

R E C E I V E D
MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

'Federal Court'
at
'United States Court of Appeals for the Ninth Circuit'

MAY 01 2017

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]	Case No. <u>17-15243</u> DATE _____
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		District Case No <u>2:17-CV-170</u>
Donald Baker, Deputy Clerk,]	
Donald B Verilli, Jr., US Solicitor General]	
Erik Fossum, Deputy Clerk]	
Terry Means, Judge]	
Jacqueline Hong-Ngoc Nguyen, Judge]	
Jeffrey L. Cureton, Magistrate Judge]	
Joe Fish, Judge]	
John McBryde, Judge]	
Linda B Miles, Deputy Clerk]	
Lyle Cayce, Clerk]	
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Neil V. Wake, Judge]	
Paul Stickney, Magistrate Judge]	
Raymond C Fisher, Judge]	
Reed O'Connor, Judge]	
Richard C. Tallman, Judge]	
Sam Cummings, Judge]	
Scott S Harris, Clerk,]	
Stephen McNamee, Judge]	
Other unknown judges]	
Other unknown clerks]	
Wrongdoers]	

Response to Clerk's so-called ORDER

i, me, my, or myself, also known as glenn winningham; house of fearn, a sovereign living soul, a holder of the office of "the people", and a man on the land of Arizona, hereby respond to the so-called ORDER made by the Satanist Clerk MOLLY C DWYER trying to hide behind her Roman Cult cestui que trust MOLLY C DWYER, in conspiracy with Stephanie Zeller, Motions Liar [Attorney], Deputy Clerk, in an effort to assault me with your fraudulent fictitious rules, and your Roman Cult US citizen / cestui que trust / slave, under the color of your code, rules, and regulations.

1 each of you know a US citizen is a cestui que trust

"... (E)every taxpayer is a cestui qui trust having sufficient interest in the preventing abuse of the trust to be recognized in the field of this court's prerogative jurisdiction . ." In Re Bolens (1912), 135 N.W. 164

"**Chap. 854. – An Act to establish a code of law for the District of Columbia.**" which was Approved on March 3, 1901, by the Fifty-Sixth Congress, Session II, at 31 Stat. 1189, and at 2, where it says;

"And be it further enacted, That in the interpretation and construction of said code the following rules shall be observed namely:..."

"Third. The word "person" shall be held to apply to partnerships and corporations, ...", [emphasis added]

and at Chapter three – Absence for Seven Years, in Sec. 252, at 31 Stat. 1230, where it says;

"SEC. 252. PRESUMPTION OF DEATH. - If any person shall leave his domicile without any known intention of changing the same, and shall not return or be heard from for seven years from the time of his so leaving, he shall be presumed to be dead, in any case wherein his death shall come in question, unless proof be made that he was alive within that time."

and at Chapter Fifty-Six in Sec. 1617, at 31 Stat. 1432, where it says;

"The Legal Estate to be in Cestui Que Use"

and the cestui que trust is codified at **15 USC § 44 Definitions** and they know that i do NOT have to be one of their US citizen / slave / cestui que trusts

"Merely being native born within the territorial boundaries of the United States of America does not make such an inhabitant a Citizen of the United States subject to the jurisdiction of the Fourteenth Amendment." Elk v. Wilkins, Neb (1884), 5s.ct.41,112 U.S. 99, 28 L. Ed. 643

"A person who is a citizen of the United States is necessarily a citizen of the particular state in which he resides. But a person may be a citizen of a particular state and not a citizen of the United States**. To hold otherwise would be to deny to the state the highest exercise of its sovereignty, -- the right to declare who are its citizens." State v. Fowler, 41 La. Ann. 380 6 S. 602 (1889), [emphasis added]**

and State Citizens are the ONLY ones living under free government

"...at the revolution the Sovereignty devolved on the people; and they are truly the sovereigns of the country... the citizens of America are equal as fellow citizens, and as joint tenants in the sovereignty." Chisholm v Georgia, 2 Dall. 440, at pg 471

"People of a state are entitled to all rights, which formerly belong to the King by his prerogative." Lansing v Smith, (1829) 4 Wendell 9,20 (NY)

"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." Ohio L. Ins. & T. Co. v. Debolt, 16 How. 416, 14 L.Ed. 997

"State citizens are the only ones living under free government, whose rights are incapable of impairment by legislation or judicial decision." Twining v. New Jersey, 211 U.S. 97, 1908

"Taxpayers are not State Citizens." Belmont v. Town of Gulfport, 122 So. 10.

and each of you know that under your own International agreements, everybody has the right to their own political opinions, but you intend to assault me with your Roman Cult cestui que trust under the color of your so-called laws, to justify your assaults, kidnappings, false imprisonments, thefts, and pillaging of my property, because you intend to operate in your private capacity by being revenue officers under the federal tax lien act of 1966, so you can collect your royalties.

