

## EXHIBIT A.1 LAW OF THE CASE

The law of the case is decreed as follows:

1. The State of Colorado is a corporation operated by the the Colorado state. “The government, by becoming a corporator, lays down its sovereignty so far as respects the transactions of the corporation, and exercises no power or privilege which is not derived from the charter. “ *Bank of United States v. Planters' Bank of Georgia*, 22 U.S. 9 Wheat. 904 904 (1824) The inferior court is a subdivision of said corporation.
2. The United States of America was established as a union of republican states in which the powers of sovereignty are vested in the people and are exercised by the people, either directly, or through representatives chosen by the people, to whom those powers are specially delegated. *In re Duncan*, 139 U.S. 449, 11 S.Ct. 573, 35 L.Ed. 219; *Minor v. Happersett*, 88 U.S. (21 Wall.) 162, 22 L.Ed. 627. Black's Law Dictionary, Fifth Edition, p. 626
3. Colorado state was established as a republic.
4. The law provides that once State and Federal Jurisdiction has been challenged, it must be proven. *Main v. Thiboutot*, 100 S. Ct. 2502 (1980).
5. Jurisdiction can be challenged at any time and once challenged, cannot be assumed and must be decided. *Basso v. Utah Power & Light Co.*, 495 F 2d 906, 910.
6. "...there is, as well, no discretion to ignore that lack of jurisdiction." *Joyce v. US*, 474 F2d 215.
7. “A court lacking jurisdiction cannot render judgment but must dismiss the cause at any stage of the proceedings in which it becomes apparent that jurisdiction is lacking.” *Bradbury v. Dennis*, 310 F.2d 73 (10th Cir. 1962)
8. The burden shifts to the court to prove jurisdiction. *Rosemond v. Lambert*, 469 F2d 416.
9. ...if the issue is presented in any way the burden of proving jurisdiction rests upon him who invokes it. *Latana v. Hopper*, 102 F. 2d 188;
10. “When it clearly appears that the court lacks jurisdiction, the court has no authority to reach the merits. In such a situation the action should be dismissed for want of jurisdiction.” *Melo v. United States*, 505 F. 2d 1026
11. Court must prove on the record, all jurisdiction facts related to the jurisdiction asserted. *Latana v. Hopper*, 102 F. 2d 188; *Chicago v. New York*, 37 F Supp. 150.
12. "No officer can acquire jurisdiction by deciding he has it. The officer, whether judicial or ministerial, decides at his own peril." *Middleton v. Low* (1866), 30 C. 596, citing *Prosser v. Secor* (1849), 5 Barb.(N.Y) 607, 608.
13. “Where a court has jurisdiction, it has a right to decide any question which occurs in the cause, and whether its decision be correct or otherwise, its judgments, until reversed, are regarded as binding in every other court. But if it acts without authority, its judgments and orders are regarded as nullities. They are not voidable, but simply void, and form no bar to a remedy sought in

**EXHIBIT A.2**  
**LAW OF THE CASE**

opposition to them, even prior to a reversal. They constitute no justification, and all persons concerned in executing such judgments or sentences are considered in law as trespassers." *Elliott v Peirsol*, 1 Pet. 328, 340, 26 U.S. 328, 340, 7L.Ed. 164 (1828)

14. "Thus, where a judicial tribunal has no jurisdiction of the subject matter on which it assumes to act, its proceedings are absolutely void in the fullest sense of the term." *Dillon v. Dillon*, 187 P 27.

15. "A court has no jurisdiction to determine its own jurisdiction, for a basic issue in any case before a tribunal is its power to act, and a court must have the authority to decide that question in the first instance." *Rescue Army v. Municipal Court of Los Angeles*, 171 P2d 8; 331 US 549, 91 L. ed. 1666, 67 S.Ct. 1409.

16. ...at the Revolution, the sovereignty devolved on the people; and they are truly the sovereigns of the country, but they are sovereigns without subjects...with none to govern but themselves..... [CHISHOLM v. GEORGIA (US) 2 Dall 419, 454, 1 L Ed 440, 455 @DALL (1793) pp471-472.]

17. The very meaning of 'sovereignty' is that the decree of the sovereign makes law. [American Banana Co. v. United Fruit Co., 29 S.Ct. 511 , 513, 213 U.S. 347, 53 L. Ed. 826, 19 Ann. Cas. 1047.]

