

# RED HERRING PRACTICE SCRIPT v2

## TABLE OF CONTENTS

### Gary's 1, 2, 3 segues:

#1: PLEA OF GUILTY:

#2: THREATS OF FORCE (GUN IN THE ROOM):

#3: PROSECUTOR'S FAILURE:

ALWAYS GO BACK TO THE SOCRATIC METHOD:

LAND-MINES: At arraignment it is better to say:

### Arraignment Hearing:

SOFTBALL SETUP:

COP QUESTIONS:

### Judges Spew

"WE'RE ONLY HERE TO ENTER A PLEA."

"YOUR MOTION PUTS THE BURDEN OF PROOF ON YOU."

"ARGUE YOUR MOTION (IN YOUR OWN WORDS)."

"IN THE INTEREST OF JUST-US I'M DENYING YOUR MOTION."

"JURISDICTION IS A TRIAL ISSUE."

"YOU WERE WITHIN THE STATE."

"I ASSURE YOU, WE HAVE JURISDICTION."

"I DON'T NEED EVIDENCE."

"THE TICKET IS THE EVIDENCE."

"THIS IS JUST SOMETHING YOU FOUND ON THE INTERNET."

"YOU'RE A SOVEREIGN CITIZEN."

"WHAT DO YOU MEAN BY JURISDICTION."

"THE CODE SAYS THE CODE IS APPLICABLE."

"THE TICKET IS THE EVIDENCE THE CODE IS APPLICABLE."

"I'M TAKING A JUDICIAL NOTICE OF THE FACT THAT THE LAW APPLIES TO YOU"

"YOU HAVE THE LICENSE, THAT'S THE EVIDENCE."

"STANDING/CORPUS DELICTI DOESN'T APPLY."

"HIRE A LAWYER."

"WHAT ARE YOU LOOKING FOR?"

"THIS IS GIBBERISH."

"DON'T ARGUE WITH ME."

"I NEED A PLEA OR I'LL HOLD YOU IN CONTEMPT."

"THE PROSECUTION HASN'T PROVIDED EVIDENCE, AND WE WON'T MAKE THEM"

WHEN THEY TRY TO SWEAR IN THE WITNESS, TO TAKE THE STAND:

"OBJECTION, Outside the Pleadings,

"OBJECTION, Outside the Pleadings,

"Objection: First Hand Knowledge

"Objection: Prosecutor Knows no First Hand Knowledge

"Objection: Prosecutor Position Witness has First Hand Knowledge

JUDGE: "YOU INJURED THE STATE/LAW."

JUDGE: "I DON'T HAVE TO ANSWER THAT. "/ "PROSECUTION DOESN'T HAVE TO PROVE THAT."

JUDGE: "TAKE IT UP ON APPEAL."

The purpose of this script is to practice calibrating your responses to OBVIOUS red herrings. It is not a prescribed if a then b, it is more to get you to comprehend the SUBSTANTIVE DUE PROCESS VIOLATIONS. And it happens to need to be written on paper because no one can memorize all the bullshit they spew out to rationalize their sociopathic behavior.

## Gary's 1, 2, 3<sup>1</sup> Segues:

### #1: "PLEA OF GUILTY" #2: "GUN IN THE ROOM" #3: "PROSECUTOR'S FAILURE"

"MY PLEA IS IN FRONT OF YOU. ALL YOU HAVE TO DO IS HAVE THE PROSECUTOR PROVIDE SOME CLARIFICATIONS; PUT THE EVIDENCE ON THE TABLE AND I'LL SIGN IT."

[Most of the quotes are better left as concepts. It is better to delete most quote marks or the entire quote.]

[I told you I intend on pleading guilty, and you said it has to be an informed and voluntary plea of guilty, so since you refuse to inform me, When did I lose the right to be informed?]

"My intention is to plead guilty here today. I have an unsigned plea of guilty with me. I am proceeding towards getting clarification of the cause and nature of these proceedings, to get the prosecutor to state his case. And if he states a case, and has one, I don't need to go through a trial. That is a burden that needn't happen, because if he stated a case, if he's actually got a case, and states it, we can just be done with this. It'd be senseless to go through a trial; I'll plead guilty. If he has one."

"You keep talking about a trial. My intention is to plead guilty here today. I'm just trying to get clarification on a couple points about his assertions, so I can plead guilty. Why do you keep talking about trial dates? Why do you keep talking about that? You just said I had the right to plead guilty. Why do you keep bringing up the trial date, and issues of trial? It's not about what's an issue for trial. Oh, I can ask this at trial. I'm talking about pleading guilty here today. You're telling me to wait until trial? That doesn't make sense."

"You said I have the right to plead guilty today. Do I have the right to make an informed and voluntary plea of guilty today?"

"Can you accept a plea that is not informed or voluntary?"

### #2: THREATS OF FORCE (GUN IN THE ROOM):

"I'M ONLY HERE TO DEAL WITH YOUR THREATS OF FORCE AND VIOLENCE AGAINST ME.

If we were just in a coffee shop discussing this, I would be free to leave without you tackling me on the way out.

I would have the option of not showing up.

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<sup>1</sup> Guilty plea, Gun in the room, Prosecutor's failure.

