.Ed.2d 510 (1966).

GRAND JURY IS UNFETTERED BY TECHNICAL RULES³⁴

“Given the grand jury's operational separateness from its constituting court, it should come as no surprise that we have been reluctant to invoke the judicial supervisory power as a basis for prescribing modes of grand jury procedure. Over the years, we have received many requests to exercise supervision over the grand jury's evidence-taking process, but we have refused them all, including some more appealing than the one presented today. In Calandra v. United States, supra, a grand jury witness faced questions that were allegedly based upon physical evidence the Government had obtained through a violation of the Fourth Amendment; we rejected the proposal that the exclusionary rule be extended to grand jury proceedings, because of “the potential injury to the historic role and functions of the grand jury.”³⁵ We declined to enforce the hearsay rule in grand jury proceedings, since that “would run counter to the whole history of the grand jury institution, in which laymen conduct their inquiries unfettered by technical rules.”³⁶

GRAND JURY PRESIDES OVER THEIR OWN PROCEEDINGS³⁷

“These authorities suggest that any power federal courts may have to fashion, on their own initiative, rules of grand jury procedure is a very limited one, not remotely comparable to the power they maintain over their own proceedings.³⁸ It certainly would not permit judicial reshaping of the grand jury institution, substantially altering the traditional relationships between the prosecutor, the constituting court, and the grand jury itself.³⁹ (supervisory power may not be applied to permit defendant to invoke third party's Fourth Amendment rights); see generally Beale, Reconsidering Supervisory Power in Criminal Cases: Constitutional and Statutory Limits on the Authority of the Federal Courts,⁴⁰ As we proceed to discuss, that would be the consequence of the proposed rule here.”

GRAND JURY'S FUNCTION IS TO CONSIDER CRIMINAL CHARGES⁴¹

“It is axiomatic that the grand jury sits not to determine guilt or innocence, but to assess whether there is adequate basis for bringing a criminal charge.⁴² That has always been so; and to make the assessment it has always been thought sufficient to hear only the prosecutor's side. As Blackstone described the prevailing practice in 18th-century England, the grand jury was “only to hear evidence on behalf of the prosecution, for the finding of an indictment is only in the nature of an enquiry or accusation, which is

³⁴ United States v. Williams, continued

³⁵ 414 U.S., at 349, 94 S.Ct., at 620. Costello v. United States, 350 U.S. 359, 76 S.Ct. 406, 100 L.Ed. 397 (1956),

³⁶ Id., at 364, 76 S.Ct., at 409.

³⁷ United States v. Williams, 112 S.Ct. 1735, 504 U.S. 36, 118 L.Ed.2d 352 (1992)

³⁸ See United States v. Chanen, 549 F.2d, at 1313.

³⁹ Cf., e.g., United States v. Payner, 447 U.S. 727, 736, 100 S.Ct. 2439, 2447, 65 L.Ed.2d 468 (1980)

⁴⁰ 84 Colum.L.Rev. 1433, 1490-1494, 1522 (1984).

⁴¹ United States v. Williams, 112 S.Ct. 1735, 504 U.S. 36, 118 L.Ed.2d 352 (1992)

⁴² See United States v. Calandra, 414 U.S., at 343, 94 S.Ct., at 617.

afterwards to be tried and determined."⁴³ So also in the United States, according to the description of an early American court, three years before the Fifth Amendment was ratified, it is the grand jury's function not "to enquire . . . upon what foundation [the charge may be] denied," or otherwise to try the suspect's defenses, but only to examine "upon what foundation [the charge] is made" by the prosecutor.⁴⁴ As a consequence, neither in this country nor in England has the suspect under investigation by the grand jury ever been thought to have a right to testify, or to have exculpatory evidence presented."⁴⁵

