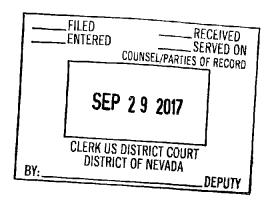
Thomas Benson c/o 9030 West Sahara Avenue 617 Las Vegas Nevada near [89117] Global Postal Code- NAC: 5CQR2 POPTJ



# IN THE DE JURE SUPERIOR COURT OF THE UNITED STATES DISTRICT OF NEVADA

Thomas Benson	§	
Counterclaimant	\$ \$ 8	CASE NO: 2:17-cv-00447
v.	§	
STATE OF NEVADA,ET AL.	8	Writ of Error Qua Corum Nobis Resident
	§ 8	
Constant for danta	§	
Counterdefendants	§ §	
	§	

# Writ of Error Quae Coram Nobis Resident

- FOR NOW COMES THE COURT, ON ITS OWN MOTION, CORAM NOBIS to review the actions of the BAR members in this action
- 2. For the court on its own motion placed a Motion for Trial by Jury and a Writ Granting Trial by Jury.
- 3. For Margaret A McLetchie "McLetchie" placed a MOTION to Strike [113] Motion for Writ, and stated it was filed by Defendants. For without Letchie placing the required certified

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documents, namely, a certified copy of her FARA registration, a certified copy of her license to practice law in Nevada, and a signed sworn affidavit evincing her relationship to this case, not counting her income derived from re-pre-senting one of the named counterdefendants who are men and women, is without her participation in this court. For McLetchie's appearance is DENIED by this court and all papers submitted by McLetchie is without standing in this court of record. For real men and women speak for themselves and if they want a BAR attorney to re-pre-sent them is with their following the rules set in this court of record.

- 4. For Lyssa S Anderson "Anderson" placed a JOINDER to Strike [113] Motion for Writ, and stated it was filed by Defendants. For without Anderson placing the required certified documents namely a certified copy of her FARA registration, a certified copy of her license to practice law in Nevada, and a signed sworn affidavit evincing her relationship to this case, not counting her income derived from re-pre-senting one of the named counterdefendants who are men and women, is without her participation in this court. For Anderson's appearance is DENIED by this court and all papers submitted by Anderson is without standing in this court of record. For real men and women speak for themselves and if they want a BAR attorney to re-pre-sent them is with their following the rules set in this court of record.
- 5. For the other BAR members listed as representing any of the counterdefendants is with DENIAL of participation in this court. For none of the other BAR members placed the required documents into this court.

6. For this court strikes [116] and [117] from the record and docket for it is without being filed by the counterdefendants directly and McLetchie and Anderson perjured themselves stating that the Defendants filed the paperwork when the counterdefendants did not file the documents.

#### DETAIL

- 7. The following is organized into three sections:
  - I. Judicial cognizance
  - II. Findings of facts, Discussion and Conclusion of Law
  - III. Impeachment and Writ

# I. Judicial Cognizance

- 8. For this court takes judicial cognizance of and decrees the following:
- 9. JUDICIAL COGNIZANCE: Judicial notice, or knowledge upon which a judge is bound to act without having it proved in evidence. [Black's Law Dictionary, 5<sup>th</sup> Edition, page 760.]
- 10. The people of Nevada do not waive their sovereignty to the agencies that serve them being the sovereigns who ordained and established the Constitution for the Nevada state.<sup>1</sup>
- 11. Two distinguishing and critical characteristics of a court of record are; 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.