**An innocent person would have the option of saying "I don't feel like coming today," but there's a gun in this room; I am under threat of violence to behave in certain ways.**

**If you put a gun to my head and tell me I must now give you the OK to go to trial, I'll do so, not because it's right, not because I want to, but merely because there's a gun in the room, because you are the one with the violent tools, and you can actually force me with violence to do whatever you FEEL like doing.**

**Not because it's right, but because there's a gun in the room."**

**"I'm only here to get rid of this threat of violence. I don't want to be under this threat of violence any further. I want to resolve this right here and right now, so I can be free of this violent threat. Can you please help me, sir? If the prosecutor has provided you with any evidence to establish jurisdiction, would you please just lay it on the table and hold the prosecutor to his burden of proof, instead of putting this off for another minute, let alone another date?"**

### **#3: PROSECUTOR'S FAILURE:**

**"COULDN'T THE PROSECUTOR HAVE ANSWERED THIS YESTERDAY, ALONG WITH MY DISCOVERY AND BRADY REQUEST?"**

**"The only reason we're here is because the prosecutor still hasn't answered my discovery and Brady request, or explained the cause and nature of these proceedings to me; he could have cleared this up yesterday. If you'll hold the prosecutor to his burden then we can get this over with."**

**"Has the prosecution submitted any evidence of jurisdiction? Not what it is or what you think it is. Has he submitted any evidence to (cover?) me, today?"**

**"Is your assertion of jurisdiction based on credible, sensible, verifiable facts and evidence submitted by the prosecutor?"**

**"Why haven't I been given a copy?"**

**"Should he not have done this before I even got here? Should he not have presented the evidence of jurisdiction, rather than just proclaiming and asserting it. Should he not have had evidence of it in his pocket? Should he not have said: "If anybody cares to see it, I have it right here."? He didn't, because he has none."**

**"Isn't the prosecutor supposed to be basing his assertion that this court has jurisdiction"\*\*\* on evidence? Are you telling me that he needs time to figure out if he has evidence that he's supposed to have right now\*\*\*? Shouldn't he just recall it? Shouldn't he know that he has evidence before he drags me in here? Did he not care enough to check to see if he had evidence, before dragging someone into court? And did you just not care enough to see if there was evidence, that was sensible\*\*\* evidence of any sort, or, did you just presume it was out there? You assured me that you have evidence; is that assurance based upon evidence that he provided to you, or is it based on just something that you're just figuring that you have? Is it just trust that you have in the prosecutor? Because the prosecutor failed to give it to you, but here you are assuring me that he has it, without having seen it yourself, and without giving me the opportunity to see it myself."**

**"All that aside. I'm just trying to plead guilty, today, right after he's finished informing me and showing me the evidence."**

**"Do you accept uninformed and involuntary pleas?"**

**"I'm not trying to introduce any definitions here. I'm trying to clarify the prosecutor's assertion; my understanding so far is that he thinks this court has jurisdiction; I just want to see the evidence of that. Unless he doesn't think this court has jurisdiction, in which case let's make a note of that. I'm fine with that. And, if that's the case I move to dismiss"**

**"Just to be clear, are you saying it's only an issue for trial, and not an issue for right now. Or are you saying; it's both an issue for trial, and for right now?"**

**"Are you saying that you only have personam jurisdiction?"**

**"Who has the burden of proof here, sir?"**

**"Is the prosecutor/plaintiff supposed to be basing his assertion that this court has jurisdiction on empirical evidence?"**

**"Are you saying he needs time to figure out if he has the evidence that he's supposed to have, RIGHT NOW, and before he even drags me in here?"**

**"He should know that he has to have evidence before you and he decide to drag me in here, under threats of force and violence, that is his burden, and apparently neither him or you cared enough to check if he had any evidence before dragging ME into court."**

**"And you, sir, did you not care enough to figure out if there was evidence, or to even hold him to his burden of proof. But apparently it's perfectly fine to drag me in here under threats of force and violence. So, did you just presume it was there?"**

**"You assure me that this court has jurisdiction, but is that based on evidence that was provided to you by the prosecutor or is it just something you're assuming and asserting you have?" (PURE SPECULATION)**

**"Is it just trust that you have in the prosecutor/cop/plaintiff?"**

**"Objection, point of clarification: So, let me make sure I understand you correctly: The prosecutor/cop/plaintiff failed to give it to you, but you are presuming and assuring me that he has it, without having seen it yourself. And without giving me the opportunity to see it myself, as per my discovery. Is that correct?"(OBJECTION TIME)**

### **ALWAYS GO BACK TO THE SOCRATIC METHOD:**

**"Who, What, When, Where, Why, and How?"**

**"OBJECTION POINT OF CLARIFICATION: LET ME SEE IF I UNDERSTAND YOU CORRECTLY. YOUR POSITION IS: XYZ..."**

**\*DO NOT MAKE AFFIRMATIVE/POSITIVE STATEMENTS.\***

**Government can be simply defined as, and is synonymous with: "comply-or-die.**

**\*Pick 3 main issues and stick to them like a nail, don't let them get you off point.**

**\*You want the judge to tell you - out of anger - what the law is. You want him to take a position.**

**\*Assume that every single word that comes out of their mouth is a lie and you object and make them verify it.**

**\*Pro-tip: an issue of fact is a simpler and much stronger defensive posture than any issue of law or legal interpretation.**