2 your Cestui que trust was created by the Roman Cult

"Yet still it was found difficult to set bounds to ecclesiastical ingenuity; for when they were driven out of all their former holds, they devised a new method of conveyance, by which the lands were granted, not to themselves directly, but to nominal feoffees to the use of the religious houses; thus distinguishing between the possession and the use, and receiving the actual profits, while the seisin of the lands remained in the nominal feoffee, who was held by the courts of equity (then under the direction of the clergy) to be bound in conscience to account to his cestui que use for the rents and emoluments of the estate: and it is to these inventions that our practitioners are indebted for the introduction of uses and trusts, the foundation of modern conveyancing." Tomlins Law Dictionary 1835 edition, Volume 2 under the definition of Mortmain

3 is there a recommended number of times i have to say that i am NOT one of your US citizen / cestui que trust / slaves? Do I need to hire an airplane and have them drop leaflets? I doubt that will make a difference, because each of you intend to assault me with your Roman Cult cestui que trust, because all officers of the so-called court are Roman Cult BAR members, that wear the black robe military uniform

"The wearing of clerical dress or of a religious habit on the part of lay folk,, is liable to the same penalty on the part of the State as the misuse of military uniform." Article 10, Concordat of 1933

you insist on operating under a statute so you can be a bought and paid for Clerk masquerading as a Judge

"When acting to enforce a statute and its subsequent amendments to the present date, the judge of the municipal court is acting as an administrative officer and not in a judicial capacity; courts administrating or enforcing statutes do not act judicially, but merely ministerially....but merely act as an extension as an agent for

the involved agency -- but only in a "ministerial" and not a "discretionary capacity..." Thompson v. Smith, 154 S.E. 579, 583; Keller v. P.E., 261 US 428; F.R.C. v. G.E., 281, U.S. 464 [emphasis added]

"...judges who become involved in enforcement of mere statutes (civil or criminal in nature and otherwise), act as mere "clerks" of the involved agency..." K.C. Davis, ADMIN. LAW, Ch. 1 (CTP. West's 1965 Ed.)

and when you are operating under a statute, you are NOT competent to do anything judicial

"Ministerial officers are incompetent to receive grants of judicial power from the legislature, their acts in attempting to exercise such powers are necessarily nullities" Burns v. Sup., Ct., SF, 140 Cal. 1

and you know Federal Reserve Notes are meant for internal use of the government ONLY
"Sec. 15. As used in this Act the term "United States" means the Government of the United States...the term "currency of the United States" means currency which is legal tender in the United States, and includes United States notes,...Federal Reserve Notes..." Gold Reserve Act of 1934, 48 Stat. 337

and you know filing fees are for US citizens in the District of Columbia ONLY and even then in Naturalization proceedings and for BAR members ONLY because the history for your color of law 28 USC § 41 shows that the originating document for the United States Courts of Appeals being organized into thirteen circuits is an appropriations Bill, which means that it is effective for the District of Columbia and the territories ONLY, and the historical information shows that the originating authority is 31 Stat. 85, which is;

"CHAP. 191. - An Act Temporarily to provide revenues and a civic government for Porto Rico, and for other purposes." which was Approved April 12, 1900 at 31 Stat. 77,

which goes on to say;

".... That the provisions of this Act shall apply to the island of Porto Rico and to the adjacent islands and waters of the islands lying east of the seventy-fourth meridian of longitude west of Greenwich, which were ceded to the United States by the Government of Spain by treaty entered into on the tenth day of December, eighteen hundred and ninety-eight;" [emphasis added]

at 31 Stat. 77 and it says it applies to Porto Rico and adjacent island and waters ONLY, goes on to say under the heading "THE JUDICIARY" at SEC. 33 at 31 Stat. 84;

"SEC. 33. That the judicial power shall be vested in the courts and tribunals of Porto Rico as already established and now in operation, including municipal courts, under and by virtue of General Orders, Numbered One hundred and eighteen, as promulgated by Brigadier-General Davis, United States Volunteers, August

sixteenth, eighteen hundred and ninety-nine, and including also the police courts established by General Orders, Numbered One hundred and ninety-five, promulgated November twenty-ninth, eighteen hundred and ninety-nine, by Brigadier-General Davis, United States Volunteers, and the laws and ordinances of Porto Rico and the municipalities thereof in force, so far as the same are not in conflict herewith, all which courts and tribunals are hereby continued." [emphasis added]

which means that all of the courts are under Martial Law, which is also described herein and it goes on to say at SEC. 34. at 31 Stat. 85

"The United States district court hereby established shall be the successor to the United States provisional court established by General Orders, Numbered Eighty-eight, promulgated by Brigadier-General Davis, United States Volunteers, and shall take possession of all records of that court, and take jurisdiction of all cases and proceedings pending therein, and said United States provisional court is hereby discontinued." [emphasis added]

which establishes the United States District Court in contradistinction to the District Court of the United States,

"The United States District Court . . . is not a true United States court established under Const, art. 3, to administer the judicial power of the United States, but was created by virtue of the sovereign congressional faculty, granted under Article 4, § 3, of making all needful rules and regulations respecting the territory belonging to the United States." Balzac v People of Puerto Rico, 258 U.S. 298

which also means that you are operating a territorial court in Arizona, and the rest of the Article III States, and you have no authority to do so, other than breach of trust, treason, sedition, and your military occupation, as described herein, and the second citation is 36 Stat. 1131, which says;

"CHAP. 231 . - An Act To codify, revise, and amend the laws relating to the judiciary." which was Approved on March 3, 1911 at 36 Stat. 1087, and it goes on to say; **"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the laws relating to the judiciary be, and they hereby are, codified, revised, and amended, with title, chapters, head-notes, and sections, entitled, numbered, and to read as follows:"**

and at SEC 9. at 36 Stat. 1088 it says;

"SEC. 9. The district courts, as courts of admiralty and as courts of equity, shall be deemed always open for the purpose of filing any pleading..."

which means that Congress set up the district courts for the District of Columbia and the territories ONLY, and Judicial Code of 1911, as well as its subsequent Title 28 USC does

not apply to the District Courts in Arizona of any of the Article III States; and the following repeals are accomplished at 36 Stat. 1168 under the heading, "**Chapter Fourteen Repealing Provisions**" where it says; "SEC 297. The following Sections of the Revised Statutes and Acts and parts of Acts are hereby repealed:" and since Revised Statutes are a compilation, and a compilation does nothing to the original statutes, it means absolutely nothing

"**[1] It is well settled that "the Code cannot prevail over the Statutes at Large, when the two are inconsistent."** Stephan v. United States, 319 U.S. 423, 63 S.Ct. 1135, 1137, 80 L.Ed. 1490; Royer's Inc. v. United States, 3 Cir., 265 F.2d 615. The provisions of the Code are merely *prima facie* evidence of the law. 1 U.S.C. § 204 (a)." American Export Lines Inc. v. United States, 290 F.2d 925, at 929 (July 19, 1961)

and it goes on to repeal acts of Congress, but nothing is repealed prior to 1875, which further confirms that Congress is acting as the local legislature for the District of Columbia and the territories, because the District of Columbia was incorporated with; "**An Act to provide a Government for the District of Columbia**", at 16 Stat. 419, which was Approved on Feb 21, 1871.