We the people of the State of Nevada Grateful to Almighty God for our freedom in order to secure its blessings, insure domestic tranquility, and form a more perfect Government, do establish this Constitution. – Nevada Constitution Preamble

- 12. All political power is vested in and derived from the people; all government, of right, originates from the people, is founded upon their will only, and is instituted solely for the good of the whole.<sup>2</sup>
- 13. The people of this state have the sole and exclusive right of governing themselves, as a free, sovereign and independent state; and to alter and abolish their constitution and form of government whenever they may deem it necessary to their safety and happiness, provided such change be not repugnant to the constitution of the United States.<sup>3</sup>
- 14. The United States shall guarantee to every State in this Union a Republican Form of Government, ...4
- 15. ...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.]
- 16. 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.]
- 17. Claimant people are inhabitants of Nevada and not residents of the STATE OF NEVADA.
- 18. The people of this State, as the successors of its former sovereign, are entitled to all the rights

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Nevada Constitution, Section 1. Inalienable rights. All men are by Nature free and equal and have certain inalienable rights among which are those of enjoying and defending life and liberty; Acquiring, Possessing and Protecting property and pursuing and obtaining safety and happiness[.]

<sup>3</sup> Nevada Constitution, Section 2, All political power is inherent in the people[.] Government is instituted for the protection, security and benefit of the people;.

<sup>4</sup> Constitution for the United States of America – Article IV Section 4.

- 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. "The state cannot diminish rights of the people." [Hertado v. California, 100 US 516.]
- 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. "Where rights secured by the Constitution are involved, they can be no rule making or legislation which would abrogate them." [Miranda v. Arizona, 384 US 436, 491.]
- 23. There can be no sanction or penalty imposed upon one because of this exercise of constitutional rights." [Sherar v. Cullen, 481, F 946.]
- 24. "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.]
- 25. "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.]

- 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. Pursuant to the NRS§ 1.020 the Municipal Court, District Court is **required** to be a court of record. See: NRS§ 1.020 NRS. 1.020, Courts of record. The following courts are courts of record:
  - 1. The Supreme Court;
  - 2. The Court of Appeals;
  - 3. The district courts:
  - 4. The Justice courts; and
  - 5. The municipal courts:
    - (a) In any case in which a jury trial is required; or
    - (b) If so designated pursuant to NRS § 5.010.
- 29. COURT OF RECORD. To be a court of record a court must have four characteristics, and may have a fifth. They are:

- 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, 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, 2310)
- **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] See also: The Constitution of the State of Nevada, Article 6, § 9.

Article 6, § 9. Municipal courts. Provision shall be made by law prescribing the powers[,]

duties and responsibilities of any Municipal Court that may be established in pursuance of

Section One, of this Article; and also fixing by law the jurisdiction of said Court so as not to

conflict with that of the several courts of Record.

30. "...our justices, sheriffs, mayors, and other ministers, which under us have the laws of our land

to guide, shall allow the said charters pleaded before them in judgment in all their points, that

is to wit, the Great Charter as the common law...". [Confirmation Cartarum, November 5,

1297" "Sources of Our Liberties" Edited by Richard L. Perry, American Bar Foundation.]

31. "Henceforth the writ which is called Praecipe 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.

32. "Trespass. Any misfeasance or act of one man whereby another is injuriously treated or

damnified." 3 Bl. Comm. 208 An injury or misfeasance to the person, or rights of another person,

done with force and violence, either actual or implied in law.<sup>5</sup>

33. "Trespass. In its more limited and ordinary sense, it signifies an injury committed with violence,

and this violence may be either actual or implied; and the law will imply violence though none

is actually used...""6

34. "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; Criminal courts proceed according to statutory law. Jurisdiction and

procedure is defined by statute. Likewise, civil courts and admiralty courts proceed according to

Black's Law Dictionary 2<sup>nd</sup> Ed. Pg. 1171 Black's Law Dictionary 2<sup>nd</sup> Ed. Pg. 1171

statutory law. Any court proceeding according to statutory law is not a court of record (which only proceeds according to common law); it is an inferior court.

- 35. "However, no statutory or constitutional court (whether it be an appellate or supreme court) can second guess the judgment of a court of record. "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)
- 36. "The people have succeeded to the rights of the king, the former sovereign of this state. They being expressly named... The People are not expressly included in the general provisions are not, therefore, bound by general words in a statute restrictive of prerogative, without of the act, and nothing shall be taken against them by implication. Where the People are not named they are not bound.... but he cannot be divested of any right, power or interest, unless the statute is made by express words to extend to him... It is a maxim of the common law, that when an act of parliament is made for the public good, the advancement of religion and justice, and to prevent injury and wrong, the King shall be bound by such act, though not named; but when a statute is general, and any prerogative right, title or interest would be divested or taken from the King, in such case he shall not be bound, unless the statute is made by express words to extend to him." (The People v. Herkimer, 4 Cowen (NY) 345, 348 (1825).
- 37. "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).