18. The people of this State, as the successors of its former sovereign, are entitled to all the rights which formerly belonged to the King by his prerogative. [Lansing v. Smith, 4 Wend. 9 (N.Y.) (1829), 21 Am.Dec. 89 10C Const. Law Sec. 298; 18 C Em.Dom. Sec. 3, 228; 37 C Nav.Wat. Sec. 219; Nuls Sec. 167; 48 C Wharves Sec. 3, 7.]

19. A consequence of this prerogative is the legal *ubiquity* of the king. His majesty in the eye of the law is always present in all his courts, though he cannot personally distribute justice. (Fortesc.c.8. 2Inst.186) His judges are the mirror by which the king's image is reflected. 1 Blackstone's Commentaries, 270, Chapter 7, Section 379.

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

21. The assertion of federal rights, when plainly and reasonably made, is not to be defeated under the name of local practice. [Davis v. Wechsler, 263 US 22, 24.]

22. Republican government. One in which the powers of sovereignty are vested in the people and are exercised by the people, either directly, or through representatives chosen by the people, to whom those powers are specially delegated. [In re Duncan, 139 U.S. 449, 11 S.Ct. 573, 35 L.Ed. 219; Minor v. Happersett, 88 U.S. (21 Wall.) 162, 22 L.Ed. 627." Black's Law Dictionary, Fifth Edition, p. 626.]

23. 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; any Thing in the

**EXHIBIT A.3**  
**LAW OF THE CASE**

Constitution or Laws of any State to the Contrary notwithstanding. [Constitution for the United States of America, Article VI, Clause 2.

24. Conspiracy against rights: If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; or If two or more persons go in disguise on the highway, or on the premises of another, with intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured - They shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill, they shall be fined under this title or imprisoned for any term of years or for life, or both, or may be sentenced to death. [18, USC 241]

25. Deprivation of rights under color of law: Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such person being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined under this title or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse, or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title, or imprisoned for any term of years or for life, or both, or may be sentenced to death. [18, USC 242]

26. COURT. The person and suit of the sovereign; the place where the sovereign sojourns with his regal retinue, wherever that may be. [Black's Law Dictionary, 5th Edition, page 318.]

27. COURT. An agency of the sovereign created by it directly or indirectly under its authority, consisting of one or more officers, established and maintained for the purpose of hearing and determining issues of law and fact regarding legal rights and alleged violations thereof, and of applying the sanctions of the law, authorized to exercise its powers in the course of law at times and places previously determined by lawful authority. [Isbill v. Stovall, Tex.Civ.App., 92 S.W.2d 1067, 1070; Black's Law Dictionary, 4th Edition, page 425]

28. COURT OF RECORD. To be a court of record a court must have four characteristics, and may have a fifth. They are:

29. A. 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,

**EXHIBIT A.4**  
**LAW OF THE CASE**

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]

**B.** Proceeding according to the course of common law [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]

**C.** Its acts and judicial proceedings are enrolled, or recorded, for a perpetual memory and testimony. [3 Bl. Comm. 24; 3 Steph. Comm. 383; The Thomas Fletcher, C.C.Ga., 24 F. 481; Ex parte Thistleton, 52 Cal 225; Erwin v. U.S., D.C.Ga., 37 F. 488, 2 L.R.A. 229; Heininger v. Davis, 96 Ohio St. 205, 117 N.E. 229, 231]

**D.** Has power to fine or imprison for contempt. [3 Bl. Comm. 24; 3 Steph. Comm. 383; The Thomas Fletcher, C.C.Ga., 24 F. 481; Ex parte Thistleton, 52 Cal 225; Erwin v. U.S., D.C.Ga., 37 F. 488, 2 L.R.A. 229; Heininger v. Davis, 96 Ohio St. 205, 117 N.E. 229, 231.][Black's Law Dictionary, 4th Ed., 425, 426]

**E.** Generally possesses a seal. [3 Bl. Comm. 24; 3 Steph. Comm. 383; The Thomas Fletcher, C.C.Ga., 24 F. 481; Ex parte Thistleton, 52 Cal 225; Erwin v. U.S., D.C.Ga., 37 F. 488, 2 L.R.A. 229; Heininger v. Davis, 96 Ohio St. 205, 117 N.E. 229, 231.][Black's Law Dictionary, 4th Ed., 425, 426]

30. Henceforth the writ which is called Praeceptum shall not be served on any one for any holding so as to cause a free man to lose his court. [Magna Carta, Article 34].