4 this Filing Fee is an excise tax, under your fictitious color of law 28 USC § 1914, and the historical information shows that it originates from;

"AN ACT To revise, codify, and enact into law title 28 of the United States Code entitled "Judicial Code and Judiciary"." which was Approved on June 25, 1948 at 62 Stat. 869,

which originated from title 28 U.S.C., 1940 ed., §§ 549, 553 and 555 (R.S. § 828; June 28, 1902, ch. 1301, § 1, 32 Stat. 476; Feb. 11, 1925, ch. 204, §§ 2, 6, 8, 43 Stat. 857, 858; Jan. 22, 1927, ch. 50, § 2, 44 Stat. 1023; Jan. 31, 1928, ch. 14, § 1, 45 Stat. 54; Mar. 3, 1942, ch. 124, § 2, 56 Stat. 122; Sept. 27, 1944, ch. 414, §§ 1, 4, 5, 58 Stat. 743, 744) and,

a. the first citation is 32 Stat. 476, which is an Appropriations Bill

"CHAP. 1301 .- An Act Making appropriations for sundry civil expenses of the June 28, 1902. Government for the fiscal year ending June thirtieth, nineteen hundred and three, and for other purposes." [emphasis added]

which was Approved on June 28, 1902, at 32 Stat. 419, which says at 32 Stat. 475
"EXPENSES OF THE UNITED STATES COURTS - For defraying the expenses of the Supreme Court; -of the circuit and district courts of the United States, including the district court in the Territory of Hawaii; of the supreme court and

court of appeals of the District of Columbia; of the district court of Alaska; of the courts in the Indian Territory; of the circuit courts of appeals; of the Court of Private Land Claims; of suits and preparations for or in defense of suits in which the United States is interested; of the prosecution of offenses committed against the United States ; and in the enforcement of the laws of the United States, specifically the expenses stated under the following appropriations, namely..." [emphasis added]

and this is all about the District of Columbia and the territories, and it goes on to say; "For fees of clerks, two hundred and forty thousand dollars: ...; and the word "emoluments" shall be understood as including all amounts received in connection with the admission of attorneys to practice in the court, all amounts received for services in naturalization proceedings, whether rendered as clerk, as commissioner, or in any other capacity, and all other amounts received for services in any way connected with the clerk's office: Provided further, That no amount in excess of one dollar shall be received from any attorney in connection with his admission to practice in a circuit or district court..."" [emphasis added] at 32 Stat. 475 - 476

and this is talking about the District of Columbia and the Territories ONLY, and the ONLY fees allowed are for Attorneys and in naturalization proceedings for aliens, and under their own Act that all Bills are supposed to be on one subject, which is expressed in the Title as found in the Forty-First Congress, Sess. III, Chapter 62, An Act to provide a Government for the District of Columbia, 16 Stat. 419, which was Approved on Feb 21, 1871, at Sec. 12;

"And be it further enacted, that every bill shall be read at large on three different days in each house. No act shall embrace more than one subject, and that shall be expressed in its title; but if any subject shall be embraced in an act which shall not be expressed in the title, such act shall be void only to so much thereof as shall not be expressed in the title..." at 16 Stat. 422

and even your rules prohibit adding legislation to appropriation Bills
"...the traditional distinction which Congress has drawn between "legislation" and "appropriation," the rules of both Houses prohibiting "legislation" from being added to an appropriation bill." Andrus v Sierra Club 442 U.S. 347 (1979)

and appropriations Bills are for internal use of the government ONLY, (color of law) the District of Columbia and the Territories, and temporary and last one year ONLY, and even in the District of Columbia the Legislation portion of this Appropriations Act is void under your own rules, as described herein, and,

b. the second citation is 43 Stat. 857;

"CHAP. 204. - An Act To provide fees to be charged by clerks of the district courts of the United States"

and the Act of July 20, 1892 (27 Stat. 252) talks about US citizens, and the Act of June 25, 1910 at 36 Stat. 866 talks about informa pauperis and US citizens, and the Act of June 27, 1922, at 42 Stat. 666 talks about informa pauperis and US citizens, which means it is also talking about the District of Columbia and the territories, and this Section consolidates sections 549, 553, and 555 of title 28, U.S.C., 1940 ed., as amended with necessary changes of phraseology. The phrase "filing fee" was substituted for the inconsistent and misleading words of sections 549 and 553 of title 28, U.S.C., 1940 ed., "as full payment for all services to be rendered by the clerk" etc. thus removing the necessity for including exceptions and referring to other sections containing provisions for additional fees. The provision in section 549 of title 28, U.S.C., 1940 ed., for payment of fees by the parties instituting criminal proceedings by indictment or information, was omitted. Such proceedings are instituted only by the United States from which costs cannot be exacted. The provision in section 549 of title 28, U.S.C., 1940 ed., for taxation of fees as costs, was omitted as covered by section 1920 of this title. Words "or appeal from a deportation order of a United States Commissioner" in section 553 of title 28, U.S.C., 1940 ed., were omitted as obsolete since repeal of the Chinese Exclusion Act by act Dec. 17, 1943, ch. 344, § 1, 57 Stat. 600. Appeal was formerly conferred by section 282 of title 8, U.S.C., 1940 ed., Aliens and Nationality. Subsection (d) excepting the District of Columbia, was added to preserve the existing schedule of fees prescribed by section 11-1509 of the District of Columbia Code, 1940 ed., all of which is talking about US citizens, resident aliens, and the District of Columbia and the Territories, and, the third citation is 44 Stat. 1023,