II.

### Findings of Fact, Discussion and Conclusion of Law

- 38. For the record shows the Claimant filed a Motion for Trial by Jury against counterdefendants named herein;
- 39. For with the record is with the court granting the Motion for Trial by Jury, and is with the issuing of the Writ Granting Trial by Jury.
- 40. For again counterdefendants use word art attempting to change the Claimant's true relationship to this case by placing the term plaintiff on the paper. For with the misidentification is not with the change of the relationship of the Claimant.
- 41. For the record shows that McLetchie filed 'MOTION to Strike [113] Motion for Writ'.
- 42. For the record shows that Anderson joined McLetchie regarding 'MOTION to Strike [113] Motion for Writ'.
- 43. For the record shows [90] 'Motion to Strike Plaintiff's Fugitive "Writ of Denial" (#79) and "Ruling and Judgment" (#81)' is without authority to strike this courts Writs and Orders.
- 44. For the clerk of court is without authority to strike any document unless this court of record orders it. For with the clerk is with the obligation of filing on demand and is without authority to remove filed documents. For with removal of documents by the clerk of court is with the clerk stepping outside of his or her job and therefore is now liable in their personal capacity

and can be sued according to 18 USC 2071 and will be liable for a fine and possible imprisonment.

- 45. For the record shows [90] ".......Motion to Strike Plaintiff's Fugitive ...... " filed by the man Peter Angulo "Angulo" and he is without authority to file anything in this court of record for the same reasons listed in items 3 and 4. For without Angulo filing the required papers is without authority to do so.
- 46. For with all Motions submitted by the BAR attorneys in this court, said arguments were submitted without authority. For with non-compliance of entering the required certified documents in this court is with the BAR members denied participation.
- 47. For BAR. Members are foreign agents required to registered with United States government as such according to the Foreign Agent Registration Act of 1938. This act has not been repealed.
- 48. For BAR members are granted the title of nobility. Esquire is a title of nobility that falls between gentleman and knight. For the Constitution for the United States of America forbids anyone with a title of nobility from being able to participate in the government. For with a BAR member acting as an officer of the court is with the BAR member acting against the wishes of the People as outlined in their Constitution for the United States of America.<sup>7</sup>

ARTICLE I, SECTION 9, CLAUSE 8 "No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State."

- 49. For the record shows that counterdefendants are without providing any evidence to the court why the court's order to Writ Granting Trial by Jury was invalid.
- 50. For Claimant's Writ of Denial and Ruling and Judgment stand as conclusion of fact and law and is not stricken from the record in this court of record.
- 51. For as has been repeatedly upheld, the court in which this case is proceeding is a court of record. For the magistrate is not authorized to enter orders, opinions or any other documents disguised as orders in the form of minute orders. For the magistrate is without authority to strike any documents from this court of record.
- 52. For the genius of a court of record is not to be undermined. It is the birthright of every

  American to settle issues in a court of record, if he so chooses. That choice has been made in
  this matter, and has been so stated in the first paragraph in this action.
- 53. For the magistrate and clerk are persons appointed or elected to perform ministerial service in a court of record<sup>8</sup> because all judicial functions in a court of record are reserved to the tribunal, which must be independent of the magistrate.
- 54. For the magistrate of this court, has usurped the independent powers of the tribunal of this court of record by making, under color of law<sup>9</sup>, discretionary judgments which are reserved to and should have been made by the tribunal independently of the person of the magistrate designated generally to merely file documents for the court.<sup>10</sup>

Official's duty is "ministerial" when it is absolute, certain and imperative, involving merely execution of a specific duty arising from fixed and designated facts. (Long v. Seabrook, 260 S.C. 562, 197 S.E. 2d 659, 662; Black's Law Dictionary, Fifth Edition, page 899)

<sup>9 18</sup> USC 242 makes deprivation of rights under color of law a felony punishable up to 20 years in prison.