31. The people of this state do not waive their sovereignty to the agencies which serve them.

32. If any claim, statement, fact, or portion in this action is held inapplicable or not valid, such decision does not affect the validity of any other portion of this action.

33. The singular includes the plural and the plural the singular.

34. The present tense includes the past and future tenses; and the future the present, and the past the present.

35. The masculine gender includes the feminine and neuter.

36. "For a crime to exist there must be an injured party. There can be no sanction or penalty imposed upon one because of his exercise of his constitutional rights."

**37. Sherar v. Cullen, 486 F. 945**

38. "A constitution is designated as a supreme enactment, a fundamental act of legislation by the people of the state. A constitution is legislation direct from the people acting in their sovereign capacity, while a statute is legislation from their representatives, subject to limitations prescribed by

**EXHIBIT A.5**  
**LAW OF THE CASE**

the superior authority.” Ellingham v. Dye, 178 Ind. 336; 99 NE 1; 231 U.S. 250; 58 L. Ed. 206; 34 S. Ct. 92; Sage v. New York, 154 NY 61; 47 NE 1096.

39. “The Constitution is the fundamental law of the state, in opposition to which any other law or any direction or order must be an operative and void.” Asplund v. Harnett, 31 N.M. 641, 249 P. 1074, 58 A.L.R. 573.

40. “It is well, of course, that all departments give pause, that they may not offend. All must answer to the people, in and from whom, as specifically set forth in the Constitution, all political power is invested and derived.” Art. II section I. Hudson v. Annear, 101 Colo. 551, 75 P. 2d 587.

41. "The governments are but trustees acting under derived authority and have no power to delegate what is not delegated to them. But the people, as the original fountain might take away what they have delegated and entrust to whom they please. ... The sovereignty in every state resides in the people of the state and they may alter and change their form of government at their own pleasure." --Luther v. Borden, 48 US 1, 12 LEd 581.

42. "The sovereignty of a state does not reside in the persons who fill the different departments of its government, but in the **People**, from whom the government emanated; and they may change it at their discretion. Sovereignty, then in this country, abides with the constituency, and not with the agent; and this remark is true, both in reference to the federal and state government." --*Spooner v. McConnell*, 22 F 939, 943.

43. “Statutes are enactments and rules for the government of civil conduct, promulgated by the legislative authority of a state. It is an important characteristic of such laws that they are tentative, occasional, and in the nature of temporary expedients.” 11 Am Jurisdiction.

44. “The practice of law cannot be licensed by any state/State.” Schware v. Board of Examiners, United States Reports 353 U.S. Anyone can practice law, “The practice of Law is an occupation of common right.” Sims v. Aherns, 271 S.W. 720 (1925).

45. 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; any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.” Constitution for the United States of America.

46. “A constitution is designated as a supreme enactment, a fundamental act of legislation by the people of the state. A constitution is legislation direct from the people acting in their sovereign capacity, while a statute is legislation from their representatives, subject to limitations prescribed by

**EXHIBIT A.6**  
**LAW OF THE CASE**

the superior authority.” *Ellingham v. Dye*, 178 Ind. 336; 99 NE 1; 231 U.S. 250; 58 L. Ed. 206; 34 S. Ct. 92; *Sage v. New York* , 154 NY 61; 47 NE 1096.

47. "The word "person" in legal terminology is perceived as a general word which normally includes in its scope a variety of entities other than human beings." *Church of Scientology v. U.S. Dept. of Justice* 612 F. 2d 417, 425 (1979)

48. “The word ‘person’ as used and employed in most statutory language is ordinarily construed to exclude the sovereign, and that for one as such to be bound by statute, they must be 'specifically' named. *Wilson v. Omaha Indian Tribe* 442 US 653 (1979); *Will v. Michigan state Police* 491 U.S. 58, 105 L.Ed.2nd 45 (1989); *U.S. v. General Motors Corporation*, D.C. Ill, 2 F.R.D. 528, 530

49. "Government admits that often the word 'person' is used in such a sense as not to include the sovereign but urges that, where, as in the present instance, its wider application is consistent with, and tends to effectuate, the public policy evidenced by the statute, the term should be held to embrace the government." (*United States v. Cooper Corp.* 318 US 600 (1941); *United States v. Fox* 94 US 315; *United States v. Mine Workers* 330 US 258 (1947) (*United States v. Cooper Corp.* 318 US 600 (1941); *United States v. Fox* 94 US 315; *United States v. Mine Workers* 330 US 258 (1947)

50. “The legislature cannot be deemed to have intended to punish anyone who is not 'plainly and unmistakably' within the confines of the statute." (*United States v. Lacher*, 134 U.S. 624, 628, 10; S.Ct. 625, 626, 33 L.Ed. 1080 (1890); *United States v. Gradwell*, 243 U.S. 476,485, 37 S.Ct. 407, 61 L.Ed. 857 (1916).