### **LAND-MINES: AT ARRAIGNMENT IT IS BETTER TO SAY:**

- **"Clarification," not "Question"**
- **"Accusation," not "Charge"**
- **"Establish," not "Prove"**

**"OBJECTION, POINT OF CLARIFICATION" IS RESERVED ONLY FOR ASKING TO "CLARIFY" SOME STUPID B.S. THE JUDGE SAID.**

### **Arraignment Hearing:**

#### **SOFTBALL SETUP:**

**"Hey judge, nice to meet you, hope you're doing well today.**

**"I HAVE AN UNOPPOSED MOTION PENDING, IS MY UNOPPOSED MOTION GOING TO BE GRANTED TODAY?"**

**Yes:**

**No: On what grounds?**

**"HAS THE PROSECUTOR SUBMITTED ANY EVIDENCE TO OVERCOME MY MOTION?"**

**"A few things haven't been made entirely clear to me. I actually intend on pleading guilty here today. I just have a real quick clarification. If I may ask:**

**"Do I have the right to be informed as to the nature and cause of the accusations and proceedings?"** YES or NO

**"Do I have the right to a fair and meaningful hearing?"** YES or NO

**"Am I presumed innocent of the accusations?"** YES or NO

**"Am I presumed innocent of every element of the accusations?"** YES or NO

**Does that extend to...** YES or NO

**"Is jurisdiction an element of the accusations?"** YES or NO

**"Has the prosecutor submitted ANY evidence to establish that this court has jurisdiction to impose upon me today?"** YES or NO

**"Is jurisdiction an element that is subject to challenge?"** YES or NO

**"Has the prosecutor submitted ANY evidence that the codes or statutes stated on the ticket actually apply to me, today?"** YES or NO

**COP QUESTIONS:**

**"Did you issue/sign the ticket?"** YES or NO

**"And, did you determine on your own that the statutes of The State of Oregon apply to me?"** YES or NO

**"Is that your position because you allege I was on the street?"** YES or NO

**"Is that your position because you believe I was physically in the State?"** YES or NO

**"And, did you have to call your superior to make that determination?"** YES or NO

**"Did, you make that determination all on your own. On the side of the road** YES or NO

**"Now let me ask you, since they're allowing you to testify; you must have personal first hand knowledge to support your claim that the code/law apply, is that right?"** YES or NO

**"So, it's your belief that simply because of geographical location that's what makes your statutes apply, is that correct?"** YES or NO

**“Now do you have evidence to support that claim, that just because of n  
geographical location that your statutes apply, or that you have jurisdicth YES or  
over me?” NO**

**“You've already asserted that, now do you have any evidence to back up th  
position? (The claim you just made that you have jurisdiction over n YES or  
simply because of my physical location)?” NO**

**“Objection, presumes facts not in evidence, move to strike and dismiss.”**

## JUDGES SPEW

**"WE'RE ONLY HERE TO ENTER A PLEA."**

**"And that is my intention, to plead guilty here today, to be free of your threats of bench warrant violence. But I object to you saying that and I have a point of clarification: Are you allowed to accept a plea that is not informed and voluntary?"**

**"Objection, are you saying: I'm not entitled to be informed of the nature and cause of the charges, today. Before I enter a plea?"**

**"Are you telling me that you're permitted to accept a plea that is not informed or voluntary?"**

**"Is ethics and justice a secondary concern?"**

**"YOUR MOTION PUTS THE BURDEN OF PROOF ON YOU."**

**"Doesn't the citation predate/precede the motion?"**

**"Is it the prosecutor's burden to submit evidence to overcome my motion?"**

**"ARGUE YOUR MOTION (IN YOUR OWN WORDS)."**

**"OBJECTION, POINT OF CLARIFICATION. Are you under the assumption that these aren't my own words? Why are you going off in this weird direction?"**

**"IN THE INTEREST OF JUST-US I'M DENYING YOUR MOTION."**

**"Objection. Point of Clarification: There's 5 other points on that motion to dismiss, what grounds are you stating for them, just to preserve the record for appeal?"**

**"Objection, misleading you did not rule on this. You made a decision, but you did not make a decision based on the evidence. You made it based on your own personal opinion. Where on the ticket is the evidence?"**

**"JURISDICTION IS A TRIAL ISSUE."**

**"Just to make sure I understand you clearly, is your position: Jurisdiction is only an issue for trial, and not an issue for now. Or, are you saying jurisdiction is an issue for trial and an issue for now?" (OBJECTION TIME)**

**"Is it also an issue that is appropriate to raise at arraignment?"**

**"Are you telling me I'm not allowed to ask at arraignment to see the evidence of jurisdiction which the prosecutor has the burden to provide, today?"**

**"I would understand a lot better, if you could just inform me if the prosecutor has presented any evidence to establish jurisdiction over me, today, and any evidence to prove that the code applies to me simply because of my geographical location."**

**"Has the prosecutor submitted any evidence, establishing jurisdiction over me, based merely on my physical location, today?"**

**"So, just to be clear, I asked for clarification, but I have not yet received a responsive answer to my clarification. Nor have I received any of the relevant clarifications that I asked of the prosecutor in my discovery and Brady request."("What's the time limit on responding to a Discovery and Brady request?")**

