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federal district court'

of the united States for middle Alabama

LIBRA P. HACKETT, CLERK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

a man: Karl Rudolph Lentz,
the aggrieved party ;
prosecutor;

UNITED STATES DISTRICT COURT
[civil division]



File No 2:12-cv-1014-MAT
~~DEMAND FOR JURY TRIAL~~

BENTON, Robert: chief magistrate; Governor;
Chairman of the Department of
Human Resources; Public Servant;
a man; wrongdoer.

declaration of wrongs:

forgery

and

and

Strange, Luther: Attorney General;
Public Servant; a man; wrongdoer.

bad faith

and

'THE GENERAL LIABILITY TRUST FUND' .

TRUSTEE: SPILLER, Ben.

and

Others Wrongdoers: Public Servants;
State Employees; State Actors; humans.

- "trial by jury."
- court of record: magistrate;

3 Bl. Comm. 378.
U.S. Const. Art. VI, cl. 3.
25 C. J. §§ 344; 346:
2. Danv. 259

The bill of rights of united States Constitution, Articles: VII; IX;
The Alabama Constitution of 1901: Article I, §§ 1; 10; 13.

Prologue

BY AND BUT FOR the fact that the malignant *wrongdoers*, entered a false plea, into a court by uttering a forgery, into said court, with the intent to defraud a man of his rights, is truly evil on its face, but what stands out as Extremely disturbing, as a direct result of this evil act, led to a kidnapping and to the loss of a newborn baby boy's right, to bond with his father and his mother, for these past eleven (11) years, (or, in law¹ '*the abduction of a child* [newborn baby boy] *by a third party who has no custody rights over the child*'.);

This act of outrage could not have reached fruition, if not by and but for the interdependent conspiracy, amongst the wrongdoers primarily caused by the cooperation of, the STATE's administrative hearing officers (hereinafter – judges), ability to invoke the STATE's Police Power, under their cloak of authority, as they were able to maintain the initial (void) court order, to the benefit of the wrongdoers and to their STATE's 'GENERAL FUND', but to the detriment of i, a man;

The STATE's void court orders, by way of full force and operation, have had and continue to have adverse affects with interstate court proceeding in other jurisdictions, as these "other" courts rely upon, and operate under the belief that the void court orders of Alabama, stand as true court orders, for the law of the land demands, under the full-faith and credit clause, that all courts must honor another court's order;

When i, had been aware of this initial wrongful act, i, gave fair-warning to all of the wrongdoers to cease and desist, and to move on their own volition to "right their wrongs", as it was and remains to this day a direct cause of harm, loss, and injury to the detriment of i, a man;

All of my "good-faith" efforts, wishes and demands to settle the matters of controversy on the private-side, have been met by way of, answers made in "bad faith", dishonor, and/or by silence, i, now present and move my case into this venue, to have my suit tried on before and by a jury, for the judges (the jury) to render its verdict based upon the merits of my case;

It *should* go without saying, that there has occurred grievous harm, over these past 4,102 days, simply by the fact that once the powers that be, were made aware of the wrongs and choose not to right the wrongs of their subordinates, has resulted in a divers and a sundry of additional wrongs, which i, reserve the right to follow through with any, and/or, all other Independent Stand-Alone Causes of Actions, which i, may be made aware of in the future;

¹ STONE v. WALL, 734 So.2d 1038 (1999) the Eleventh Circuit by way of judicial recognition of the common law cause of action for intentional interference with the custodial parent-child relationship by a third party non-parent. answered the question in the affirmative. Or ANONYMOUS v ANONYMOUS, 672 So.2d 787(1995) The Supreme Court of Alabama.

Abstract

- i, a man (**Exhibit 'A'**), of inherent jurisdiction; now present, a [prima facie] ca[use] of declared [tort] wrongs, with its suit to be tried on and before a court of record (**Exhibit 'E'**), by the common law of the land;
- i, will prosecute this suit; i, stand within this suit as the man aggrieved; i, have by right to evoke this federal district court, and order compensation for acts of wrongs and demand restoration of my rights;
- The wrongdoers [**PUBLIC SERVANTS**], stand within this case as servants of man, and mankind i, by my best effort, have catalogued them within, **Exhibit: 'F'**;
- i, have the natural right to secure and protect all in which i, claim is proper to my person;
- i, made my wishes known to the wrongdoers, to not interfere with my life, for them not to intercourse with my private affairs¹, nor to interfere with my domestic authority; nor to administrate any of my issues, in which i, claim all which is proper to my person, the wrongdoers choose to ignore my wishes, demands, and the law, (**See: Exhibit 'D'**), and choose to move against, i, a man by way of: terror; fear; extortion; kidnapping; use of a forged instrument (**See: Exhibit 'B'**), 'fraud on the court' by officers of the court (**See: Exhibit 'F'**), and by the constant threat of the use or force of arms against my person;
- The past eleven years, have been wrought with acts of outrage, the harm, loss, and injury will continue until federal district court intervenes, for the said wrongdoers continue to move under the police power of the STATE and/or by color of [STATE] law;
- i, am not, nor will i, pretend to be a legal entity², but i, do give court my word, i, will do my best, as a man, to keep this suit as relevant as possible with, federal and STATE [positive] laws; and by the legal decisions and rules made by the federal courts, and those decisions made by the Supreme Court of the STATE of Alabama;
- i, will present [prima facie] evidence and demonstrate to court, that the actions, of the wrongdoers clearly shows, the wrongdoers have acted and continue to act with scienter, by way of wrongful, negligent acts and/or of acts of omission in a manner as to be the cause of harm; loss, and; injury, to my person, in which compensation is due, posthaste;