51. An affirmance results when a judge acts in the clear absence of all jurisdiction, i. e., of authority to act officially over the subject-matter in hand, the proceeding is coram non jidice. In such a case the judge has lost his judicial function, has become a mere private person, and is liable as a trespasser for the damages resulting from his unauthorized acts. Such has been the law from the days of the case of *The Marshalsea*, 10 Coke 68. It was recognized as such in *Bradley v. Fisher*, 13 Wall. (80 U.S.) 335, 351, 20 L. Ed. 646. In *State ex rel. Egan v. Wolever*, 127 Ind. 306, 26 N. E. 762, 763, the court said: `The converse statement of it is also ancient. Where there is no jurisdiction at all there is no judge; the proceeding is as nothing.' *Manning v. Ketcham*, 58 F.2d 948 (1932)

52. Courts are constituted by authority and they cannot go beyond that power delegated to them. If they act beyond that authority, and certainly in contravention of it, their judgments and orders are regarded as nullities. They are not voidable, but simply VOID, AND THIS IS EVEN PRIOR TO REVERSAL.” [Emphasis added] *Valley v. Northern Fire and Marine Ins. Co.*, 254 U.S. 348, 41 S. Ct. 116 (1920). See also *Old Wayne Mut. I. Assoc. v. McDonough*, 204 U.S. 8, 27 S.Ct. 236

**EXHIBIT A.7**  
**LAW OF THE CASE**

(1907); *Williamson v. Berry*, 8 How. 495, 540, 12 L. Ed, 1170, 1189, (1850); *Rose v. Himely*, 4 Cranch 241, 269, 2 L.Ed. 608, 617 (1808)

53. A “void” judgment as we all know, grounds no rights, forms no defense to actions taken thereunder, and is vulnerable to any manner of collateral attack (thus hereby ). No statute of limitations or repose runs on its holdings, the matters thought to be settled thereby are not res judicata, and years later, when the memories may have grown dim and rights long been regarded as vested, any disgruntled litigant may reopen the old wound and once more probe its depths. And it is then as though trial and adjudication had never been. 10/13/58 FRITTS v. KRUGH. SUPREME COURT OF MICHIGAN, 92 N.W.2d 604, 354 Mich. 97

54. “Standing is typically treated as a threshold issue, in that without it no justiciable controversy exists. As a general principle, standing to invoke the judicial process requires an actual justiciable controversy as to which the complainant has a real interest in the ultimate adjudication because he or she has either suffered or is about to suffer an injury.” *People v. Superior Court (Plascencia)* (2002) 103 Cal.App.4th 409, 126 Cal.Rptr.2d 793

55. “Failure to disclose material information necessary to prevent a statement from being misleading, or making representation despite knowledge that it has no reasonable basis in fact, are actionable as fraud under law.” *Rubinstein v. Collins*, 20 F.3d 160, 1990

56. “Officials and judges are deemed to know the law and sworn to uphold the law; officials and judges cannot claim to act in good faith in willful deprivation of law, they certainly cannot plead ignorance of the law, even the Citizen cannot plead ignorance of the law, the courts have ruled there is no such thing as ignorance of the law, it is ludicrous for learned officials and judges to plead ignorance of the law therefore there is no immunity, judicial or otherwise, in matters of rights secured by the Constitution for the United States of America.” *Owen vs City of Independence*, 100 S Ct. 1398; *Maine vs. Thiboutot*, 100 S. Ct. 2502; and *Hafer vs. Melo*, 502 U.S. 21

57. "We have no officers in this government from the President down to the most subordinate agent, who does not hold office under the law, with prescribed duties and limited authority" *Pierce v. United States*, ("The Floyd Acceptances"), 7 Wall. (74 U.S.) 666, 677