**"If he isn't qualified to give legal determinations (of jurisdiction) on cross examination. Well that proves he wasn't qualified to make them on the side of the road. And applicability of the code would be based on jurisdiction. Which is a legal determination based on facts and evidence that the prosecutor must provide."**

**"If you're supposed to presume me innocent of every element of the allegations. And, there can be no code violation, unless the code actually applies. Jurisdiction being a necessary element of every crime. So, you must presume me innocent of the applicability of the code until the prosecution proves jurisdiction with facts and verifiable evidence. Because jurisdiction is a necessary element of the accusation and the foundation of the applicability of the code and allegations. Is that correct?"**

**"YOU WERE WITHIN THE STATE."**

**"Let me see if I understand you clearly: Is it the operating presumption that if someone is physically in Oregon; that, somehow, causes the constitution and statutes to automatically apply to them. Do you agree with that?"**

**"Isn't "the State" just a DBA for people/ground?"**

**"Can you justify your application of force and your assertion of jurisdiction and statutes over me?"**

**"Is it immoral for somebody to force a perfect stranger to give them money?"**

**"Would it be immoral and unethical for me to forcibly take money from a perfect stranger?"**

**"Would it, somehow, change it from immoral to moral if I stole from a perfect stranger then claimed it wasn't theft it's simply protection, you just don't understand?"**

**"What if I said I drew lines on a map in 1849 and claimed it was democracy?"**

**"Isn't that sort of blaming the victim, and enabling the aggressor?"**

**"I ASSURE YOU, WE HAVE JURISDICTION."**

**"Objection, you're going to have to cite that for me. I just can't take your word on that. Will you show me exactly, specifically, the legal authority you rely on to prove that?"**

**"Objection, is that because you say so, or because the prosecution's evidence does?"**

**"Objection: Is that based on evidence the prosecutor has submitted? May I see it, so I can examine it myself? All he has to do is lay it on the table. I don't see why he'd hesitate in showing it, so that I can just plead guilty?"**

**"Does a blunt assertion of force equal evidence of jurisdiction over me?"**

**"Where does your authority derive from?" "Do you disagree that your rules are coerced?"**

**"Is that your testimony? If so let's put you on the stand so you can testify."**

**"Objection, Point of Clarification: Is your assertion/determination arbitrary?"**

**"Does your/prosecutor's assertion/determination of jurisdiction have to be based on facts/evidence/witnesses which I am allowed to question and challenge?"**

**"So, it's based on facts and evidence currently within your knowledge?"**

**"And this evidence, was it provided by the prosecutor?"**

**"Do facts and evidence have to be provided by witnesses with first hand personal knowledge that I am allowed to challenge/cross examine?"**

**"Does a presumption of correctness have to be supported by a minimum amount of facts, which I can question specifically what those facts are." [A fact not appearing is presumed not to exist.]**

**"Am I entitled to challenge/cross examine all witnesses/evidence against me?"**

**"What are those facts/evidence?"**

**"Objection, where on the record is the prosecutor's evidence?"**

**"I DON'T NEED EVIDENCE."**

**"Objection; you're going to have to cite that for me. I just can't take your word on that. Will you show me, specifically, the legal authority you rely on to say that?"**

**"OBJECTION, point of clarification, just to make sure I understand you clearly - I don't want to be accused of misquoting you - you said: "I don't need evidence..."**

**"ARE YOU PERMITTED TO MAKE ACCUSATIONS/SPECULATIONS ABSENT ANY EVIDENCE?"**

**"Do you think the appellate court and the supreme court would agree with that assertion?"**

**"Do I have a right, if I choose, to plead guilty here today?"**

**"Do I have a right to due process?"**

**"If I can't question the witness isn't that a violation of due process?"**

**"If I've harmed someone, I'll plead guilty right now."**

**"If you had the evidence, if it was so easy to prove then why would you not just do that. Just lay it on the table, and I'll plead guilty."**

**“Oh so you can act in good faith and withhold evidence from me?”**

**“So, are you permitted to argue without evidence?”**

**“Is arguing without evidence knowingly engaging in misconduct?”**

**“Are you just speculating/guessing.”**

**“{“You can't object.”} Yah, I'm going to object anyway, and what you can do is show me your legal authority that says a defendant may not object.”**

**Excuse me, have I given you the impression somehow that I'm retarded?**

**“Have I done anything to lead you to believe I'm an idiot?”**

**“OK, then let's start over and you just treat me like I'm a rational adult, and answer the question.**

**“Excuse me, who are you speaking to? {“You, I'm answering your question.”} No, you're not.”**

**“What question do you think you're answering?”**

**"THE TICKET IS THE EVIDENCE."**

**"Where exactly on this ticket is the evidence that the statutes of the State of Oregon apply to me and that there is jurisdiction over me?"**

**"Is this the courts burden of evidence? If I say the police officer is drunk, can I expect the same presumption of correctness?"**

**"Objection, sir, is that because you say so, or because the prosecutor's evidence does?"**

**“Objection, you're going to have to cite that for me. I just can't take your word on that. Will you show me exactly, specifically the legal authority you rely on to prove that?”**