GRAND JURY INDICTMENTS ARE FINAL⁴⁶

"No case has been cited, nor have we been able to find any, furnishing an authority for looking into and revising the judgment of the grand jury upon the evidence, for the purpose of determining whether or not the finding was founded upon sufficient proof, or whether there was a deficiency in respect to any part of the complaint."⁴⁷ We accepted Justice Nelson's description⁴⁸, where we held that "it would run counter to the whole history of the grand jury institution" to permit an indictment to be challenged "on the ground that there was incompetent or inadequate evidence before the grand jury."⁴⁹ And we reaffirmed this principle recently in *Bank of Nova Scotia*, where we held that "the mere fact that evidence itself is unreliable is not sufficient to require a dismissal of the indictment," and that "a challenge to the reliability or competence of the evidence presented to the grand jury" will not be heard.⁵⁰ It would make little sense, we think, to abstain from reviewing the evidentiary support for the grand jury's judgment while scrutinizing the sufficiency of the prosecutor's presentation. A complaint about the quality or adequacy of the evidence can always be recast as a complaint that the prosecutor's presentation was "incomplete" or "misleading." Our words in *Costello* bear repeating: Review of facially valid indictments on such grounds "would run counter to the whole history of the grand jury institution[,] [and] [n]either justice nor the concept of a fair trial requires [it]."^{51,52}

HOW THE UNIFIED UNITED STATES COMMON LAW GRAND JURY WAS FORMED

We the People visited about 3000 counties to introduce People to the Authority of the Common Law Grand Jury with a plan to save our "Natural Law Republic." All fifty states organized "Unified State Common Law Grand Juries" after which all Unified State Common Law Grand Jurys came together to form the "Unified United States Common

⁴³ 4 W. Blackstone, Commentaries 300 (1769); see also 2 M. Hale, Pleas of the Crown 157 (1st Am. ed. 1847).

⁴⁴ *Respublica v. Shaffer*, 1 U.S. (1 Dall.) 236, 1 L.Ed. 116 (Philadelphia Oyer and Terminer 1788); see also F. Wharton, Criminal Pleading and Practice § 360, pp. 248-249 (8th ed. 1880).

⁴⁵ See 2 Hale, supra, at 157; *United States ex rel. McCann v. Thompson*, 144 F.2d 604, 605-606 (CA2), cert. denied, 323 U.S. 790, 65 S.Ct. 313, 89 L.Ed. 630 (1944).

⁴⁶ *United States v. Williams*, continued

⁴⁷ *United States v. Reed*, 27 Fed.Cas. 727, 738 (No. 16,134) (CCNDNY 1852).

⁴⁸ *Costello v. United States*, 350 U.S. 359, 76 S.Ct. 406, 100 L.Ed. 397 (1956)

⁴⁹ *Id.*, at 363-364, 76 S.Ct., at 409.

⁵⁰ 487 U.S., at 261, 108 S.Ct., at 2377.

⁵¹ 350 U.S., at 364, 76 S.Ct., at 409.

⁵² *United States v. Williams*, 112 S.Ct. 1735, 504 U.S. 36, 118 L.Ed.2d 352 (1992)


Law Grand Jury.” To date the UUSCLGJ is comprised of more than 11,400 People and growing from every state of our Union. The UUSCLGJ has been in session since 2015 with the sole purpose to restore our Courts to “Courts of Justice.” And will remain in session until we accomplish that mission.

CONCLUSION: The People are sovereign and have an unalienable right to have “Government by Consent” through free and independent administration of our own Juries. The Grand Jury is a Constitutional Fixture in its Own Right. The judiciary through congresses’ BAR written laws and the Judiciary’s BAR written rules have subverted and tainted our Juries and hidden our Natural Law Courts’ of Record and we intend on restoring them.

