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National Liberty Alliance

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*Justice and Judgment are the inhabitation of thy throne:
mercy and truth shall go before thy face.*

WEEKLY CALL

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The Power Of The Sheriff

[OPEN LETTER TO THE SHERIFF 09-07-15](#)

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The purpose of this page is to empower the County Sheriff and U.S. Marshal through knowledge of the Supreme Law of the Land and history; in order that they may serve the People and save/preserve America. There is no elected or appointed official that can remove the Sheriff or Marshal from office. The Sheriff is elected by the People of their county and the Marshal is appointed by the President who was vested with that power by We the People through the United States Constitution. In the case Marbury v Madison in 1803 the Court made it clear that the Constitution gave the power to the president to appoint but not the power to remove, that is reserved to the People alone through indictment for bad behavior.



There are only two Law Enforcement officers in America; The County Sheriff and the US Marshal. The sheriff is the only elected law enforcer whose duty it is to protect the unalienable rights of the People both in the court room and within the county. While the U.S. Marshal is responsible for protecting the unalienable rights of the People in the Federal Court room.

The Sheriff is the only person able to call for the **posse comitatus** (Latin, Power of the county) Referred at Common Law to all males over the age of fifteen on whom a sheriff could call for assistance in preventing any type of civil disorder. Today, under a national emergency the Sheriff is both the first and last line of

defense should our government go rouge; since congress has been derelict of duty in the providing for the militia.

U.S. Constitution Article I Section 8 clauses 15 and 16: ***"The Congress shall have power to provide for calling forth the militia to execute the laws of the union, suppress insurrections and repel invasions; To provide for organizing, arming, and disciplining, the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the states respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress;"***

The Bill of Rights makes clear two (2) things (1) A well regulated militia is an unalienable right and (2) a well regulated militia is necessary to our security.

Amendment II ***"A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."***

Today all seats of government have unlawfully incorporated and therefore all police forces (city, town, village, state, etc.) work for corporations and owe their allegiance to the corporation, therein "code enforcement officers"; whereas Sheriffs and Marshals are "constitutional officers" owing allegiance to the People. There exists no Constitutional authority for police forces.

U.S. Constitution Article VI clause 2: ***"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."***

The Declaration of Independence, U.S. Constitution and the Bill of Rights are founded under common law, a/k/a the Supreme Law of the Land. **ALL CASES AT LAW:** Black's Law 4th, ***"within constitutional guaranty of jury trial, refers to common law actions as distinguished from causes in equity and certain other proceedings."*** Breimhorst v. Beck-man, 227 Minn. 409, 35 N.W.2d 719, 734.

The Sheriff and the U.S. Marshal just like We the People have lost their way. We have forgotten who we are and by what authority we act upon and therefore our servants rule over us. The purpose of this site is to help us find our way back to the Liberties our founding fathers discovered and pledged their lives, their fortunes and their sacred honor to establish for themselves and their posterity. It is now our turn, our duty, to re-discover our roots for ourselves and our posterity. There are forces within our government that are doing everything they can to prevent that from happening. These people are called

progressives and over the years they have taken control of both major parties and thereby methodically removed civics, God and constitutional studies from our education and through the media, entertainment and education have demoralized us.

What We the People and our Sheriffs need to know is that:

"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 to the U.S. Constitution.

When we the People ordained Common Law, U.S. Constitution Article VI, the Supreme Law of the Land We the People took control of all decision making within the courts through Grand and Trial Juries and the Common Law Sheriff became the only Law Enforcer of the court and the county. The common law court is well established and defined in history, Blacks Law and Bouviers Law.

"The Sheriff is the "Chief Executive and Administrative Officer" of a county chosen by popular election. His principal duties are in aid of the criminal and civil courts of record [common law courts]; such as serving process, summoning juries, executing judgments, holding judicial sales and the like. He is also the chief conservator of the peace within his territorial jurisdiction." Harston v. Langston, Tex.Civ. App., 292 S.W. 648, 650.