**"THIS IS JUST SOMETHING YOU FOUND ON THE INTERNET."**

**"Objection, that's a red herring, just to make sure I understand you clearly, you're saying that my clarifications are somehow invalid and don't require a response, because you assert that it's "Just something I found on-line?"**

**"YOU'RE A SOVEREIGN CITIZEN."**

**“Objection, move for sanctions, not only is that prejudicial but its completely false.”**

**“I made no such assertion.”**

**"WHAT DO YOU MEAN BY JURISDICTION."**

**"I'm asking what he's saying, and asserting he has, and any evidence that it's true. I'm not here to introduce any definitions."**

**"I only mean by jurisdiction; whatever the prosecutor asserts that this court has. That's it. I'm not introducing my own definitions, at all, of anything. I'm not introducing any definition, because to do so would be to put words into the prosecutor's mouth, and I don't want to do that."**

**"I only mean what the prosecutor means."**

**"I mean what he means. Isn't he required to have evidence of jurisdiction to force me to be here?"**

**Are you simply asserting my physical location is evidence of (territorial) jurisdiction?**

**What evidence is your presumption based on?**

**Entire basis of territorial jurisdiction is based solely on the claim that if you're physically in Oregon that their rules apply to you.**

**Has the prosecution presented evidence that just because I'm physically in Oregon, your rules apply to me?**

**The burden is on the plaintiff, even if it's just a preponderance of the evidence(civil) the plaintiff/prosecutor has to provide evidence.**

**Objection: Is that because you said so?(arbitrary opinion) Or, because the prosecutor's evidence does/proves it?**

**You're not pleading when you have a motion hearing, that's challenging jurisdiction on a factual basis, pending. Even at arraignment you are there for a ruling on the motion, not to enter a plea.**

**"THE CODE SAYS THE CODE IS APPLICABLE."**

**"OBJECTION, POINT OF CLARIFICATION":**

**"Isn't that the same as if I was to say: The code doesn't apply, because the code doesn't apply?"**

**"Is that because you say so, or because the prosecution's evidence says so?"**

**"I already know what it says. I'm asking you for the evidence that it applies to me, just because I'm in Oregon."**

**"Does a blunt assertion of force equal evidence that the code is applicable?"**

**"If the prosecution is making the argument that the code is applicable, because the code says the code is applicable, isn't that just circular logic?"**

**"THE TICKET IS THE EVIDENCE THE CODE IS APPLICABLE."**

**"OBJECTION, POINT OF CLARIFICATION":**

**Objection, so you're saying the evidence proving the laws apply to me is somewhere on this ticket?**

**"Where exactly on this ticket is the evidence that the codes/laws of the alleged plaintiff state actually apply to me and that there is jurisdiction over me. Can you show me?"**

**"So, it's not the ticket that is the evidence of jurisdiction. Is that what you're telling me?"**

**"So, the again, the ticket is irrelevant to jurisdiction, and is not what establishes/proves jurisdiction?"**

**"So, has the prosecutor presented any evidence to establish/prove jurisdiction over me simply because of my physical/geographical location?"**

**"The question is this: Can the prosecutor provide evidence to make their case?"**

**"That's evidence of nothing. I could take a piece of paper, write the moon on it, take a picture, and it would not prove that I'm on the moon."**

**"Has the prosecution submitted any evidence to overcome my motion to dismiss?" More specifically: Has the prosecutor presented any evidence to show that the codes of the alleged plaintiff state actually apply to me simply because of my geographical/physical location."**

**"O.P.O.C.: I did not enter that plea, you entered that plea. On whose behalf did you enter that plea?"**

**What on this ticket proves that the**

**Where?**

**Yes or no, sir, are you telling me that the evidence proving the laws apply to me simply because I'm physically in the State is somewhere on this ticket?**

**"I'M TAKING A JUDICIAL NOTICE OF THE FACT THAT THE LAW APPLIES TO YOU"**

**Judge: IT APPLIES TO EVERYONE IN THE TERRITORY OF {STATE}**

**Victim: Are you taking notice that it's known to you as true, or merely that the prosecutor asserts it?**

**Judge: It's known to everyone that the laws apply to everyone.**

**Victim: It isn't known to me. And why did I not get the evidence of this truth? Please share the evidence of that truth.**

**Judge: There's no need to do that here and now, the prosecutor doesn't have to give you that evidence.**

**Victim: To clarify, I am deliberately left in ignorance of that evidence by you at this time, correct? With callous disregard for the additional info it might reveal.**

**"YOU HAVE THE LICENSE, THAT'S THE EVIDENCE."**

**"OBJECTION, POINT OF CLARIFICATION":**

**"It's YOUR position that I'm in {State}?"**

**"It's your position that my physical location creates an obligation to get a license?"**

**"Where's the evidence you rely on that I'm obligated to get a license in the first place?"**

**"Wasn't I forced under Threat, Duress and Coercion to get a license in the first place? Doesn't that logical fallacy presuppose that that argument as true, and therefore illegitimate?"**