- The wrongdoers move in *an interdependent conspiracy*, with the intent *to pervert the course of justice*, by way of *wanton and deliberate acts*, by use of a *forged instrument*³ such as *'fraud on the court'*, by *officers of the court*, *to deprive another of the intangible right of good government and honest services*, within *a scheme or artifice to defraud* a man of his rights;
- A divers and a sundry of STATE agencies (including its GENERAL FUND) have benefitted, by the wrongdoers ability to obtain federal funds, based upon their false claims;
- The STATE is made liable to suit, *when it takes a man's property without fair and just compensation*;
- Note Well: The STATE never maintained there was any wrongful act to a minor;
- Note Well: the STATE has no verified criminal complaint on file, naming me as a party to a wrongful act, in which the STATE had standing to prosecute;

Venue

This venue, is within close proximity to the defendants; [*cf.* 28 USC § 1391(B) - VENUE GENERALLY]

This venue, was created to be of a service to [wo]man, as a stage, to provide a forum inwhich to present a case to court, to bring forth evidence to prove claims, to let others within this venue, judge the merits of a case, with the belief in a return of a fair and just verdict, to render orders;

Jurisdiction:

i, as a man, by inherent right, have *standing and to sue*⁴; those that have done me harm and wrong;

i, as a man, have the right to demand compensation from the wrongdoers;

i, will show the court and jury, the powers that be, they are to try this case and render a verdict;

i, will rely my jurisdiction; upon lawful common and positive sayings in laws, to support my right to bring the wrongdoers, before a common law court of record ;

Concise Declaration: [cf. Rule 8]

1. i, [we, the natural parents] had a newborn baby boy, kidnapped out of his crib, from within the UAB hospital's maternity ward, in 2001, by 'state actors', acting under color of law, and he has yet to be returned to his natural parents;
2. The courts of the land, are relying upon void court orders created by way of a forged instrument, said court orders are to be known as void ab initio, for said orders are interfering with the rights of i, a man;
3. For every second (as defined as a moment in time), that i, a man , have had my property taken from me unlawfully, i, charge the amount of One-Dollar per second;
4. As of today, November 6th, 2012, Three-hundred and forty-six (346) million seconds have "ticked by" , since i, my property has been taken/stolen, and my rights as a man have been interfered with;
5. i, as a man, believe that in order to settle this case, it is necessary and proper, for i, as a man, to be made whole and complete; the sum of **\$346,665,560⁵**; (three hundred and sixty million dollars) *is owed*, payable, due forthwith and is to be paid in full within 21 days after the wrongdoers have been served this suit's orders, to prevent further damages from accruing;
6. i, have testated, and have passed upon, to my family, the right to move this suit through the federal district court, if i, were to die before a settlement is reached *cf.* The Judiciary Act of 1793 § 31;
7. This federal district court is to place THE DEPARTMENT OF HUMAN RESOURCES under its control;
8. This federal district court is to evoke the UNITED STATES Marshal Service to seize the assets of the State of Alabama's the 'GENERAL LIABILITY TRUST FUND', until court has handed down its verdict;

Matters of Controversy:

First Controversy: FORGERY:

False uttering; filing false recordings⁶, spoliation⁷, tampering⁸:

9. The wrongdoers [hereinafter – Δs] went before a Family Court, within 'THE STATE OF ALABAMA' and placed documents and a moving instrument onto the record, the court case file is known as, 'JU-2001-51832' ;
10. I declare, that said wrongdoers [Δs], went before said court, and placed false documents and a forged moving instrument onto a court record; of the said court case file ;
11. The wrongdoers [Δs] : altered; tampered; mutilated, and; destroyed documents within the court case file;

The Forged Instrument:

12. The OFFICE OF THE ATTORNEY GENERAL of The Government of the STATE of Alabama, maintains at all times, including while in open court, that the moving instrument in which the STATE is relying upon to move court and to demand court to evoke its jurisdiction over i, a man, and to compel i, a man, to perform under the terms and conditions of the court's orders, can be found within 'JU-2001-51832' court case file (C. 40 - 42.) (See: Exhibit 'B');
13. The STATE's maintenance of the existence of a legitimate moving instrument within the 'JU-2001-51832' court case file, is the Matter in controversy, of this suit, for i, declare, believe and say, it is a forged instrument, it is, and has been, a cause of harm, i, seek, the restoration of rights and compensation for damages;