It is the Grand Jury's function to consider criminal charges whereas prosecutors have no authority to change, discharge or negotiate away our findings. Grand Jury indictments are final and cannot be added to or taken away from, without their Consent. We the People are the Author & Source of Law and have the unbridled right to:

- Empanel our own Juries,
- Investigate merely on suspicion,
- Proceed unfettered by technical rules,
- Presides over our own proceedings,





Grand Jury Foreman

SOVEREIGN AUTHORITY

Memorandum of Law

“In United States, sovereignty resides in people. Congress cannot invoke the sovereign power of the People to override their will as thus declared.” – Perry v. US, 294 U.S.330

The purpose of this Memorandum is to delineate sovereignty and make clear to our elected servants that the People are the sovereign and not the government. Government is a creature of the law with a clipped sovereignty sufficient only enough to exercise their vested powers. We the People, the children of nature’s God, receiving our sovereign authority, and unalienable rights, to create a government by consent, whose duty is to secure our rights,¹ not deprive them!²

By the powers and authority vested in We the People via an unbreakable covenant made with God in 1776.³ We the People via Article I section 1 vested congress with well-defined legislative powers and prohibitions; We the People via Article II section 1 vested the executive with well-defined powers and prohibitions; We the People via Article III section 1 vested the judiciary with well-defined powers and prohibitions; We the People ordained and established the Bill of Rights that congress can ‘never alter;’ We the People have sovereign immunity from ‘ALL’ positive law, aka human law, regulations, codes, or statutes; We the People are the authority of all law!

The unalienable right of the sovereign People to self-governance was ordained by God, established in the Declaration of Independence, and ordained by We the People who are the authority of all law via the Constitution. Any servant who resists these truths wars against the Constitution, the Governor of the Universe, and the People.

¹ 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. 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 the governed.

² Preamble: We the people of the United States, in order to ... secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

³ Declaration of Independence.

It is not the government's duty to govern the Peoples' behavior. "At the Revolution, the sovereignty transferred to the people; and they are truly the sovereigns of the country, but they are sovereigns without subjects, with none to govern but 'themselves.'"⁴

"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."⁵ "Sovereignty' means that the decree of sovereign makes law, and foreign [statutory] courts cannot condemn influences persuading sovereign to make the decree."⁶ "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." "A consequence of this prerogative is the legal ubiquity of the King. His majesty [*Jesus Christ*] in the eye of the law is always present in all his courts, though he cannot personally distribute justice.⁷ His judges [*jury*] are the mirror by which the King's [*God*] image is reflected."

"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."⁸ "The common law is the real law, the Supreme Law of the land, the code, rules, regulations, policy and statutes are not the law."⁹ "All laws, rules and practices which are repugnant to the Constitution are null and void."¹⁰ "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."¹¹

"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,

⁴ CHISHOLM v. GEORGIA (US) 2 Dall 419, 454, 1 L Ed 440, 455 @DALL (1793) pp471-472.

⁵ 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 Moscow Fire Ins. Co. of Moscow, Russia v. Bank of New York & Trust Co., 294 N.Y.S. 648, 662, 161 Misc. 903.; American Banana Co. v. United Fruit Co., 29 S.Ct. 511, 513, 213 U.S. 347, 53 L.Ed. 826, 19 Ann.Cas. 1047].

⁷ Fortesc.c.8. 2Inst.186

⁸ Rodriques v. Ray Donovan (U.S. Department of Labor) 769 F. 2d 1344, 1348 (1985).

⁹ Self v. Rhay, 61 Wn (2d) 261

¹⁰ Marbury v. Madison, 5th US (2 Cranch) 137, 180

¹¹ Yick Wo v. Hopkins, 118 US 356, 370 Quotiens dubia interpretatio libertatis est, secundum libertatem respondendum erit.