**"What would happen if I simply chose not to get a license, would you send men with guns after me?"**

**"So, if I didn't have the license you would have no jurisdiction. Is that your position?"**

**"So the license is irrelevant to jurisdiction?"**

**"Objection, point of clarification: How does my use of the road cause the code/law to apply to me?"**

**"Objection, point of clarification: So, if I didn't have your license you would have no jurisdiction to charge me?"**

**"Objection, point of clarification: So, if I didn't have this license you wouldn't charge me?"**

**"Exactly, so, the license is irrelevant to the issue of jurisdiction, isn't it?"**

**"Objection, point of clarification: Isn't the only reason I got this license was under threat, Duress and Coercion?"**

**"So, if I didn't have the license, then, the code wouldn't be applicable?"**

**"OK, so, the license is irrelevant to your assertion of jurisdiction?" ("So, it's not the license.")**

**Government can be simply defined as, and is synonymous with, "comply-or-die."**

**"Objection, is it your position the prosecution has presented sufficient evidence to prove the statutes apply simply because I was forced to get a license?"**

**Objection, you're going to have to cite that for me. Can you actually cite where this court has a legal exception to a principal of law that applies to every single court in this country, including the Supreme Court? I'm going to need a citation sir, I just can't take your word for it.**

**"STANDING/CORPUS DELICTI DOESN'T APPLY."**

**"OBJECTION, POINT OF CLARIFICATION":**

**"OBJECTION. Is the purpose of government to protect and maintain individual rights?"**

**"If, this court is a part of government, does it share that same purpose?"**

**"So, does having a right to invoke a court's jurisdiction require the violation of a legal right, and damage?"**

**"HIRE A LAWYER."**

**"OBJECTION, POINT OF CLARIFICATION":**

**"No, thank you, I fail to see how any attorney can solve the problem of the prosecutor's failure to submit the evidence that the prosecutor is supposed to have today."**

**"So, if I hire a lawyer then is the prosecutor going to submit the evidence that he's supposed to have? Or, is he only willing to submit that to a fellow member of the B.A.R. association?"**

**"Can a lawyer that I hire solve that problem?"**

**"Are you telling me that I need to get a lawyer in order to get the prosecutor to state/clarify his burden?"**

**"Are you telling me that if I don't have a lawyer, the prosecutor isn't obligated to clarify, or, state his case, or submit any evidence of jurisdiction?"**

**"Is the prosecutor's standard of proof just a blunt assertion?"**

**"O.P.O.C.: "If I hire a lawyer, are they going to show me the evidence that the prosecutor relies on to establish jurisdiction, evidence which he is supposed to have right now?"**

**"Isn't that the prosecutor's burden, to show me the evidence of jurisdiction, and not a lawyer that I hire?"**

**"Just to be clear: Right now you're suggesting that I hire a lawyer to show me the evidence that the prosecutor is supposed to have right now. So that you can force me to be here?"**

**"If I hire a lawyer will the prosecutor clarify his case to the lawyer?"**

**"If I hire a lawyer to help clarify this will this court be bound to what he tells me?"**

**"Do I have a right to shop for an attorney intelligently, or can I defend myself if I so choose?"**

**"It makes me sad that I'm not able to shop for a lawyer intelligently because he told me it's either this or nothing. A public defender, one whose first duty is not to the person whom they may represent, but to those who pay them, or a lawyer who isn't going to waive my right to appeal."**

**"Will the prosecutor's case be stated for him by the attorney you suggest I hire?"**

**"WHAT ARE YOU LOOKING FOR?"**

**"I'm looking for you to answer the question responsively."**

**"In an adversarial system is it only the defendant that is being tried, or is the prosecutor's evidence also being tried?"**

**"Are you telling me: I'm not entitled to ask relevant questions, or challenge allegations, witnesses and evidence?"**

**"Is this an inquisition?"**

**"THIS IS GIBBERISH."**

**"OBJECTION, POINT OF CLARIFICATION: When you say: "That question is gibberish." Is that because you think it's incomprehensible, or because you disagree with it?"**

**"What part of that are you having a problem with. It is in plain English?"**

**"DON'T ARGUE WITH ME."**

**"I asked you a question, no one is trying to engage you in an argument. An argument is a collective series of statements leading to a definite proposition, I asked you a question."**

**"A question is not an argument, same as a legal argument is not a statement of fact."**

**"When someone asks a question of evidence it's not an invitation to debate. The prosecution has the burden of proving. The proponent of the argument has the burden of proof."**

**"Look, would it be dishonest if I asked a question and somebody mischaracterized it as an argument, would that be dishonest? Well would it be dishonest if [the judge] did it to me just now? Why is it not dishonest when [the judge] does it, you just said it would be dishonest to characterize it as an argument, you just said it that?"**

**"I NEED A PLEA OR I'LL HOLD YOU IN CONTEMPT."**

**[BE CAREFUL OBJECTING HERE. REMEMBER: SILENCE CAN BE GOLDEN.]**

**"I'll plead however you want me to plead, (if you're going to coerce me with threats of force) just let me know how."**

**"I am merely seeking clarification to make an informed and voluntary plea, and YOU are taking a threatening tone toward me. Do you think that's fair and ethical?"**

**"Would I have to enter a plea if there is no valid cause of action/crime presented?"**

**"OBJECTION: Only Under Threat, Duress and Coercion I'll say: Not Guilty and clean it up later."**

**"Why would I have to enter a plea on something that I don't know is true and correct. If the prosecutor's assertion of jurisdiction isn't based on evidence establishing jurisdiction, submitted by the prosecutor, it's not evidence." (A fact not appearing is presumed not to exist.)**

