

WHAT TO SAY IN COURT

CHALLENGES IN COURT BEFORE PROCEEDINGS START

ONLY ANSWER QUESTIONS WITH QUESTIONS

Establish true jurisdiction. Stop their presumptions and assumptions, and take it back from *de facto court* (article 1) back into a *de jure* (article 3) court which is guaranteed under the authority of the Constitution.

Start by asking the following questions:

"Judge, I have a few matters I need to clarify before we begin. Is that correct?"

"You and the prosecutor have taken oaths of office to support and uphold the Constitution of the United States of America and of this state. Is that correct?"

"Pursuant to your oaths, you are required to abide by those oaths, in the performance of your official duties, especially those before this court. Is that correct?"

Keep asking these questions until you get a clear "yes". If the judge refuses to give a straight answer, proceed to the following question:

"Judge, you are required to uphold due process of law. However, by your answer, it appears that you have either taken an oath, but have no intention of abiding by it, or you have not taken an oath of office, as required by the Constitutions. In either event, your answer demonstrates that you will not uphold due process of law and protect my constitutionally secured rights, which are guaranteed to me during these proceedings. Therefore, judge would this not disqualify you in these proceedings? Wouldn't it be proper for the bailiff to remove you from these proceedings?"

Once the judge gives a clear “yes” answer to the previous questions, proceed with the following:

“I appear before this court, by special appearance, as a living, breathing natural-born man or woman, on the land, with and claiming all rights guaranteed to me in the United States Constitution and State Constitutions, and with my name properly spelled only in upper- and lower-case letters. Is there any objection to what I just stated?”

If you are in court because your rights were violated, state the following:

“Judge, my rights have been unlawfully trespassed on, therefore I move to dismiss all charges and this case, with prejudice, since the charges and claims alleged against me are fraudulent and without lawful merit. Is there any objection to what I just stated?”

If the judge objects to the previous, continue with the following:

“Judge, based upon opposing counsel’s objection, I move the court to require him to verify the charges and claims alleged against me as valid, in compliance with all lawful and Constitutional requirements, specific to the Bill of Rights, by means of his own sworn, notarized affidavit so attesting, under the pains and penalties of perjury under the laws of the United States of America and of this state. Is there any objection to what I just stated?”

DONNA / RICK: WHEN DO YOU STATE THESE?

“This court abides by all the powers of and Rights guaranteed to me as the claimant in the United States Constitution and State Constitutions, including due process of law. Is that correct?”

“I am entitled to and guaranteed a fair and impartial trial presided over by a fair, unbiased and impartial judge, in a court of record, before and decided by a well-informed jury of my peers. Is that correct?”

“Proof consists of verified and demonstrated evidence, and not opinion, especially opinion unsupported by fact, truth, law, and evidence. Is that correct?”

“Beyond a reasonable doubt” consists solely of decisions and verdicts from a well-informed jury of my peers based entirely on proof that absolutely and conclusively confirms guilt, without any reservations or questions, whatsoever, from the jury. Is that correct?”

“Opinion from any witness or prosecuting attorney unsupported and unverified by fact, truth, law, and proven evidence, is simply opinion, and opinion, as previously established, is not proof. Is that correct?”

“Since I am guaranteed a fair and impartial trial, how is that possible when you, the presiding judge, the prosecuting attorney and all the witnesses against me work for and are paid by the state which is the plaintiff in this case, and my opponent? In this situation, it is impossible for me to have a fair trial. Is that correct?”
“Further, any data used against me is obtained from sources who are also paid by the state, the same plaintiff against me. At minimum, conflict of interest takes place. Is that correct?”

“Since I am presumed innocent of the charges and all aspects, presumptions, and assumptions of those charges and of this court, I have challenged the jurisdiction of this court, which jurisdiction my opponent has failed to prove, on the record. Therefore, since I am presumed innocent of all aspects of the charges and presumptions of the court, and since jurisdiction has not been proven, jurisdiction is simply a presumption of this court, of which I am presumed innocent and to which I am not subject. Therefore, I move for dismissal of all charges for lack of jurisdiction. Pursuant to the foregoing, and to numerous federal and Supreme Court rulings, this case must be dismissed, with prejudice, and I hereby move and order for dismissal of all charges and this case, with prejudice. Is there any objections?”

If the judge were to deny this lawful position and insist that “his” court has jurisdiction, without plaintiff having factually and lawfully given evidence, on the record, the following could be stated:

“Since the judge has stated that this court conforms to all Constitutional requirements, then, this court conforms to the Bill of Rights, Article III of the United States Constitution and to due process of law. Jurisdiction is directly related to the foregoing,

is an aspect of the charges, and a presumption of this court, of which the defendant is presumed innocent and not subject; yet the court has not held plaintiff to its requirement to have evidence of this jurisdiction, on the record. Thus, this court defies Constitutional requirements, due process of law, federal and Supreme Court rulings, therefore, forfeits any "perceived jurisdiction", has no Constitutional authority to hear this case, and this case must be dismissed, with prejudice, or the presiding judge, pursuant to his oath, perjures that oath, commits insurrection and sedition against the Constitution, on the public record, and treason against the American People."