Second CONTROVERSY: failure to settle in good-faith⁹:

14. I declare, that I have communicated¹⁰ with the state, on numerous occasions¹¹, and made my wish known, to have these matters in controversy settled on the private-side (See: Exhibit 'C') ;
15. The state responded to my wish to settle on the private-side, by stating it was not interested in any settlement until it was court ordered to do so; (See Attached Court Orders);

The wrongdoers:

All of the wrongdoers know the fundamental and elementary rules of law:

16. The **First** wrongdoer: **Robert Bentley**, is a *public servant* , a human;
17. This said servant, is whomever is deemed to be, 'the chief magistrate for The Government of the STATE of Alabama', and is also known as, 'The Chairman of The DEPARTMENT OF HUMAN RESOURCES';
18. This wrongdoer voluntarily entered an oath or affirmation, to uphold the Constitution and the laws of the land;
19. **The chief magistrate for the STATE government**, is obliged to insure that when his subordinate officers move in his and/or the STATE's behalf, they are to be trained, disciplined and monitored, as so not to be a cause of harm, and/or; loss, and/or; injury to a man, and/or, to those of mankind;
20. When the said magistrate, is presented a claim of wrongful acts, negligent acts, and/or; acts of omission, committed by his subordinates, s/he is to right the wrongs, and to not become a party to, or to permit, the continuation of the said wrongs;
[*cf.* misprision of felony *or* , Title 18 U.S.C. § 4 *or* , an Interdependent Conspiracy]
21. This wrongdoer knows, that in law, when a man, is presented with a "bona fide" claim of a trespass and fails to set-off , settle, or close the matter on the private side, and forces the matter into the public, s/he not only dishonors the present[ment], but moves in "bad-faith";
22. This wrongdoer knows that in law, when a man, is presented with a 'bill' tendered in "good-faith", and fails to answer, then by tacit acquiescence agrees to any, and/or, all of the terms and conditions declared within said 'bill';
23. The **Second** wrongdoer is: **Luther Strange**, deemed to be 'the ATTORNEY GENERAL of and/or for, The Government of the STATE of Alabama;
24. This wrongdoer voluntarily entered into an oath or affirmation, to uphold the Constitution and the laws of the land;
25. **The ATTORNEY GENERAL**, is obliged to insure that when his/her subordinates move in his/her, and/or the STATE's behalf, the subordinate officers are to be trained, disciplined and monitored, as so not to be a cause of harm, and/or; loss, and/or; injury to a man, and/or, to those of mankind;

26. All of the ATTORNEY GENERAL's subordinate officers, the officers of the court, know in order to move court and to evoke jurisdiction over the parties, there must certain parameters met and maintained to insure the proceedings are lawful and proper [**and** the moving instrument better not be that of a forged instrument] ;
27. When the ATTORNEY GENERAL, is presented a claim of wrongful acts, negligent acts, and/or; acts of omission, committed by his subordinates, s/he is to right the wrongs, and to not become a party to, or to permit, the continuation of the said wrongs;
[*cf.* misprision of felony *or* , Title 18 U.S.C. § 4 *or* , an Interdependent Conspiracy]
28. This wrongdoer knows, that in law, when a man, is presented with a "bona fide" claim of a trespass and fails to set-off , settle, or close the matter on the private side, and forces the matter into the public, s/he not only dishonors the present[ment], but moves in "bad-faith";
29. This wrongdoer knows that in law, when a man, is presented with a 'bill' tendered in "good-faith", and fails to answer, then by tacit acquiescence agrees to any, and/or, all of the terms and conditions declared within said 'bill';
30. The Third wrongdoer, is a **public servant**, a human; and is the '**trustee of the GENERAL LIABILITY TRUST FUND**' ;
31. This said 'Fund' was created by an act of STATE's legislators to indemnify STATE actors;
32. In trust law, when the trustee of a trust [monetary] 'Fund', is presented with a "bona fide" bill and fails to respond to the 'bill' presented, s/he dishonors the present[ment];
33. When a trustee refuses to settle a claim, on the *private side*, s/he then is shown to be moving in "bad-faith" and dereliction of duty, and breach of a fiduciary trust ;
34. When a trustee fails to answer, then by tacit acquiescence agrees to any, and/or, all of the terms and conditions the ["good-faith"] 'bill' tendered
[*cf.* The Code of Alabama 1975 Titles 7 - Commercial Code and/or Title 36 (See: Exhibit 'G')]

I, will affirm and verify in open court

that all of the hereinabove is true:

KARL Rudolph Lutz

KL

November 6th, 2012