**"Does my plea have to be voluntary? And would my plea be considered voluntary if given under threat of force?"**

**"Would I have to enter a plea if I don't know if everything on this ticket is true and correct?"**

**"Is it the policy of the court to accept uninformed pleas from a defendant? Or threaten to arrest them for asking for clarification?"**

**"Is it contemptible to ask relevant and unanswered questions about the cause and nature of these proceedings?"**

**"Your idea of whether or not I've been informed aside, do I have a RIGHT to be informed?" ("Do I have a right to plead guilty, today?" "Do I have a right to make an INFORMED plea of guilty, today?" "Does it have to be informed and voluntary?")**

**"Is denial of cross examination blocking due process?"**

**"If a plaintiff lacks standing to bring a suit, does the court lack jurisdiction to hear it?"**

**"Sir, where in this complaint are the elements of a cause of action alleged?"**

**"You said I was entitled to be informed the charges. Are these not adversarial proceedings, do they not require an adversary in fact, not just assertion?"**

**"Jurisdiction is assumed. It's not one of the elements of the crime.":**

**"So, you have the burden of proof in this case, not the prosecutor? judge denies it-then why would you "assume" jurisdiction?"**

**"If I was in Australia on that day, would you have jurisdiction? So, geographical location is irrelevant to jurisdiction. Is that correct?"**

**"What real facts and evidence do you base that decision on?" objection, conclusion calls for facts not in evidence.**

**Presumptions are based on the facts, not assumptions.**

**"You said I was entitled to be informed of the cause and nature of the charges. Doesn't that involve responsive, truthful, honest answers to the clarifications I ask for, like the real solid evidence of jurisdiction, that the prosecutor bears the burden to establish and is supposed to have just to bring me in here?" (Are you willing to hold him to the burden he took on?)**

**"THE PROSECUTION HASN'T PROVIDED EVIDENCE, AND WE WON'T MAKE THEM"**

**"OBJECTION, POINT OF CLARIFICATION: When you say "we won't make him," Is that because you intend to prevent me from being informed?"**

**WHEN THEY TRY TO SWEAR IN THE WITNESS, TO TAKE THE STAND:**

**"OBJECTION, Outside the Pleadings,**

**Does the witness have firsthand personal knowledge relevant to proving with evidence that the code is applicable to me or to proving jurisdiction over me?"**

**"OBJECTION, Outside the Pleadings.**

**Why do you want the witness taking the stand if the prosecutor has already shown that the witness doesn't have first hand personal knowledge of the matters he's testifying to that are relevant to proving that any evidence of jurisdiction, or corpus delicti/standing, exists." You already declared him unqualified to testify. How can you now declare him competent to testify, and accept his testimony?"**

**"Objection: First Hand Knowledge**

***"Objection: Prosecutor Knows no First Hand Knowledge***

**The prosecutor knows the witness doesn't have personal first hand, personal, knowledge of any evidence proving the laws apply to me simply because of my physical location. (Discovery request) The prosecution has already failed to provide that evidence, which he could have easily done, by just laying it on the table when I asked. He doesn't have the evidence, and he doesn't have a qualified witness to establish the evidence he lacks. No witness can GRANT that to him, or remove that burden, which he can not meet, from him"**

***"Objection: Prosecutor Position Witness has First Hand Knowledge***

**"Objection: Is it your position that he [witness] has personal first hand knowledge of evidence relevant to proving the code applies to me just because of my geographical location? Because not only is the evidence not there, because he hasn't disclosed anything, but if all you have is the police report, then tell me exactly what and where on this police report, if anything, leads you to believe there's evidence proving the laws apply to me, just, because of my geographical location?"**

**"If he's saying his witness is qualified, he's saying that his witness does have personal first hand knowledge of FACTS and EVIDENCE connecting me to the CODE/CONSTITUTION. If he does have that, I should be allowed to see and question that evidence-if it exists. And you've already been asked and given a chance to show that evidence, with the discovery request, and that's why we're here." ("What's the time limit for responding to a discovery request?")**

**"It's your argument, if you don't have any facts to support it; I would hope that you would put a stay on these proceedings, at least until someone here can put some evidence on the table to establish whether the statutes are applicable to me and whether there is jurisdiction over me, merely because of my geographical location. The burden of proof is on the one who makes the accusation. I just want to know if you can prove it? Doesn't it stand to reason that if you can't support that opinion, then it must not exist, and you should throw it out?"**

**I've talked to IRS agents who tell me that they did everything ethically, but like you they had no actual evidence. I mean if you're going to be making arguments that lead to the forcible taking of someone's property. Yah I think that ethically, morally and logically that yes, I believe that you shouldn't be making arbitrary opinions and then taking people's property. Because otherwise what would separate what you're doing from common theft? And you, just like these people, are doing terrible awful nasty things and hurting people and its the way some people, where they seem like they're really nice people and like they actually mean well, but they're doing terrible damage to people and they tell themselves these stories and they seem to believe it."**

**"I don't mean to offend you, but I have got to cut through some of the mental blocks that you are having right now. Sir, do you think that these rules that you call laws are magical? Do they have a magical quality to them that makes them just instantly apply to everyone just because they/you say so?"**