"CHAP. 50. - An Act To amend the Act of February 11, 1925, entitled" An Act to provide fees to be charged by clerks of the district courts of the United States." which is at 44 Stat. 1022,

and it goes on to say;

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act of February 11, 1925 (Forty-third United States Statutes at Large, page 857), be, and the same is hereby, amended to read as follows:"

and this is talking about 43 Stat. 857 which is addressed above, and, the fifth citation is 56 Stat. 122 is

"AN ACT To abolish certain fees charged by clerks of the district courts; and to exempt defendants in condemnation proceedings from the payment of filing fees in certain instances." which was Approved on March 3, 1942 at 56 Stat. 122

and the sixth citation is 58 Stat. 743 and there are 2 Statutes at this citation

"AN ACT To amend the Act entitled "An Act to amend the Act creating the circuit court of appeals in regard to fees and costs, and for other purposes", approved February 19, 1897 (29 Stat. 536; 28 U. S. C. 543)." which was Approved September 27, 1944 at 58 Stat. 743,

which says; and all of these Fees are ALWAYS denominated in Federal Reserve Notes, therefore the Fees are ONLY intended for the District of Columbia and the Territories and for Attorneys who are using the courts to make money, as a business, therefore, it is obvious that Fees ONLY apply to US citizens for the District of Columbia and the Territories, especially in light of the fact that Congress cannot make legislation that conflicts with the Constitution

"6. That where the Constitution has been once formally extended by Congress to territories, neither Congress nor the territorial legislature can enact laws inconsistent therewith." Downes v Bidwell 182 US 244

5 when the Judicial Code of 1911 was created at 36 Stat. 1087, where it says;
"CHAP. 231. - An Act To codify, revise, and amend the laws relating to the judiciary. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the laws relating to the Judiciary be, and they hereby are, codified, revised, and amended, with title, chapters, head-notes, and sections, entitled, numbered, and to read as follows:"

and at Sec. 9 at 36 Stat. 1088 it says;

"SEC. 9. The district courts, as courts of admiralty and as courts of equity, shall be deemed always open for the purpose of filing any pleading, of issuing..." [emphasis added]

which means that the District Courts, that Congress is talking about under the Judicial Code are in the District of Columbia and the territories, and since they are ONLY Admiralty and Equity jurisdiction, and at 36 Stat. 1091 under the heading; **"CHAPTER Two. DISTRICT COURTS - JURISDICTION."**

it says;

SEC. 24 . The district courts shall have original jurisdiction as follows: First. Of all suits of a civil nature, at common law or in equity, brought by the United States, or by any officer thereof authorized by United States law to sue, or between citizens of the same State claiming lands under grants from different States; or, where the matter in controversy exceeds, exclusive of interest and costs, the sum or value of three thousand dollars, and (a) arises under the Constitution or laws of the United States, or treaties made, or which shall be made, under their authority, or (b) is between Citizens of different States, or (c) is between citizens of a State and foreign States citizens, or subjects. No district court shall have cognizance of any suit (except upon bills of exchange) to recover upon any promissory note or other chose in action in favor of any assignee, or of any subsequent holder if such instrument be payable to bearer and be not made by any corporation, unless such suit might have been prosecuted in such court to recover upon said note or other chose in action if no assignment had been made: Provided, however, That the foregoing provision as to the sum or value of the matter in controversy shall not be construed to apply to any of the cases mentioned in the succeeding paragraphs of this section:

Third. Of all civil causes of admiralty and maritime jurisdiction, saving to suitors in all cases the right of a common-law remedy where the common law is competent to give it; of all seizures on land or waters not within admiralty and maritime jurisdiction; of all prizes brought into the United States; and of all proceedings for the condemnation of property taken as prize." [emphasis added]

which is talking about State citizens, therefore you know about State citizens, and yet these Clerks masquerading as Judges keep trying to fabricate evidence of their US citizen slave when they demand one of their interrogatories, or even demand that their excise tax be setoff, & some of them have even prohibited any further filings in my cases, until their fictitious color of law interrogatory is completed, and it goes on to say at 36 Stat. 1911

"Fourteenth. Of all suits at law or in equity authorized by law to be brought by any person to redress the deprivation, under color of any law, statute, ordinance, regulation, custom, or usage of any State, of any right, privilege, or immunity, secured by the Constitution of the United States, or of any right secured by any law of the United States providing for equal rights of citizens of the United States, or of all persons within the jurisdiction of the United States.:

6 Furthermore, since Article One in Amendment specifically prohibits Congress from abridging my right, as one of "the people" to petition the government for a redress of grievances, this Court has no right to deny it, because it is NOT a privilege, even though i would much prefer real justice before a jury of my peers, if it was available, rather than the so-called justice that you BAAL priests have offered, therefore i have NO duty to follow any of your fictitious color of law Rules, and any evidence of my following any Rules should be considered accidental, and or a courtesy.

