

1:13-cr-135 (and its variations and derivatives of spelling)

UNITED STATES OF AMERICA vs. JOHN J FALL

FILED

2015 JAN 26 A 10:11

DISTRICT COURT
DISTRICT OF RHODE ISLAND

To: John J. McConnell, Jr. c/o 'Federal Court'
1 Exchange Terrace, Providence, Rhode-Island 02903
by way of Certified Mail 7014 1090 0000 9921 9393

To: John N. Kane, Jr. c/o U.S. Department of Justice, Tax Division, 601 D Street, N.W.
7th Floor, Washington, D.C. 20530 by Certified Mail 7014 1090 0000 9921 9409

From: John Joseph Fall, [a] man; c/o temporary address: 108 Princess Avenue,
Cranston, Rhode Island 02920 401-264-0556

Regarding: case 1:13-cr-135 (and its variations and derivatives of syntax) in regards to UNITED STATES OF AMERICA v JOHN J FALL

Date: January 25, 2015

notice: January 23, testimony;

'Fall court' presents notice;

in regards to case 1:13-cr-135 (and its variations and derivatives of syntax):

i, the man, John Joseph Fall, say by affirmation that all of the following statements of fact are the truth about My beliefs; and i have not been presented with verifiable facts or evidence which contradicts the substance of these Statement of Facts:

Statements of Facts

1. in regards to said case, i, a man, John Joseph Fall have always been, and remain, with intent to remain solely in the jurisdiction of 'common law' as My God-given right, as secured by the 9th Amendment to the federal Constitution; and i have at all times expressly given notice that i do not wish to traverse into any kind of statutory/administrative court;
2. in regards to said case, i have always been, and remain, with intent to interact and appear specially and solely as a man; i have neither been a defendant nor plaintiff in any matters in and/or relating to, said case;
3. in regards to said case, at all times, i cannot accept the title of "defendant" since:

- a. i have never been presented with a sworn document and/or sworn speech by a competent accuser which makes accusation against me, the man, of doing a wrong, harm, injury and/or cause of a financial loss stated as the true amount and owing; and i believe neither said accuser nor accusation exists since John J. McConnell, Jr. the multiple man who act as prosecutors, and the clerk have ignored numerous requests from me in that regard; i believe said case is fictitious and intentional fraud;
 - b. i do not comprehend the legal-language and customs of the legal society, being proffered during said case, by John J. McConnell, Jr., all the federal defender(s) and prosecutors;
 - c. i believe there is no law that requires me to comprehend the legal language and customs of the legal society;
4. i am have not been represented, nor do i represent another; at all times i am solely me, a man;

Regarding the sworn Testimony of i, the man, John Joseph Fall:

5. That on January 23, 2013, the man, John J. McConell, Jr. who sometimes acts as Magistrate ("Judge"; but not My Judge)) for said case, did cause me to be brought before him without My 12 judges (the man and woman "jurors") being present; **whereupon i believe he threatened me to obstruct against, and deprive me of, My right to assert My sworn testimony, and My right to not be subjected to involuntary servitude, as described (in substance) as follows:**

said John J. McConnell, Jr. said to me,

"... do you realize your are still under oath?"

whereupon i said,

"... i am under affirmation as a man in 'common law'...;

"... i am here to challenge jurisdiction in this matter for 9 reasons first is, i require My choice of 'assistance of counsel', i have never consented to having Kevin Fitzgerald, federal defender, as My counsel since:

- a) **we spent no time together preparing for trial,**
- b) **he admitted to me that he has never won a criminal tax case, and has no experience assisting a man such as myself, in a 'court of record' by way of the 'common law'; and**
- c) **he is an attorney and [therefore] cannot assert My God-given rights;**
- d) **"... i require My choice of 'assistance of counsel' who specializes at assisting a man in common law ..."**

then i said,

" ... there is no accuser against me, the man, John Joseph Fall, and there is no sworn statement of accusation accusing me of a wrong, harm, injury or financial loss stated as a true amount and owing ..." " i require all My sworn testimony be presented to the jury ..."

John J. McConnell, Jr. said to me:

" ... are you going to follow the rules of the court and obey the orders of the court? ..."

i said:

" ... i wish to finish stating 7 more items of My challenge to jurisdiction in this matter..."

John J. McConnell, Jr. said to me:

" ... are you going to follow the rules of the court and obey the orders of the court? ..."

whereupon i said,

"... i have not been presented with any rules or orders which show they apply to i, the man, John Joseph Fall ..."

"... that at all times i appear solely as a man, not a person; i am not the defendant ..."

" ... that at all times i appear specially and solely in 'common law'; i will not appear in any kind of statutory, administrative court; i am a man; and you are bound by your oath to the 9th amendment to provide 'common law' jurisdiction to me;

John J. McConnell, Jr. said:

**"... you did not give the prosecutor an answer to his question [yesterday] ...
... do you understand that your testimony could be stricken from the record ...";**

whereupon i responded with:

- A. "... i believe i gave a proper response ...";**
- B. "... i believe i would be aiding a false presumption and committing fraud if i give a different answer while the prosecutor conceals who My accuser is, and [conceals] the sworn accusations of wrong against me ..."**
- C. "... i do not consent ..." (to My testimony being stricken);**

whereupon, said John J. McConnell, Jr. did not rebut any of My foregoing speech, which i stated entirely under affirmation; and instead, John J. McConnell, Jr. **caused assault** against i, a man, by way of his order to the U.S. Marshall ("Justin") to remove me from the courtroom, which was done by **physical force, as battery** against My human body; whereupon, i stated:

"... let the record show i am being removed from the courtroom physically and against My will and over My objection ..."

6. i believe, said John J. McConnell, Jr., did the foregoing with intent to unlawfully and wrongly intimidate and threaten me, with intent to deprive me of My God-given rights to move both My written and stated (living-voice) sworn testimony and my two sworn claims, before the 12 judges in the jury (the local man and woman who are sometimes referred to as "the jury");
7. That against My will and over My objection, stated on the record in My living-voice on January 23, 2015, in courtroom 3 and in courtroom 4, said John J. McConnell, Jr. fraudulently continues to cause the false appearance to said "12 judges in the jury", that Mr. Kevin Fitzgerald, 'federal defender' is acting as My attorney/representative;
8. That, i have never consented to Mr. Kevin Fitzgerald, 'federal defender' to act as My representative;
9. That the actions of said John J. McConnell, Jr. have continued harm to i, the man, John Joseph Fall, and injury to My property (My time, peace, happiness, freedom, reputation, earning ability and health); all in the absence of a competent accuser with a sworn accusation that i did a wrong;
10. That i have never been presented with evidence of a sworn accusation of a wrong against me, and/or that i believed i was doing a wrong, and/or that i was aware of a specific provision of law;
11. That, for the reasons shown in this document, i wish, order and require immediate discharge and disposal of said case, and the immediate restoration of My property (My time, reputation, locomotion, earning ability, peace, happiness, and dignity, et cetera);
12. that, not later that noon of January 31, 2015, i require both the UNITED STATES OF AMERICA and said John J. McConnell, Jr. to provide a sworn rebuttal to all points in this document; failure to provide said rebuttal as said, indicates unreserved, full-knowing acceptance of each such point not rebutted;

i will verify all herein be true, in open court;

John Joseph Fall, a man 1/26/2015