"Juries are required to take oaths to the Constitutions. Is that correct?"

"In its deliberations and in its verdict, the jury is required to abide by its oath. Is that correct?"

NOTE: Since the jury swears an oath and is required to abide by that oath, it is obvious that a "yes" answer is required. The constitutional and lawful position here is that the jury must abide by its oath in making its verdict. If it fails to do so, then the jury perjures its oath, its actions and its verdict are unconstitutional, and the jury verdict null and void, without lawful force or effect, whatsoever. Just as a public servant is required to abide by his oath in the performance of his official duties, so is the jury. However, the people must know and demand their rights, or they have none.

If the judge were to answer "no", which is highly unlikely, then, as a defendant, we would move for immediate dismissal of all charges, with prejudice, because any judge or court that permits an unconstitutional jury to perjure its oath and reach an unconstitutional verdict, pursuant to its oath, operates as an open fraud upon the people, denies and defies the constitution and the powers of and rights guaranteed therein to the American people, denies due process of law and has no lawful jurisdiction over any American Citizen, whatsoever.

"If the jury, pursuant to its oath, makes its verdict in perjury of its oath or in opposition or contradiction to the Constitutions and the Rights guaranteed therein to American Citizens, or based in false information and fraud, that verdict is plainly unconstitution-

al, thus, null and void, frivolous, and without force or effect, whatsoever. Is that correct?"

NOTE: Answer given in previous note. Further, pursuant to oaths taken, any jury verdict based, either in whole or in part, in fraud, deception, manipulation, lies or false information is null and void.

If the judge were to say that this is not correct, then we, as defendants, would inform him, pursuant to his oath and pursuant to his preceding "yes" answers, why his response is not only incorrect, but unconstitutional and unlawful.

Further, we would inform him that he has no Constitutional authority to deny, on the record, the very Constitution to which he is bound by oath and bond, and to which the jury swore an oath.

Further, he has no Constitutional authority to exceed his limited, constitutionally delegated authority, or to step outside that authority. It is obvious that the judge is not a higher authority than the Constitutions, therefore, he cannot overrule them.

If the judge were to insist that the jury verdict, even when based in fraud, etc., as above described, is valid, we would remind him of his first "yes" answer to statement #1, in which he is required to conduct his professional duties pursuant to his oath, as is the jury also required. We would then remind the judge of his other "yes" answers, in which he confirmed, including, but not limited to, the Constitutional duties of the court. His response is made in contradiction to his oath, as is the jury's verdict, thus, both are unlawful, unconstitutional, without force or effect, whatsoever, and not binding in a Constitutionally compliant court, which the judge stated, on the record, is the status of this court.

At this point, we would move for immediate dismissal of all charges and this case, with prejudice, for, including, but not limited to, lack of jurisdiction, lack of Constitutional authority, defiance of the united states and state Constitutions, denial of due process, perjury of oath, insurrection and sedition against the Constitution, and treason against the American People, in the instant case, the defendant.

If the "Judge" were to remain firm, then, as defendants, we would inform him that we are entitled to a fair and impartial trial, by a jury of our peers, as he has previously agreed, and as is Constitutionally guaranteed, yet this jury is not a jury of our peers for many reasons, including, but not limited to: (1) jury members are not part of my ethnicity; (2) they do not work in the same profession I do; (3) they do not come from the same background and education that I do; (4) they are not Constitutionalists and supporters of the Supreme Law of the Land, as I am; (4) they are traitors to the Constitution and to the American People, which I am not.

We would then, again, move for dismissal of all charges and the case, with prejudice, based upon previously stated grounds, and further include the fact that the judge would permit an unconstitutional verdict by a lawless, unconstitutional jury not of our peers. The Constitution's guarantee us a jury of our peers, yet this judge denies this Constitutionally guaranteed Right to us. Pursuant to his oath, he has no Constitutional authority to overrule the very same Constitution to which he swore an oath, and, further, is not a higher authority than the Constitution. If the judge were to remain firm, we would again inform him that, by his own actions and responses, he committed insurrection, sedition, and treason against the American People, is a traitor to this Nation and its People, and must be removed from the bench for his treason. We will immediately file criminal and civil charges against him, personally, and in his professional capacity, and take action against him in an Article III federal court, which we will demand, by Motion.

This information can be found at Constitutionallawgroup.us -> Resources tab, -> then law tab, under "Challenges in Court before proceedings start"