7 Neither Congress, nor this so-called court have the right to tax me, and sell your justice

"It was insisted that Congress could act in a double capacity: in one as legislating for the states; in the other as a local legislature for the District of Columbia. In the latter character, it was admitted that the power of levying direct taxes might be exercised, but for District purposes only, as a state legislature might tax for state purposes; but that it could not legislate for the District under art. 1, 8, giving to Congress the power 'to lay and collect taxes, imposts, and excises,' which 'shall be uniform throughout the United States,' inasmuch as the District was no part of the United States." Downes v Bidwell 182 US 244

because i am in Arizona and Congress has no authority to tax in Arizona unless it is apportioned, and uniform, (and even then Congress can ONLY tax what it creates) and this excise tax (filing fee) is neither uniform, nor apportioned, and i am NOT one of your Roman Cult US citizen / cestui que trust / slaves.

8 i do NOT exist under this court's authority, or Congress' authority, anybody else's authority, McCullough v Maryland, 17 U.S. [4 Wheat] 316 (1819)

"The individual, unlike the corporation, cannot be taxed for the mere privilege of existing. The corporation is an artificial entity which owes its existence and charter powers to the state; but the individuals' rights to live and own property are natural rights for the enjoyment of which an excise cannot be imposed." Redfield v. Fisher, 292 P. 813, 135 Or. 180, 294 P.461, 73 A.L.R. 721 (1931)

9 Arizona is under a military occupation and has been since the Spanish American war

"A place, district, or country occupied by an enemy stands, in consequence of the occupation, under the Martial Law of the invading or occupying army, whether any proclamation declaring Martial Law, or any public warning to the inhabitants, has been issued or not. Martial Law is the immediate and direct effect and consequence of occupation or conquest. The presence of a hostile army proclaims its Martial Law." Article 1, Lieber Code [emphasis added]

"Territory is considered occupied when it is actually placed under the authority of the hostile army. The occupation extends only to the territory where such authority has been established and can be exercised." Law and Customs of War on Land (Hague IV), Article 42

and there has been no proclamation by the President, and there is nothing in the Treaty of Peace (Treaty of Hidalgo) that says anything about martial law ending

"Martial Law does not cease during the hostile occupation, except by special proclamation, ordered by the commander in chief; or by special mention in the

treaty of peace concluding the war, when the occupation of a place or territory continues beyond the conclusion of peace as one of the conditions of the same."
Article 2, Lieber Code [emphasis added]

therefore martial law continues to this day and the Geneva Convention relative to the Protection of Civilians in a Time of War of 1949 applies

"In addition to the provisions which shall be implemented in peacetime, the present Convention shall apply to all cases of declared war or of any other armed conflict which may arise between two or more of the High Contracting Parties, even if the state of war is not recognized by one of them.

The Convention shall also apply to all cases of partial or total occupation of the territory of a High Contracting Party, even if the said occupation meets with no armed resistance....." Article 2, Geneva Convention Relative to the Protection of Civilians in Time of War of 1949 [emphasis added]

"NOTE: Under the Law-Martial, only the criminal jurisdiction of a Military Court is the recognized law. But as Article Three says, "the civil courts can continue wholly or in part as long as the civil jurisdiction does not violate the Military orders laid down by the Commander in Chief or one of his Commanders." By this means; a military venue, jurisdiction, and authority are imposed upon the occupied populace under disguise of the ordinary civil courts and officers of the occupied district or region, because the so-called civil authorities in an occupied district, or region, only act at the pleasure of a military authority.

It should also be noted here that the several State Legislatures, County Boards of Commissioners, and City Councils, are constantly legislating to please the edicts of the federal government (the occupying force) and that their legislation, in this sense, is not an exercise of State sovereignty, but instead, a compliance with edicts of the military force which occupies the several States and consequently are edicts of Martial Law Rule." Dyett v Turner 439 P2d 266 @ 269, 20 U2d 403 [1968] The Non-Ratification of the Fourteenth Amendment by Judge A.H. Ellett, Utah Supreme Court [emphasis added]

and Articles 1 to 12, 27, 29 to 34, 47, 49, 51, 52, 53, 59, 61 to 77, 143 still apply to this day

"The present Convention shall apply from the outset of any conflict or occupation mentioned in Article 2.

In the territory of Parties to the conflict, the application of the present Convention shall cease on the general close of military operations.

In the case of occupied territory, the application of the present Convention shall cease one year after the general close of military operations; however, the Occupying Power shall be bound, for the duration of the occupation, to the extent that such Power exercises the functions of government in such territory, by the provisions of the following Articles of the present Convention: 1 to 12, 27, 29 to 34, 47, 49, 51, 52, 53, 59, 61 to 77, 143." Article 6, Geneva Convention Relative to the Protection of Civilians in Time of War of 1949 [emphasis added]

but these Satanist BAR members as described herein insist on fabricating evidence of your US citizen slave so you can assault me with their Roman Cult owned and operated cestui que trust / US citizen / slave and your satanic religious ceremony kangaroo courts, when i have made it perfectly clear that i do not intend to participate in your Satanism, and you send out your pre-screened low intelligence PIGs to make all sorts of threats if I do not produce some form of identification that you can use to fabricate evidence of your fraudulently created US citizen / cestui que trust / slave, and you send out your PIGs to assault me because i have the political opinion that i have rights, when your agenda is slavery in support of your Roman Cult handlers, all of which is in violation of Article 27 of their Geneva Convention Relative to the Treatment of Civilians in a Time of War of 1949,

“Protected persons are entitled, in all circumstances, to respect for their persons, their honour, their family rights, their religious convictions and practices, and their manners and customs.

They shall at all times be humanely treated, and shall be protected especially against all acts of violence or threats thereof and against insults and public curiosity.