The word "Sheriff" is a contraction of the term "shire reeve", meaning a royal official responsible for keeping the peace throughout a shire or county on behalf of the king(s). We the People "Ordained" the Constitution for the United States of America which puts the People as the said kings above the Constitution and our elected servants under the Constitution, therein the great American experiment. Our servants have no more power than that which We the People gave them and any law they write to the contrary is null and void as if it has never been passed; as we read:

"All laws, rules and practices which are repugnant to the Constitution are null and void." [Marbury v. Madison, 5th US \(2 Cranch\) 137, 180](#)

"Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them." [Miranda v. Arizona, 384 U.S. 436, 491](#)

SHERIFFS TERM OF OFFICE AND REMOVAL FROM OFFICE

State Constitutions require the election of the Sheriff for a two or four year term. His full authority is defined in common law history and cannot be altered. The Sheriff can only be removed from power at the ballot box or by the People for bad behaviour through indictment. Not upholding his oath would be bad behavior.

GOOD BEHAVIOR: *"The term 'good behavior' means conduct that is authorized by law, and 'bad behavior' means conduct such as the law will punish."* State v. Hardin, 183 N.C. 815, 112 S.E. 593, 594. *"Orderly and lawful conduct;"* Huyser v. Com., 25 Ky.L. Rep. 608, 76 S.W. 175; In re Spenser, 22 Fed.Cas. 921. *"'Good behavior,' means merely conduct conformable to law, or to the particular law theretofore breached."* Ex parte Hamm, 24 N.M. 33, 172 P. 190, 191, L.R. A.1918D, 694; Baker v. Commonwealth, 181 Ky. 437, 205 S.W. 399, 401.

SHERIFF AND THE JURY

Although many states write statutes on how the state, usually through the prosecutor, calls the Grand Jury; such statutes have no control over the Sheriff or the People. History recalls that the Sheriff is usually the one who calls for the Grand Jury after or before he makes an arrest and the state calls for the Grand Jury if the state wants to accuse someone of a crime.

In all cases it is the People through the Grand Jury who will decide if a crime was committed or not by indictment. The administration for the Grand Jury also known as the investigative body for the Grand Jury is made up of four People who are "not" elected or appointed but rise out from among the People. We find this process has been established since at least 1215AD and is described in the Magna Carta. Most states have statutory Commissioner of Jurors that are political appointments and therefore are an abomination to common law.

THE POWER OF THE PEOPLE

In the 1992 court case *United States v. Williams* 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 Rights. Thus, citizens 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 created a "buffer" the people may rely upon for justice, when public officials, including judges, criminally violate the law.

We the people have been providentially provided legal recourse to address the criminal conduct of persons themselves entrusted to dispense justice. In the Supreme Court case of *United States v. Williams*, 112 S.Ct. 1735, 504 U.S. 36, 118 L.Ed.2d 352 (1992), whereas the Court said: ***"Because 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," Hannah v. Larche, 363 U.S. 420, 490, 80 S.Ct. 1502, 1544, 4 L.Ed.2d 1307 (1960) (Frankfurter, J., concurring in result), "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.'" 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). "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." 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). "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." 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).***

"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, the grand jury 'can investigate merely on suspicion that the law is being violated, or even because it wants assurance that it is not.'" 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)). ***"It need not identify the offender it suspects, or even "the precise nature of the offense" it is investigating."*** Blair v. United States, 250 U.S. 273, 282, 39 S.Ct. 468, 471, 63 L.Ed. 979 (1919). ***"The grand jury requires no authorization from its constituting court to initiate an investigation,"*** see Hale, supra, 201 U.S., at 59-60, 65, 26 S.Ct., at 373, 375, ***"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."*** See Calandra, supra, 414 U.S., at 343, 94 S.Ct., at 617. ***"It swears in its own witnesses, Fed.Rule Crim.Proc. 6(c), and deliberates in total secrecy,"*** see United States v. Sells Engineering, Inc., 463 U.S., at 424-425, 103 S.Ct., at 3138. ***"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."*** United States v. Dionisio, 410 U.S. 1, 17-18, 93 S.Ct. 764, 773, 35 L.Ed.2d 67 (1973). ***"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' . . ."*** Id., at 16, 93 S.Ct., at 773 (emphasis added) (quoting Stirone, supra, 361 U.S., at 218, 80 S.Ct., at 273).

"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." 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), "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." Id., at 364, 76 S.Ct., at 409.