58. In these cases he is not sued as, or because he is, the officer of the government, but as an individual, and the court is not ousted of jurisdiction because he asserts authority as such officer. To make out his defense he must show that his authority was sufficient in law to protect him... It is no answer for the defendant to say I am an officer of the government and acted under its authority unless he shows the sufficiency of that authority. *Cunningham v. Macon*, 109 U.S. 446, 452, 456, 3 S.Ct. 292, 297 and *Poindexter v. Greenhow*, 114 U.S. 270, 287, 5 S. Ct. 903, 912

**EXHIBIT A.8**  
**LAW OF THE CASE**

59. Common law and constitutional principles of governmental or sovereign immunity have never permitted government agents to commit trespasses in violation of property rights. *Little v. Barreme* 2 Cranch (6 US) 170; 2 L Ed 243 (1804); *Wise v. Withers*, 3 Cranch (7 US) 331; 2 L Ed 457 (1806); *Osborn v. Bank of United States*, 9 Wheat (22 US) 738; 6 L Ed 204 (1824); *Mitchell v. Harmony*, 13 How (54 US) 115; 14 L Ed 75 (1852); *Bates v. Clark*, 95 US 204; L Ed 471 (1877)

60. Accordingly, plaintiff's complaint facially pleads a viable cause of action for trespass as a constitutional tort. *Smith v. Department of Public Health*, 428 Mich 540 (1987)

61. "Living as we do under a common government, charged with the great concerns of the whole Union, every citizen of the United States from the most remote states or territories, is entitled to free access not only to the principal departments established at Washington, but also to its judicial tribunals and public offices in every state in the Union," (*Crandall v. State of Nevada* 73 U.S. 35 (1867))

62. The United States Supreme Court has clearly, and repeatedly, held that any judge who acts without jurisdiction is engaged in an act of treason. *U.S. v. Will*, 449 U.S. 200, 216, 101, S. Ct. 471, 66 L.Ed. 2d 392, 406 (1980); *Cohens v. Virginia*, 19 U.S. (6 Wheat) 264, 404, 5 L.Ed 257 (1821)

63. We have no more right to decline the exercise of jurisdiction which is given, than to usurp that which is not given. The one or the other would be treason to the constitution. *Cohens v. Virginia*, 19 U.S. 264, 6 Wheat. 265, 5 L.Ed. 257 (1821)

64. "Inferior courts" are those whose jurisdiction is limited and special and whose proceedings are not according to the course of the common law." *Ex Parte Kearny*, 55 Cal. 212; *Smith v. Andrews*, 6 Cal. 652

65. "The only inherent difference ordinarily recognized between superior and inferior courts is that there is a presumption in favor of the validity of the judgments of the former, none in favor of those of the latter, and that a superior court may be shown not to have had power to render a particular judgment by reference to its record. *Ex parte Kearny*, 55 Cal. 212. Note, however, that in California 'superior court' is the name of a particular court. But when a court acts by virtue of a special statute conferring jurisdiction in a certain class of cases, it is a court of inferior or limited jurisdiction for the time being, no matter what its ordinary status may be. *Heydenfeldt v. Superior Court*, 117 Cal. 348, 49 Pac. 210; *Cohen v. Barrett*, 5 Cal. 195" 7 Cal. Jur. 579

66. "The judgment of a court of record whose jurisdiction is final, is as conclusive on all the world as the judgment of this court would be. It is as conclusive on this court as it is on other courts. It puts an end to inquiry concerning the fact, by deciding it." *Ex parte Watkins*, 3 Pet., at 202-203. [cited by *SCHNECKLOTH v. BUSTAMONTE*, 412 U.S. 218, 255 (1973)]

67. Due process of law is process according to the law of the land .... . Due process of law in the latter [the Fifth Article of Amendment to the Constitution) refers to that law of the land which derives its authority from the legislative powers conferred upon Congress by the Constitution of the



**EXHIBIT A.9**  
**LAW OF THE CASE**

United States, exercised within the limits therein prescribed and interpreted according to the principles of the common law .... Mr. Justice Matthews, delivering the opinion of the court in *Hurtado v. California*, 110 U.S. 516, 3 Sup. Ct. 111, 292, 28 L. Ed. 232 (1884).