Without prejudice to the provisions relating to their state of health, age and sex, all protected persons shall be treated with the same consideration by the Party to the conflict in whose power they are, without any adverse distinction based, in particular, on race, religion or political opinion....” Article 27, Geneva Convention Relative to the Protection of Civilians in Time of War of 1949 [emphasis added]

all of which is in spite of the fact that the war has been over for over 150 years, all of which is proof that you Satanist Roman Cult BAR members intend to make war on me in support of your slavery agenda from your Roman Cult handlers, and you intend to deny a remedy, because it is so good for business! You Roman Cult BAR members are busy fabricating evidence of your Roman Cult cestui que trust / US citizen / slave so you can assault me with the alleged crimes that your fraudulent fictitious cestui que trust created under your satanic UNIDROIT Statute and your Uniform Commercial Code, as described herein, and you can pillage my property, and you can take reprisals against me and my property in violation of Article 33 of their Geneva convention Relative to the Treatment of Civilians in a Time of War of 1949

“No protected person may be punished for an offence he or she has not personally committed. Collective penalties and likewise all measures of intimidation or of terrorism are prohibited.

Pillage is prohibited.

Reprisals against protected persons and their property are prohibited.” Article 33, Geneva Convention Relative to the Protection of Civilian Persons in Time of War of 1949 [emphasis added]

and you BAR members are using your Rules that are meant ONLY for the District of Columbia and the Territories, BAR members, and Naturalization Proceedings, as a mechanism to deny me a remedy in violation of Article 52 of the Geneva Convention Relative to the Protection of Civilians in a Time of War of 1949

"No contract, agreement or regulation shall impair the right of any worker, whether voluntary or not and wherever he may be, to apply to the representatives of the Protecting Power in order to request the said Power's intervention."

All measures aiming at creating unemployment or at restricting the opportunities offered to workers in an occupied territory, in order to induce them to work for the Occupying Power, are prohibited." Article 52, Geneva Convention Relative to the Protection of Civilians in Time of War of 1949 [emphasis added]

and you BAR members, by denying me justice, are creating unemployment and restricting opportunities to me in order to force me to work for the occupying power because i have not been able to get a compensation for labor contract in over 4 years, in addition to the fact that they compel the disclosure of a Social Security Number (which is a number for a government employee) and i have brought several actions over that very issue, and you roman Cult BAR members are denying a remedy in violation of their Article 52, and you are denying me a neutral and unbiased court

"It is a fundamental right of a party to have a neutral and detached judge preside over the judicial proceedings." Ward v Village of Monroeville, 409 U.S. 57, 61-62, 93 S.Ct 80, 83, 34 L.Ed. 2d 267 (1972); Tumey v Ohio, 273 U.S. 510, 5209, 47 S. Ct. 437, 440, 71 L.Ed. 749 (1927),

when in actuality, it is NOT a court, and the Judge is actually a (bought and paid for) Clerk masquerading as a Judge, all of which is in violation of Article 66 of the Geneva Convention Relative to the Protection of Civilians in a time of War of 1949

"In case of a breach of the penal provisions promulgated by it by virtue of the second paragraph of Article 64, the Occupying Power may hand over the accused to its properly constituted, non-political military courts, on condition that the said courts sit in the occupied country. Courts of appeal shall preferably sit in the occupied country." Article 66, Geneva Convention Relative to the Protection of Civilians in Time of War of 1949 [emphasis added]

and technically none of this applies to me, except that you Roman Cult BAR members insist on assaulting me with your person / US citizen / cestui que trust / slave and your territorialism

"Eliminating, then, from the opinions of this court all expressions unnecessary to the disposition of the particular case, and gleaned therefrom the exact point decided in each, the following propositions may be considered as established:

1. That the District of Columbia and the territories are not states within the judicial clause of the Constitution giving jurisdiction in cases between citizens of different states;
3. That the District of Columbia and the territories are states as that word is used in treaties with foreign powers, with respect to the ownership, disposition, and inheritance of property;
4. That the territories are not within the clause of the Constitution providing for the creation of a supreme court and such inferior courts as Congress may see fit to establish;” Downes v Bidwell 182 US 244

because once you can fabricate evidence (or presume) that you are one of their persons / US citizens / cestui que trust / slaves, you can use the International Law Rule

“INTERNATIONAL LAW RULE: Adopted for areas under Federal legislative jurisdiction” “Federalizes State civil law, including common law--The rule serves to federalize not only the statutory but the common law of a State.....STATE AND FEDERAL VENUE DISCUSSED: The civil laws effective in an area of exclusive Federal jurisdiction are Federal law, notwithstanding their derivation from State laws, and a cause arising under such laws may be brought in or removed to a Federal district court” Jurisdiction over Federal Areas Within the States – Report of the Interdepartmental Committee for the Study of Jurisdiction over Federal Areas Within the States, Part II, A Text of the Law of Legislative Jurisdiction Submitted to the Attorney General and Transmitted to the President June 1957, page 158-165

because your person / US citizen / slave / cestui que trust is NOT allowed an Article 3 Court, which also means that all State Statutes are actually territorial, and actually District of Columbia statutes fraudulently being held out as state statutes

"We therefore decline to overrule the opinion of Chief Justice Marshall: We hold that the District of Columbia is not a state within Article 3 of the Constitution. In other words cases between citizens of the District and those of the states were not included of the catalogue of controversies over which the Congress could give jurisdiction to the federal courts by virtue of Article 3. In other words Congress has exclusive legislative jurisdiction over citizens of Washington District of Columbia and through their plenary power nationally covers those citizens even when in one of the several states as though the district expands for the purpose of regulating its citizens wherever they go throughout the states in union" National Mutual Insurance Company of the District of Columbia v. Tidewater Transfer Company, 337 U.S. 582, 93 L.Ed. 1556 (1948)

therefore, not only do you intend to assault me with your lowlife scumbag US citizen / slave / cestui que trust under the color of your so-called laws, you obviously have no intention of abiding by your own international agreements