One characteristic of a court of record: 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

- 55. For the magistrate has no authority to act as the tribunal in a court of record. "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). This applies to clerks of the court as well, since clerk's, even when the clerk is making entries on the docket for notice to all parties hereto.
- 56. For even if the docket entries by the clerk of the court was done at the direction of the magistrate, any ruling, entry or order issued by the magistrate (judge) in a court of record is both an attempt by the magistrate to usurp the authority of this Court, but also an act of treason<sup>11</sup> to overthrow the republican<sup>12</sup> form of government and is addressed in the varying levels of Seditious Contempt of Constitution. The clerk is responsible the commission of a crime even if the magistrate directed the clerk to perpetrate the crime.
- 57. For it is by the prerogative of the sovereign <sup>13</sup> whether and how a court is authorized to proceed. In this case, the chosen form of the court is that of a court of record.

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]

<sup>11</sup> 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).

<sup>12</sup> 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.]

<sup>13 &</sup>quot;...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.] 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

- 58. For a qualifying feature of a court of record is that the tribunal is independent of the magistrate appointed to conduct the proceedings.<sup>14</sup>
- 59. For no officer of government, has immunity. "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 "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 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

<sup>(</sup>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.]

<sup>14</sup> Court of Record: 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]

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 Under Federal Tort Claims Act similarly, federal law enforcement officers who generally enjoy absolute immunity from tort liability may nonetheless be held liable for the tort of trespass. Black v Sheraton Corp. of America, 184 US App DC 46,564 F2d 531, 541 (1977)

- 60. An order submitted from one not authorized to make orders is void. "A void judgment which includes judgment entered by a court which . . . lacks inherent power to enter the particular judgment . . . can be attacked at any time, in any court, either directly or collaterally . . ." Long v. Shorebank Development Corp., 182 F.3d 548 (C.A. 7 Ill. 1999). "A judgment is void if the court that rendered it . . . acted in a manner inconsistent with due process." Margoles v. Johns, 660 F.2d 291 (7th Cir. 1981) cert. denied, 455 U.S. 909, 102 S.Ct. 1256, 71 L.Ed.2d 447 (1982); In re Four Seasons Securities Laws Litigation, 502 F.2d 834 (10th Cir.1974), cert. denied, 419 U.S. 1034, 95 S.Ct. 516, 42 L.Ed.2d 309 (1975).
- 61. For the magistrate and clerk of court's interference in this matter obstructs due process of law. "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 United States, exercised within the limits therein prescribed and interpreted according to the principles of the common law...." Hurtado v. California, 110 U.S. 516, 3 Sup. Ct. 111, 292, 28 L. Ed. 232 (1884).

62. For as such any judgment submitted without due process is void. "A judgment is void if the court that rendered it . . . acted in a manner inconsistent with due process." Margoles v. Johns, 660 F.2d 291 (7th Cir. 1981) cert. denied, 455 U.S. 909, 102 S.Ct. 1256, 71 L.Ed.2d 447 (1982); In re Four Seasons Securities Laws Litigation, 502 F.2d 834 (10th Cir.1974), cert. denied, 419 U.S. 1034, 95 S.Ct. 516, 42 L.Ed.2d 309 (1975).

#### III.

#### Impeachment and Writ

- 63. FOR THE COURT, HAVING REVIEWED THE FACTS, THE RECORD, AND THE actions of the BAR members, judge/magistrate, and clerk of court;
- 64. For desiring that fair justice be served for all parties, counterdefendants, as well as Claimant:
- 65. FOR NOW THEREFORE THE COURT issues this WRIT OF ERROR QUAE CORAM NOBIS RESIDANT, to wit,
- 66. FOR IT IS HEREBY THE ORDER OF THIS COURT the BAR attorneys, Anderson, Angulo, McLetchie, and Gilmer as purported representatives of the various counterdefendants are in contempt of this court.
- 67. FOR IT IS HEREBY THE ORDER OF THIS COURT any motion by BAR members to strike any documents filed by Claimant is DENIED.
- 68. FOR IT IS HEREBY THE ORDER OF THIS COURT that all documents filed by the Claimant, purportedly stricken from the record by judge/magistrate, are intact and whole. For what is filed by Claimant remains filed.