JUDGES AND PROSECUTORS ACT ABOVE THE LAW

A common complaint from Sheriffs is, *“I cannot arrest a judge without first getting the prosecutor to agree otherwise the prosecutor may refuse to prosecute.”* The question that begs answering is where did the prosecutor get such power? Certainly We the People did not give it to them in the Constitution and certainly congress can make no Law that we did not give them the power to make. We the People did not ordain the prosecutor “Chief Law Enforcer”, but the Sheriff! Solution: if the prosecutor refuses to prosecute they should be arrested for “felony rescue”.

The Sheriff is not to go begging the prosecutor for an indictment, he shouldn't even be going to the prosecutor at all, but to the Grand Jury directly and ask them for an indictment. The problem is that the Judge and the prosecutor deny Sheriffs and the People access to the Grand Jury. After six years of practicing law without a BAR degree we found out that many judges and prosecutors have something to hide so they protect each other by blocking access to the Grand Jury, they fear what you may ask of the Grand Jury.

So, if the Sheriff needs to ask permission, he's not the Chief and he passes his duties to others, and any Sheriff that does that is in “Bad Behavior”. If the Sheriff cannot get access to the Jury Administrators (a/k/a Commissioners of Jurors) directly he has the power and authority to summons 25 People, out of any pool (phone book, etc.) to the courthouse jury room and ask for an indictment.

We the People did not give prosecutors power to negotiate deals with People under indictment. Prosecutors may propose the deal to the Grand Jury for decision; but the arrangement must offer a plan for restitution acceptable to the injured party or due process, trial by jury, must run its course.

GUN CONTROL

Alaska, Arizona, Vermont and Wyoming have no law requiring pistol owners to have a permit to carry. Colorado, Iowa, Georgia, Kentucky, Maine, New Hampshire, Ohio, Oklahoma, Rhode Island, South Carolina, South Dakota and Virginia, according to the NRA are considering bills in current legislative sessions to end permit requirements. The United States Supreme Court quoting the rules of criminal and civil procedure said: *“The carrying of arms in a quiet, peaceable, and orderly manner, concealed on*

or about the person, is not a breach of the peace. Nor does such an act of itself, lead to a breach of the peace.” Wharton’s Criminal and Civil Procedure, 12th Ed., Vol.2: Judy v. Lashley, 5 W. Va. 628, 41 S.E. 197

The Bill of Rights Amendment II states **“A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.”** This Amendment protects two unalienable rights, both of which articulate the right of self-defense, one personal, the right to protect your-self from another individual shall not be infringed and the other to protect our-self from a rouge government, shall not be infringed. Some may say the right to keep and bear Arms is for the militia; this makes no sense because We the People are the militia, nor are We the People willing to give up an unalienable right.

Conclusion: if the Sheriff does not protect the right of the People to keep and bear arms he is in violation of his oath and thereby in bad behavior and subject to removal from office by the People through indictment. The real test of the Sheriffs Constitutional fortitude in states that require permits is; is he going to protect the People from rogue statutes and bureaucrats or compromise the Law?

ARREST OR SEIZURE WARRANTS

All arrest or seizure warrants must have a wet ink signature of a Federal or State Judge (not city, town or village) supported by an affidavit.

IRS seizure requires a wet ink signature of a Federal Judge and two form affidavits they are (1) [IRS Form 56 Fiduciary relationship](#) and (2) [IRS Form 4490 Proof of claim](#); both must be signed under notary/magistrate.

Bill of Rights Amendment IV: The right of the 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.

Sheriffs must refuse warrant execution without signatures and affidavits, to proceed without would be a vilation of their oath and therefore in bad behavior.

SWAT: Any time any police force including federal agents uses SWAT and raid attacks, usually in the middle of the night, against one of the People because they “allegedly” owe money is an assault upon Liberty and the Sheriff is obligated by oath to stop it and make arrests if necessary.

RIGHT TO TRAVEL

The right to travel cannot be liscenced *"The right of the citizen to travel upon the public highways and to transport his property thereon, either by carriage or by automobile, is not a mere privilege which a city may prohibit or permit at will, but a common right which he has under the right to life, liberty, and the pursuit of happiness."* Thompson v Smith, 154 SE 579.

"Even the legislature has no power to deny to a citizen the right to travel upon the highway and transport his property in the ordinary course of his business or pleasure, though this right may be regulated in accordance with the public interest and convenience "Regulated" here means stop lights, signs, etc. NOT a privilege that requires permission or unconstitutional taxation; i.e. - licensing, mandatory insurance, vehicle registration, etc., requiring financial consideration, which are more illegal taxes." Chicago Motor Coach v Chicago, 169 NE 22

Blacks 2nd, "License: In the law of contracts, is a permission, accorded by a competent authority, conferring the right to do some act which without such authorization would be illegal, or would be a trespass or tort."