10 This so-called Court advertises itself as having Article 3 Judges, which implies that

it is an Article 3 Court and yet it cannot convene a common law jury, and one of the requirements of an Article 3 Court is that it needs to be able to convene an a common law jury

"10. Where a controversy is of such a character as to require the exercise of the judicial power defined by Art. III, jurisdiction thereof can be conferred only on courts established in virtue of that Article, and Congress is without power to vest that judicial power in any other judicial tribunal, or, of course, in an executive officer or administrative or executive board, since "they are incapable of receiving it."

"It is noted as significant that the act constituting the court dispenses with trial by jury, a provision which was distinctly upheld in spite of the Seventh Amendment in *McElrath v. United States*, 102 U. S. 426. With respect to the status of the court, the opinion concludes (pp. 279 U. S. 454-455):

".... A duty to give decisions which are advisory only, and so without force as judicial judgments, may be laid on a legislative court, but not on a constitutional court established under Art. III." Williams v United States 289 U.S. 553 (1933)
[emphasis added]

and this court has no authority to convene a jury of any kind, therefore, it is NOT an article 3 Court and any suggestion that it is an Article 3 court is a fraud. Everything that the Roman Cult BAR members in this so-called Court do is a fraud and they are full of lies and Satanism!

11 Your so-called court operates under your Uniform Commercial Code which is controlled and regulated by your United Nations UNIDROIT statute
"Whenever [the Uniform Commercial Code] creates a "presumption" with respect to a fact, or provides that a fact is "presumed," the trier of fact must find the existence of the fact unless and until evidence is introduced that supports a finding of its nonexistence." UCC § 1-206 Presumptions [emphasis added]

so that you can assault me with your US citizen / cestui que trust / slave
"But individuals, when acting as representatives of a collective group, cannot be said to be exercising their personal rights and duties, nor be entitled to their purely personal privileges. Rather they assume the rights, duties and privileges of the artificial entity or association of which they are agents or officers and they are bound by its obligations." *Brasswell v. United States* 487 U.S. 99 (1988) quoting, *United States v. White* 322 U.S. 694 (1944)

by forging my signature onto one of your so-called contracts and then presuming it is a valid signature under your United Nations UNIDROIT statute controlled and regulated Uniform Commercial Code (who is going to call one of you BAAL priest whores a liar?)

"(a) In an action with respect to an instrument, the authenticity of, and authority to make, each signature on the instrument are admitted unless specifically denied in the pleadings. If the validity of a signature is denied in the pleadings, the burden of establishing validity is on the person claiming validity, but the signature is presumed to be authentic and authorized" Uniform Commercial Code § 3.308
Proof of Signatures and Status as Holder in Due Course [emphasis added]

and securitizing your so-called contract and selling it on Wall Street

"The following rules apply in an action on a certificated security against the issuer:
(1) Unless specifically denied in the pleadings, each signature on a security certificate or in a necessary indorsement is admitted.

(2) If the effectiveness of a signature is put in issue, the burden of establishing effectiveness is on the party claiming under the signature, but the signature is presumed to be genuine or authorized." Uniform Commercial Code § 8.114 Evidentiary Rules Concerning Certificated Securities [emphasis added]

and selling me into slavery in the process

"He [the prisoner] has as a consequence of his crime, not only forfeited his liberty but all his personal rights except those which the law in its humanity affords him. He is for the time being a slave of the state." 62 Va. (21 Gratt.) 790, 796 (1871)

which is why you Satanists need to orchestrate a bankruptcy, or military occupation, to get rid of that pesky problem of common law because, if not, you would be put to death!

"If a man be found stealing any of his brethren of the children of Israel, and maketh merchandise of him, or selleth him ; then that thief shall die; and thou shalt put evil away from among you." Deuteronomy 24:7

and this is the same thing that happened to precipitate the War of Independence as found in the Causes and Necessity for Taking up Arms (1775)

"...statutes have been passed extending the courts of admiralty and vice-admiralty far beyond their ancient limits for depriving us the accustomed and inestimable privilege of trial by jury, in cases affecting both life and property.....to supersede the course of common law and instead thereof to publish and order the use and exercise of the law martial..... and for altering fundamentally the form of government established by charter.

We saw the misery to which such despotism would reduce us." Causes and Necessity of Taking Up Arms (1775)

and the same thing is explained in a different way by Judge AH Ellett, in his book the Non-Ratification of the Fourteenth Amendment in the case Dyett v Turner

"In the meantime, "Civil Law" was the form of law imposed in the Roman Empire which was largely (if not wholly) governed by martial law rule. "Equity" has always been understood to follow the law; to have "superior equity," is to turn things on their head. This is exactly what happens when martial law is imposed. If "equity" is the law, then it follows its own course rather than following the common law,

thereby destroying the common law and leaving what is called "equity" in its place. Dyett v Turner 439 P2d 266 @ 269, 20 U2d 403 [1968] The Non-Ratification of the Fourteenth Amendment by Judge A.H. Ellett, Utah Supreme Court,

because there is no common law unless your liars (BAR member / Attorneys) make a statute about it, and it is true for both federal and state