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.”¹²

“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.”¹³ “The assertion of federal rights, when plainly and reasonably made, is not to be defeated under the name of local practice.”¹⁴ “The State cannot diminish rights of the people.”¹⁵ “The Claim and exercise of a Constitutional Right cannot be converted into a crime.”¹⁶ “If the state converts a liberty into a privilege the citizen can engage in the right with impunity”¹⁷

“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.”¹⁸

Thomas Jefferson said, *“I know no safe depositary of the ultimate powers of the society but the people themselves; and if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them, but to inform their discretion by education. This is the true corrective of abuses of constitutional power.”* He also said: *“An enlightened citizenry is indispensable for the proper functioning of a republic. Self-government is not possible unless the citizens are educated sufficiently to enable them to exercise oversight. It is therefore imperative that the nation see to it that a suitable education be provided for all its citizens.”*

Whereas, our servants in government have deceitfully removed the education of “self-government,” who’s motive can only be more power. Therefore, we the People across the nation are self-educating in order to perform our duty and save our nation. We reject any servant who arrogantly claims the People incompetent and that only they know what’s

¹² Bonnett v. Vallier, 116 N.W. 885, 136 Wis. 193 (1908); NORTON v. SHELBY COUNTY, 118 U.S. 425 (1886).

¹³ Mugler v. Kansas 123 U.S. 623, 659-60.

¹⁴ Davis v. Wechsler, 263 US 22, at 24.

¹⁵ Hertado v. California, 110 U.S. 516

¹⁶ Miller v. U.S. , 230 F 2d 486. 489

¹⁷ Shuttlesworth v Birmingham , 373 USs 262

¹⁸ Constitution for the United States of America, Article VI, Clause 2.

best for us. We need to remind you we have government by the consent of the People and not by the consent of the minions of the “New World Order,” aka Esquires.

The United States Supreme Court case *Boyd v. United States* in 1922 proclaims the remedy of today’s problems, when they said;

*“It is the duty of the courts to be watchful for encroachments against Constitutional rights”; in *Olmstead v. United States*¹⁹ the court stated further: “Decency, security and liberty alike demand that government officials shall be subjected to the same rules of conduct that are commands to the citizen. In a government of laws, existence of the government will be imperiled if it fails to observe the law scrupulously. Our Government is the potent, the omnipresent teacher. For good or for ill, it teaches the whole people by its example. Crime is contagious. If the Government becomes a lawbreaker, it breeds contempt for law; it invites every man to become a law unto himself; it invites anarchy. To declare that, in the administration of the criminal law, the end justifies the means, to declare that the Government may commit crimes would bring terrible retribution. Against that pernicious doctrine this Court should resolutely set its face.”*

The unalienable right of the sovereign People to self-governance was ordained by God, established in the Declaration of Independence and ordained by We the People who are the authority of all law where we said;

“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 the governed, that whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to affect their Safety and Happiness.”

Any servant who resists these truths “Wars against the Governor of the Universe and Wars against We the People.”

IN CONCLUSION, we the sovereign People of the United States of America on March 4th 1789 birthed a Nation “...in order to form a more perfect union, establish justice, ensure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity ordained and established this Constitution for the United States of America.”²⁰ We the People ordained via Article III Section 1, the creation of one Supreme Court with vested judicial powers and also

¹⁹ *Olmstead v. United States*, 277 U.S. 438, 1928

²⁰ US Constitution Preamble

ordained Congress with the authority to ordain and establish inferior courts with vested judicial powers. In Article III Section 1, We the People established that judges may hold their office only during “good behavior” which we defined in Article VI clause 2 whereby, “obedience to the supreme law of the land” is good behavior. Failure of a judge to be in good behavior²¹ requires removal from office; And if Congress does not have the backbone to remove these tyrants, then We the People will remove them.

“The words ‘sovereign state’ are cabalistic words,²² not understood by the disciple of liberty, who has been instructed in the Constitution. It is our appropriate phrase when applied to an absolute despotism that, the idea of sovereign power in the government of a “Common Law Republic” is incompatible with the existence and foundation of liberty ... and the rights of property.”²³

“The sovereignty of a state does not reside in the persons who fill the different departments of its government, but in the People, from whom the government emanated; and they may change it at their discretion. Sovereignty then in this country, abides with the constituency, and not with the agent; and this remark is true, both in reference to the federal and state government.”²⁴ “The doctrine of Sovereign Immunity is one of the Common Law immunities and defenses that are available to the Sovereign.”²⁵ “In United States, sovereignty resides in people. Congress cannot invoke the sovereign power of the People to override the People’s will.”²⁶ “It will be admitted on all hands that with the exception of the powers granted to the states and the federal government through the Constitutions, the people of the several states are unconditionally sovereign within their respective states.”²⁷