RIGHTS

The claim and exercise of a constitution right cannot be converted into a crime⁴. Miller v. U.S.,

INALIENABLE (Blacks 4th) Not subject to alienation (separation); the characteristic of those things which cannot be bought or sold or transferred from one person to another, such as rivers and public highways, and certain personal rights; e. g., liberty. Inalienable; incapable of being aliened, that is, sold and transferred.

RIGHT (Blacks 4th) "Rights" are defined generally as "powers of free action." And the primal rights pertaining to men are undoubtedly enjoyed by human beings purely as such, being grounded in personality, and existing antecedently to their recognition by positive law. FREE. Not subject to legal constraint of another. Unconstrained; having power to follow the dictates of his own will. Not subject to the dominion of another. Not compelled to involuntary servitude. Used in this sense as opposed to "slave."

Rights are not a crime We the People have right to exercise rights, right to practice law,

right to proceed in courts without cost, right to travel, right of privacy, right to be let alone and right to defend just to name a few. In conclusion I have a right to do anything I please as long as I do not injure another or corrupt the morals of a minor.

DUE PROCESS

Bill of Rights 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, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation."*

The question is what is an Infamous crime: Blacks Law 4th states: *"A crime which entails infamy (state of dishonor) upon one who has committed it. Butler v. Wentworth, 84 Me. 25, 24 A. 456, 17 L.R.A. 764. The term "infamous" e., without fame or good report—was applied at common law to certain crimes, upon the conviction of which a person became incompetent to testify as a witness. A crime punishable by imprisonment."*

Conclusion: Anybody that is facing jail time "MUST" be indicted and tried in a Court of Law, a summons or a police report is not sufficient. Additionally there is a common law maxim that states *"in order for there to be a crime there must be a sworn affidavit by an injured party and the state cannot be that injured party."*

Any Sheriffs finding that he inherited the housing of prisoners in the County Jail that did not get due process, is housing political prisoners and would be guilty of conspiracy if he did not do the right thing as soon as he awakened and realized it.

Any court that does not necessitate due process, would not be a Court of Law; city courts, town courts and village courts do not necessitate due process but statutes. So, what is the solution? The answer is to petition the Grand Jury in a Federal Court for a Habeas Corpus and the court will demand proof of due process and if they fail to prove due process the Court will order their release. If you cannot find a Common Law Grand Jury in your Federal District we already have jury pools nation-wide in all ninety-four (94) Federal Districts in America and our Administrators can help initiate the paper work and court process. Call M - F > Pacific: Kathrine > 831-272-3286 or Malissa Phillips > 573-631-5062.

JURISDICTION

Only Courts of Record, a/k/a Common Law Courts have jurisdiction over the People. All courts of record proceed with a tribunal a/k/a Jury under the rules of Common Law. All city, town, criminal, and village courts are not courts of record because they proceed according to the rules of chancery and not law and therefore have no jurisdiction over the People. If a Judge refuses to answer the accused by what authority they act then they do not have jurisdiction. The only answer is "Common Law", U.S. Constitution article VI.

"Trial court acts without jurisdiction when it acts without inherent or common law authority, ..." State v. Rodriguez, 725 A.2d 635, 125 Md.App 428, cert den 731 A.2d 971,354 Md. 573 (1999)

Any court that proceeds with summary judgments are not common law courts and have no jurisdiction over the People.

Summary proceeding: Blacks 4th ***"Any proceeding by which a controversy is settled, case disposed of, or trial conducted, in a prompt and simple manner, without the aid of a jury, without presentment or indictment, or in other respects out of the regular course of the common law. In procedure, proceedings are said to be summary 'when they are short and simple in comparison with regular proceedings; ie., in comparison with the proceedings which alone would have been applicable, either in the same or analogous cases, if summary proceedings had not been available."*** Sweet. See Phillips v. Phillips, 8 N.J.L. 122.