There are no common law offenses against the United States. Only those acts which Congress has forbidden, with penalties for disobedience of its command, are crimes. *United States v. Hudson & Goodwin*, 11 U.S. (7th Cr.) 32 (1812); *United States v. Coolidge*, 14 U.S. (1 Wheat.) 415 (1816); *United States v. Britton*, 108 U.S. 199, 206 (1883); *United States v. Eaton*, 144 U.S. 677, 687 (1892)

Under Texas law, no act or omission is a crime unless made so by statute. Dawson v. Vance, 329 F.Supp. 1320, (D.C.Tex. 1971). The Legislature may create an offense and in same enactment, provide exceptions to its application. Williams v. State, 176 SW2d 177, Tex.Cr.App., 1943.

which is why your “equity” is so Satanic because you sit there and play stupid under your Satanic doctrine of moral relativism as explained by Mark Passio (a former Satanist priest) where there is no absolute right or wrong, what is right or wrong is what we decide today and tomorrow it will be something else, because if i don’t bring up the right issue, or use the right words, or fail to follow one of your rules or procedures, you will deny justice, and you do exactly that every day!

12 Furthermore, just from the name “Court of Appeals” means it is an Admiralty court
“A writ of error doth not lie upon a sentence in the admiralty, but an appeal. 4 Inst. 135. 339.” Tomlins Law Dictionary 1835 Edition under the definition of Admiralty

13 Since you are officers of the court, you are presumed to know the law
“Officers of the court have no immunity, when violating a constitutional right, for they are deemed to know the law.” Owens v Independence 100 S.C.T. 1398 (Ezra 7:23-26)

and you also know that there are 2 governments, one with all constitutional limitations and the other operated by Congress;

“Two national governments exist, one to be maintained under the Constitution, with all its restrictions, the other to be maintained by Congress outside and independently of that instrument” Downes v. Bidwell, 182 U.S. 244 1901. Dissenting opinion of Justice Marshall Harlan

and i have repeatedly tried to deal ONLY with the lawful government, but you Satanist BAAL priests intend to deny me that right, so you can operate in your private capacity as revenue officers under the Federal Tax Lien Act of 1966, as revenue officers, and thereby collect your royalty.

14 i fully comprehend why your corporation United States does not want to accede to the Rome Statute for the International Criminal Court because you intend to engage in War crimes, (especially since you insist on assaulting me you're your military dictatorship), which is exactly what you are doing in this case, by denying justice, by being bought and paid for clerks masquerading as Judges, by engaging in pillaging, and reprisals, by denying my right to my political opinion, by denying my right to get compensation for labor, by compelling me to work for your criminal corporation by compelling Social Security Numbers, and by orchestrating high unemployment to further compel me to work for your criminal corporation and in violation of the Rome Statute for the International Criminal Court, which conveniently you cannot be prosecuted for,....yet!

15 Therefore, what we really have is Molly C Dwyer and Stephanie Zeller conspiring to threaten, injure, and oppress me, in the free exercise of my rights, with your fictitious color of law rules in violation of your 18 USC § 241.

16 Therefore, what we really have is Molly C Dwyer and Stephanie Zeller willfully subjecting me to their fictitious color of law rules, and extortion racket with the objective of depriving me of my right to a remedy, and my right to justice in violation of your 18 USC § 242.

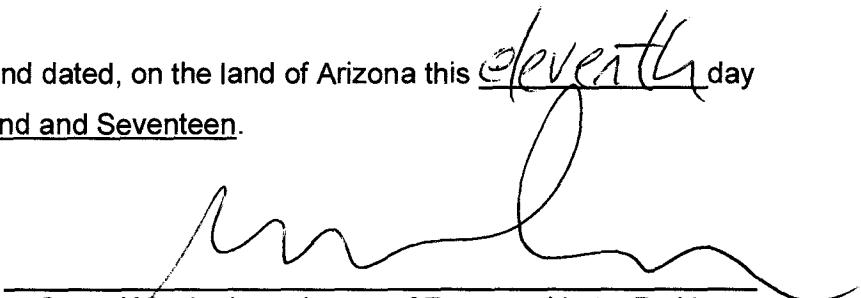
17 Therefore, what we really have is a gang of Roman Cult BAR members sending out their deliberately screened for low intelligence PIGs to assault people, threaten people, coerce people, intimidate people, trespass on property, steal property, deny due process, and deny the right to get compensation for labor, and then when i try to get a remedy you Roman Cult BAAL priests do everything you can to deny it because it is so good for business, and if i set-off your extortion, then you BAAL priests call it a contract and say i consented to it, so i don't care what you do because i am taking this to the Supreme Court anyway, so go ahead dismiss it, because i will get to the Supreme Court sooner!

18 Molly C Dwyer, before God, angels and anybody who reads this as a witness, i
shake the dust of the earth from off my feet against you, (Matt 10:14, Mark 6:11, Luke 9:5)
and we will be talking about this on judgment day Satanist!

19 Stephanie Zeller, before God, angels and anybody who reads this as a witness, i
shake the dust of the earth from off my feet against you, (Matt 10:14, Mark 6:11, Luke 9:5)
and we will be talking about this on judgment day Satanist!

All of the above is submitted "UNDER PENALTIES with PERJURY" [28 USC § 1746(1)],
without the UNITED STATES, under the laws of the United States of America.

Signed, and Sealed, in red ink and dated, on the land of Arizona this eleventh day
of April, in the year Two Thousand and Seventeen.


Glenn Winningham; house of Fearn, sui juris, Petitioner
sovereign living soul, holder of the office of "the People"
man on the land known as Arizona
With full responsibility for my actions
under the Laws of YHWH as found in the Holy Bible
with a proper Postal address [18 USC § 1342] of;
C/O 1664 East Florence Boulevard, #4219
Casa Grande, Arizona [RFD 85122]
ZIP CODE EXEMPT