- 69. FOR IT IS HEREBY THE ORDER OF THIS COURT that the Minute Orders, which are not orders, are VOID.
- 70. FOR IT IS HEREBY THE ORDER OF THIS COURT that the Clerk of Court cease and desist purportedly striking the Claimant's lawful filings. For the Clerk is to restore the docket to its original order.
- 71. IT IS FURTHER THE ORDER OF THIS COURT THAT the BAR Members herein listed are to pay to this court \$500.00 each within 30 days of this order for their attempt to usurp this court of record.
- 72. IT IS FURTHER THE ORDER OF THIS COURT THAT any and all counterdefendants and any other party aiding said counterdefendants are restrained from any action against the Claimant until such time as counterdefendants and others aiding said counterdefendants have proven jurisdiction over Claimant on the record of this court.
- 73. IT IS FURTHER THE ORDER OF THIS COURT that judge/magistrate's order to strike docket numbers 60, 79, and 81 is VOID. For without authority in this court of record is without the judge/magistrate authority to strike documents or to make orders. For the judge/magistrate is reminded that this court of record case is merely housed in the federal court building. For this court of record case is not in the jurisdiction of the judge/magistrate.
- 74. FOR IT IS FURTHER ORDERED and ADJUDGED that any further rogue interference of this court by any officer shall be a contempt of this court and said perpetrator will be in held in contempt without motion and without hearing.

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75. FOR FINALLY IT IS THE ORDER OF THIS COURT that all parties to this action are invited to provide as evidence to this court within 14 days why this order is not valid.

Witness the hand and seal of the court this 29<sup>th</sup> day of September in the year of our Lord 2017.

# **The Court**

By:/s/ Thomas Benson Attornatus Privatus



Michaelene Jo

By: Michaelene Jo

Chief Justice superior court of the united States of America (unicorporated)



### **CERTIFICATE OF SERVICE**

I, certify that the true and correct copy of the foregoing document Order of Contempt of Court will served upon by placing it in a sealed envelope First Class Mail Postage prepaid in the U.S. at Las Vegas, Nevada and address mail to:

Attorney for defendants, LVMP DEPT. CLARK COUNTY SHERIFF DEPT, KENNETTE MEAD, MICHAEL MADLAND D. KING, DOUGLAS GILLESPIE, JOHN DOE. KAEMPFER CROWELL Lyssa S. Anderson Ryan W. Daniels 1980 Festival Plaza Drive Suite 650 Las Vegas, Nevada 89135

Attorney for Defendant Ewing brother Towing Company OLSON CANNON, GORMLEY, ANGULO, & STORBERSKI Peter M. Angulo 9950 West Cheyenne Avenue Las Vegas, Nevada 89129

Attorney for Defendant Eli Segall MCLETCHIE SHELL LLC Margarette A. McLetchie 701 East Bridger Avenue Suite 520 Las Vegas, Nevada 89101

Attorney for Defendant City of Las Vegas CITY OF ATTORNEY OFFICE Elias P. George 495 S. Main Street 6<sup>th</sup> Floor Las Vegas, Nevada 89101

Attorney for Defendant FOX5 KVVU Broadcasting DICKINSON WRIGHT PLLC Eric D. Hone Gabriela A. Blumberg 8361 West Sunset Road Suite 200 Las Vegas, Nevada 89113

Attorney for Defendants County of Clark, Clark County DISTRICT ATTORNEY OFFICE Yolanda T. Givens 500 South Grand Central Pkwy Las Vegas, Nevada 89155

Attorney for Defendant Jason Gunnell
SATE OF NEVADA OFFICE OF THE ATTORNEY GENERAL
Las Vegas Office
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Dated: 29<sup>th</sup> day of September 2017

By: \_-obert: An bree - \_ dward:
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