"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 proceedings¹ and is 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." - 16American Jurisprudence 2d., Sec. 114:

"If there is no sworn affidavit by an injured party there is no crime, there can be no case: No more than an affidavit is necessary to make the

prima facie case." United States v. Kis, 658 F.2d 526, 536 (7th Cir. 1981); Cert. Denied, 50 U.S. L. W. 2169; S. Ct. March 22, 1982

"Allegations in an affidavit in support of a motion (action) must be considered as true in absence of counter-affidavit." Group v Finletter, Group v Finletter, 108 F. Supp. 327

"Silence can only be equated with fraud where there is a legal or moral duty to speak, or where an inquiry left unanswered would be intentionally misleading." U.S. v. Tweel, 550 F.2d 297, 299. See also U.S. v. Prudden, 424 F.2d 1021, 1032; Carmine v. Bowen, 64 A. 932.

"The appropriate party to attest to the facts is the plaintiff himself, not the plaintiff's attorney, an attorney's affidavit that is not based upon personal knowledge is without value and is insufficient as an affidavit." Romel v. Reale, 155 A.D.2d 747, 547 N.Y.S.2d 691 (3d Dep't 1989)

Any court that proceed against the People with statutes and not the law of the land are not common law courts and have no jurisdiction over the People.

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

"All laws, rules and practices which are repugnant to the Constitution are null and void" Marbury v. Madison, 5th US (2 Cranch) 137, 180

"For a crime to exist, there must be an injured party. There can be no sanction or penalty imposed upon one because of this exercise of Constitutional rights."- Sherar v. Cullen, 481 F. 945.

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

"There, every man is independent of all laws, except those prescribed by nature. He is not bound by any institutions formed by his fellowman without his consent." [Cruden v. Neale, 2 N.C. 338 (1796) 2 S.E.]

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

Sheriffs are not to carry out the decisions of courts not of record and have a duty to arrest judges and prosecutors who continue to precede under the color of law to prosecute We the People.

THE COMMON LAW COURT STRUCTURE

1. *"The Tribunal (grand or trial jury) A judicial tribunal having attributes and exercising functions independently of the person of the magistrate designated generally to hold it."* 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
2. **Magistrate** (maintains order has no power to judge)
3. **Coroner** (usually in murder cases and can perform the duties of a magistrate)
4. **Prosecutor** (district attorney or U.S. attorney)
5. **Bailiff** (Sheriffs' or Marshalls' Deputies) without a Sheriff or a Marshal there can be no common law court because there would be no one to enforce the law (Constitution). The Sheriff and the Marshal has a duty to arrest any elected or appointed court officer if they violate the Peoples unalienable rights and this includes the Magistrate (Judge) and the prosecutor.

LAW v STATUTES

Laws are created by God (*common law*) and written in the hearts of all men thou shall not kill, thou shall not steal and simply put thou shall do no harm. Statutes are written by men to control society. Lawful statutes that become law are governed by two documents the U.S. Constitution and the Bill of Rights. Constitutions are written and initiated by the People to give government limited but necessary powers. U.S. legislative power is limited to eighteen (18) powers see U.S. Constitution Article I Section 8, and Quo Warranto from We the People, filed in all 94 Federal District Courts, served upon all State and U.S. Governments reminding them of their limited powers. All state constitutions are restricted by the U.S. Constitution.

U.S. Constitution 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."***

"Rights" are defined generally as "powers of free action." And the primal rights pertaining to men are undoubtedly enjoyed by human beings purely as such, being grounded in personality and existing antecedently to their recognition by positive law. Being free is to be not subject to legal constraint of another. Being unconstrained is having power to follow the dictates of one's own will; not subject to the dominion of another; not compelled to involuntary servitude as opposed to "slave." [Black's Law 4th edition]

"Rights are not a crime; the claim and exercise of a constitution right cannot be converted into a crime." [Miller v. U.S. 230 F 486 at 489].

There can be no sanction or penalty imposed upon one because of his exercise of Constitution rights." [Sherar vs. Cullen 481 F 2D 946, (1973)].

We find it intolerable that one constitutional right should have to be surrendered in order to assert another." [Simmons vs. U.S. 390, U.S. 389 (1968)].

The claim and exercise of a constitution right cannot be converted into a crime." [Miller v. U.S. 230 F 486 at 489].

"Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them" [Miranda v. Arizona, 384 U.S. 436, 491]

Governments use statutes to control the will of society and the individuals. This kind of statutory control dates back to Babylon and as a government ratchets down the control of the People, they become more and more authoritarian, whereas egotistical power hungry

people fill the positions, that lord over the People to the point that just challenging these People will find them in jail, whether they are guilty of a crime or not. A Society will be as just as its courts. The American People do not need government to control their will and punish their every action, that's what totalitarian governments do.

Under common law We the People are responsible for our own actions, this is written in the hearts of men and if we injure another just courts require restitution not punishment, whereas crimes often require both restitution and punishment that actually restores people back into society. Clearly our out of control judiciary does not, will not and cannot accomplish this goal because they rule by status quo, statutes and vindictiveness and not just laws. The following videos prove the point.

John Stossel [Spontaneous Order](#)



Traffic control the road to nowhere
v [Spontaneous Order](#)



DOCUMENTS

- [Memo 001-Due Process](#)
- [Memo 002-Common Law](#)
- [Memo 003-Chief Law Enforcer](#)

The following documents can and will restore America to the America our founding fathers envisioned if We the People and our Sheriffs work together to restore Law and Order again. Thomas Jefferson said: *"If a People expect to be ignorant and free; they expect what never was and never will be."*

- [01 Writ Quo Warranto](#)
- [02 Mandamus to Sheriff](#)
- [03 Mandamus Judges](#)
- [04 Mandamus martial law](#)
- [05 Mandamus 2nd Amendment](#)
- [06 Mandamus Terroism](#)
- [07 Mandamus subversion](#)
- [08 Gov Mandamus](#)
- [09 Mandamus US Supreme Court](#)
- [10 Information to Judges](#)
- [15-09-07 Open Letter to the Sheriff](#)
- [Bill of Rights](#)
- [Confirmatio Cartarum](#)
- [Declaration of Independence](#)
- [Form 4490](#)
- [Form 56](#)
- [MIRANDA v. ARIZONA](#)
- [Marbury v Madison](#)

- [Spontaneous Order](#)
- [U.S. v. Mersky](#)
- [US Constitution](#)
- [US v Williams](#)

Great Quotes by Great men.

- [Franklin Quotes](#)
- [Jefferson Quotes](#)
- [NWO Quotes](#)
- [Ron Paul Quotes](#)
- [Various quotes](#)
- [Washington Quotes](#)

NLA Papers

- [COMMON LAW IS STILL LAW](#)
- [Court of Law](#)
- [DE FACTO -v- DE JURE](#)
- [Extraordinary Remedies](#)
- [Judicial Immunity](#)
- [Jurisprudence](#)
- [Memorandum Authorities](#)
- [Prima facie case](#)
- [Principals of Law and the Kings Bench](#)
- [Requisite to justice essay](#)
- [Right to Practice Law](#)
- [Right to travel](#)
- [Rights](#)
- [Summary proceedings null and void](#)
- [Title 26 is not law](#)
- [US district Courts are Article III courts](#)
- [When an Oath becomes a Crime](#)

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ATTENTION SHERIFFS: For free Constitutional and Sheriffs pocket handbooks simply send an email to us@uclgi.org Please include your title, name, address and how many handbooks for yourself and deputies we should send.

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Counties Constituted

3133 3133

Total Members

4543

Total County Organizers

1338

Total State Coordinators

114

Total National Coordinators

6

**50 STATES
CONSTITUTED**



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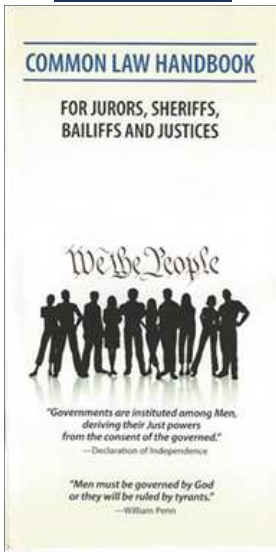
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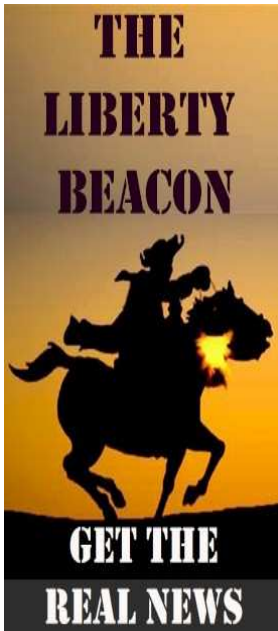
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