68. The rules of pleading at Common Law have not been abrogated by the Code of Civil Procedure. The essential principles still remain. *Henry mv. Co. v. Semonian*, 40 Cob. 269, 90 P. 682 (1907) *Hughes, Procedure, Its Theory and Practice* 488 (Chicago 1905). cited by Joseph H. Koffler, *Handbook of Cmoon Lw Pleading* *Henry mv. Co. v. Semonian*, 40 Cob. 269, 90 P. 682 (1907)

69. A "court of record" is a judicial tribunal having attributes and exercising functions independently of the person of the magistrate designated generally to hold it, and proceeding according to the course of common law, its acts and proceedings being enrolled for a perpetual memorial. *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.

70. The judicial power of this State is vested in the Supreme Court, courts of appeal, and superior courts, all of which are courts of record. California Constitution, Article 6, SEC. 1.

71. UNITED STATES V. KOZMINSKI, 487 U. S. 931 (1988) "For purposes of criminal prosecution under § 241 or § 1584, the term "involuntary servitude" necessarily means a condition of servitude in which the victim is forced to work for the defendant by the use or threat of physical restraint or physical injury or by the use or threat of coercion through law or the legal process. This definition encompasses cases in which the defendant holds the victim in servitude by placing him or her in fear of such physical restraint or injury or legal coercion. "Black's Law Dictionary, Sixth Edition, p. 266, ISBN 0-314-76271-X:

72. Color of Law: The appearance or semblance, without the substance, of legal right. Misuse of power, possessed by virtue of state law and made possible only because wrongdoer is clothed with authority of state, is action taken under "color of state law." *Atkins v. Lanning*, D.C.Okl., 415 F. Supp. 186, 188.

73. At implementation of the Constitution March 4, 1789, the soul of law in America was personal liberty under the common law; to wit: "Personal liberty consists in the power of locomotion, of changing situation, of removing one's person to whatever place one's inclination may direct, without imprisonment or restraint unless by due course of law." William Blackstone and John Innes Clark Hare, cited in John Bouvier, *Bouvier's Law Dictionary, Third Revision (Being the Eighth Edition)*, revised by Francis Rawle (West Publishing Co.: St. Paul, Minn., 1914) (hereinafter "Bouvier's"), p. 1965 (s.v. "Liberty").

74. "The word 'person' as used and employed in most statutory language is ordinarily construed to exclude the sovereign, and that for one as such to be bound by statute, they must be 'specifically' named. *Wilson v. Omaha Indian Tribe* 442 US 653 (1979); *Will v. Michigan state Police* 491 U.S. 58, 105 L.Ed.2nd 45 (1989); *U.S. v. General Motors Corporation*, D.C. Ill, 2 F.R.D. 528, 530

**EXHIBIT A.10**  
**LAW OF THE CASE**

75. US Supreme Court in U.S. v. United Mine Workers of America, 330 U.S. 258 67 Sct 677 (1947): "In common usage, the term '**person**' does not include the sovereign and statutes employing it will ordinarily not be construed to do so."

76. US Supreme Court in US v. Fox, 94 US 315: "Since in common usage, the term '**person**' does not include the sovereign, statutes employing the phrase are ordinarily construed to exclude it."

77. "The word "person" in legal terminology is perceived as a general word which normally includes in its scope a variety of entities other than human beings." Church of Scientology v. U.S. Dept. of Justice 612 F. 2d 417, 425 (1979)

78. "The legislature cannot be deemed to have intended to punish anyone who is not 'plainly and unmistakably' within the confines of the statute." (United States v. Lacher, 134 U.S. 624, 628, 10; S.Ct. 625, 626, 33 L.Ed. 1080 (1890); United States v. Gradwell, 243 U.S. 476,485, 37 S.Ct. 407, 61 L.Ed. 857 (1916)(United States v. Lacher, 134 U.S. 624, 628, 10; S.Ct. 625, 626, 33 L.Ed. 1080 (1890); United States v. Gradwell, 243 U.S. 476,485, 37 S.Ct. 407, 61 L.Ed. 857 (1916).

79. Libel - "a malicious defamation, expressed by printing, writing, signs, pictures or the like, tending to blacken the memory of the dead, or to impeach the honesty, integrity, virtue, or reputation, or to publish the natural defects of a living person or persons, or community of persons, or association of persons, and thereby to expose them to public hatred, contempt or ridicule."