State run courts, aka ‘equity courts,’ are nisi prius²⁸ courts presided over by judges (political servants) who rule according to regulations, statutes and codes or contracts,

²¹ **FAILURE OF GOOD BEHAVIOR:** “Enumerated in statute as ground for removal of a civil service employee means behavior contrary to recognized standards of propriety and morality, misconduct or wrong conduct.” State ex rel. Ashbaugh v. Bahr, 68 Ohio App. 308, 40 N.E.2d 677, 680, 682.

²² having a secrete meaning

²³ Gaines v. Buford, 31 Ky. (1 Dana) 481, 501.

²⁴ Spooner v. McConnell, 22 F 939 @ 943.

²⁵ Yick Wo v. Hopkins, 318 US 356, 371 and Terry v. Ohio, 392 US 1, 40.

²⁶ Perry v. US, 294 U.S.330.


²⁷ Lansing v. Smith, 4 Wendell 9, (NY) 6 How416, 14 L. Ed. 997.

²⁸ NISI PRIUS: is a Latin term (Bouvier’s Law) Where courts bearing this name exist in the United States, they are instituted by statutory provision.; Black’s 5th “Prius” means “first.” “Nisi” means “unless.” A “nisi prius” procedure is a procedure to which a party FIRST agrees UNLESS he objects.; Blacks 4th - A rule of procedure in courts is that if a party fails to object to something, then it means he agrees to it. A nisi procedure is a procedure to which a person has failed to object A “nisi prius court” is a court which will proceed unless a party objects. The agreement to proceed is obtained from the parties first.

under American Jurisprudence. Law courts are presided over by juries (the People) who rule according to Natural Law, no judges, regulations, statutes, and codes permitted. Liberty is freedom from equity courts unless we agree. “The state cannot diminish rights of the people.”²⁹ “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.”³⁰ “The very meaning of ‘sovereignty’ is that the decree of the sovereign makes law.”³¹ “Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them.”³²

“It is in these words: ‘I do solemnly swear that I will administer justice without respect to persons, and do equal right to the poor and to the rich; and that I will faithfully and impartially discharge all the duties incumbent on me as according to the best of my abilities and understanding, agreeably to the constitution and laws of the United States.’ Why does a judge swear to discharge his duties agreeably to the constitution of the United States, if that constitution forms no rule for his government? If it is closed upon him and cannot be inspected by him. If such be the real state of things, this is worse than solemn mockery. To prescribe, or to take this oath, becomes equally a crime.”³³ “Under federal Law, which is applicable to all states, the U.S. Supreme Court stated that “if a court is without authority, its judgments and orders are regarded as nullities. They are not voidable, but simply void, and form no bar to a recovery sought, even prior to a reversal in opposition to them. They constitute no justification and all persons concerned in executing such judgments or sentences are considered, in law, as trespassers.”³⁴





Grand Jury Foreman

²⁹ *Hurtado v. People of the State of California*, 110 U.S. 516.

³⁰ NEW YORK CODE - N.Y. CVR. LAW § 2 : NY Code - Section 2: Supreme sovereignty in the people.

³¹ *American Banana Co. v. United Fruit Co.*, 29 S.Ct. 511, 513, 213 U.S. 347, 53 L.Ed. 826, 19 Ann.Cas. 1047.

³² *Miranda v. Arizona*, 384 US 436, 491.

³³ *Marbury v. Madison*, 5 U.S. 137 (1803) 5 U.S. 137 (Cranch) 1803

³⁴ *Basso v. UPL*, 495 F. 2d 906; *Brook v. Yawkey*, 200 F. 2d 633; *Elliot v. Piersol*, 1 Pet. 328, 340, 26 U.S. 328, 340 (1828)