80. Constitution for the United States of America to include Article I, Section 10, Clause 1: No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

81. Foreign Agent Registration Act of 1938.

82. Equity courts and law courts. The former being such as possess the jurisdiction of a chancellor, apply the rules and principles of chancery law, and follow the procedure in equity; the latter, such as have no equitable powers, but administer justice according to the rules and practice of the common law.

83. TABLE OF AUTHORITIES – PERSON

"This word `person' and its scope and bearing in the law, involving, as it does, legal fictions and also apparently natural beings, it is difficult to understand; but it is absolutely necessary to grasp, at whatever cost, a true and proper understanding to the word in all the phases of its proper use ... A person is here not a physical or individual person, but the status or condition with which he is invested ... not an individual or physical person, but the status, condition or character borne by

**EXHIBIT A.11**  
**LAW OF THE CASE**

physical persons ... The law of persons is the law of status or condition." -- American Law and Procedure, Vol 13, page 137, 1910.

84. The Magna Carta, Declaration of Independence, The Articles of Confederation, The Constitution for the United States of America.
85. "A Constitution is a system of fundamental laws or principles for the government of a nation, society, Corporation, or other aggregation of individuals and it may be either written or unwritten. In the United States the word "Constitution," as applied to the organization of the federal and state governments, always implies a writing and it is understood and the further restricted sense of an enactment by the direct action of the people providing for the form of government and defining the powers of the several departments, thus creating a fundamental law which is absolute and unalterable except by the authority from which it emanated. A state constitution has been aptly termed a legislative act by the people themselves and their sovereign capacity and, therefore, the paramount law. It has again been defined to be "an act of extraordinary legislation by which the people established the structure and mechanism of their government." In short the Constitution is the charter creating the government." 11 Am Jurisdiction.  
"These principles rests upon the fundamental conception of the supreme law, expressed in written form, in accordance with which all private rights must be determined and all public authority administered." 11 Am Jurisdiction.
86. The law is defined as personal liberty under common law in Colorado and the United States is the Constitutions, the law of the land. Due course of law: This phrase is synonymous with "Due Process of Law" or "Law of the Land" and means law in its regular course of administration through courts of justice. Kansas Pac. RY. CO. V Dunmeyer 19 KAN 542.
87. At implementation of the Constitution March 4, 1789, the soul of law in America was personal liberty under the common law: "Due course of law," supra, is synonymous with "due process of law" and means process according to the law of the land, i.e., the Constitution, interpreted according to the principles of the common law; to wit: "Due process of law is process according to the law of the land..." Mr. Justice Matthews, delivering the opinion of the Court in *Hurtado v. California*, 110 U.S. 516, 533, 3 Sup. Ct. 111, 292, 28 L. Ed. 232 (1884). "Due process of law . . . refers to that law of the land which derives its authority from the legislative powers conferred upon Congress by the Constitution of the United States, exercised within the limits therein prescribed and interpreted according to the principles of the common law. . ."
88. It has been said that due process of law must be understood to mean law in the regular course of administration through courts of justice according to those rules and forms which have been established for the protection of private rights. 16 Am. Jur., 2d 546. For "although lawyers and

**EXHIBIT A.12**  
**LAW OF THE CASE**

judges have buried the Common Law, the Common Law rules us from the grave." (Koffer, Common Law Pleading, Intro.Ch.I, West 1969)

89. 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; any Thing in the Constitution or Laws of any State to the Contrary notwithstanding. Constitution for the United States of America, Article VI, Clause 2.
90. "The due process guaranteed by this amendment means that there can be no proceeding against life, liberty, or property which may result in the observance of those general rules established in our system of Jurisprudence for the security of private rights." (U.S. vs Kuwzبزva (DC-CAL) 56F Supp. 716.)
91. "whereas the grand jury is an institution separate from the courts" U.S. v. Williams, (90-1972), 504 U.S. 36 (1992)
92. "The Court of Appeals' rule would neither preserve nor enhance the traditional functioning of the grand jury that the "common law" of the Fifth Amendment demands." U.S. v. Williams, (90-1972), 504 U.S. 36 (1992)
93. "requiring the prosecutor to present exculpatory as well as inculpatory evidence would alter the grand jury's historical role, transforming it from an accusatory body that sits to assess whether there is adequate basis for bringing a criminal charge into an adjudicatory body that sits to determine guilt or innocence." U.S. v. Williams, (90-1972), 504 U.S. 36 (1992)