**If you don't like the phrase "complaining party" I can say "adversary", or "accuser."  
[right to face accuser]**

**If there's no relationship between you two, why are you holding me against my will to answer for these allegations. (Should be in script-DELETE)**

**Objection, I made no such claim/assertion.**

**"I'm sorry, there was a lot there, was that a yes?"**

**"Is it ethical for you to try to get me to restate something, so you can attack it, because you can't or won't answer my questions?"**

**Due process and justice requires you have the opportunity to address the issues and make a determination based on the evidence. Yes a lack of evidence presented in the complaint to set forth an actual offense is one of the 4 or 5 grounds for demurrer in California or wherever else. The prosecution has failed to present any evidence that the laws apply which is an element of trying to prove that they were violated. The only way to legitimately overcome/over rule/deny the demurrer or motion is if he can articulate and show where in the record the prosecution has presented the evidence that the demurrer says was not in the complaint.**

**JUDGE: "YOU INJURED THE STATE/LAW."**

**"Objection, could you please quantify that for me? And explain how I damaged a statute/State/populace, especially when the prosecution has refused to provide evidence establishing jurisdiction, and the evidence that the code applies to me?"**

**"Am I obligated to answer that?"**

**JUDGE: "I DON'T HAVE TO ANSWER THAT."/"PROSECUTION DOESN'T HAVE TO PROVE THAT."**

**Don't try and railroad me.**

**Are you trying to rush me to judgment?**

**Is he allowed to testify against me?**

**Is anything you or he says admissible as evidence against me?**

**Is testimony absent evidence merely hearsay and accusation?**

**CONFLICT OF INTEREST:**

**JUDGE: "TAKE IT UP ON APPEAL."**

**Are you presuming that that's an appealable error?**

**Thank you for the confession, am I entitled to go to your superior court for an interlocutory appeal.**

**How much would I need to pay you to match the amount for ruling against me?**

**Are you capable of fair impartial decision making.**

**Something that is still vague cannot be understood.**

**In ethics the right of avoidance.**

**Do I have a right to defend myself today?**

**Am I allowed to challenge the competency and credibility of the witness?**

**"Is my voluntary signature required?" ("Promise to appear")**

**"Is my signature considered voluntary if done under threat of force?"**

**What separates what you do from common theft?**

**JUDGE: "WE DONT ACCEPT CONDITIONAL PLEAS."**

**"OBJECTION, non responsive. This is not a conditional plea. Isn't the prosecutor supposed to have evidence of jurisdiction."**

**"Objection, non-responsive. Higher courts have ruled, that the jurisdiction can be raised at any time, and you know it."**

**Objection, non responsive; where is the evidence to prove his opinions and allegations?**

**Sir, that burden is not mine to prove. The prosecution is supposed to provide that evidence correct? I just need to see that evidence.**

**They have to prove beyond a reasonable doubt every element of the accusations.**

**Think about if what they just told you was responsive to your clarifications.**

**Objection, point of clarification, let me write this down, I asked if prosecutor submitted any evidence of jurisdiction over me, and you said: "That's an issue for trial."**

**"Is it safe for me to speak now? I don't want to go to jail."**

**Objection, what part of my questions calls for threats of jail?**

**Oh, absolutely, there's a threat on the back of this ticket that xyz, jail, etc. That's the only reason I'm here.**

**Media rep letter; I'll be here as a media rep on such and such date ...**

**Higher courts have ruled that recording public officials in a public place is perfectly allowed.**

## **Motions Hearing:**

**I've turned in the motions, I'm assuming you've read it, and I'm assuming the prosecutor read it. What parts do you need clarification on?**

Well, let's go over each point.

**FOIA Request/Public Records Request:**

**The courts have given you permission to lie haven't they?**

**OPOC, are you telling me what was just stated is an appealable error?**

**OPOC, are you flippantly telling me to appeal because the prosecution has provided no evidence?**

**Objection, you're not the one that bears the massive burden and cost of taking this to an appellate court. As soon as I see that evidence I'm asking from the prosecutor.**

**Objection, I intend to plead guilty; I wanted to take care of this several weeks ago, but the prosecutor was refusing to see me, she wanted me to waive rights.**

**Objection, that is not true, and you know it!**

**If I don't have money to pay the fine, can we waive it or can I do community service?**

**What is APPEARANCE? In practice. A coming into court as party to a suit, whether as plaintiff or defendant The formal proceeding by which a defendant submits himself to the jurisdiction of the court. *Flint v. Comly*, 95 Me. 251, 49 Atl. 1044; *Crawford v. Vinton*, 102 Mich. 83, 02 N. W. 988**

## **Index**

### **B**

**BRADY REQUEST, 2, 6**

**burden of proof, 2, 3, 12, 13, 14**

### **C**

**cause and nature, 1, 2, 13**

**clarification, 1**

### **D**

**DISCOVERY, 2**

### **E**

**establish jurisdiction, 2, 4, 6, 12**

**evidence of jurisdiction, 2, 6, 7, 9, 10, 11, 12, 13, 14, 16**

### **G**

**GUN IN THE ROOM, 1**

### **I**

**intention, 1**

issue for trial, 1, 3, 6, 16

## **P**

**PLEA OF GUILTY, 1**

plead guilty, 1, 2, 5, 7, 8, 13, 17

**PROSECUTOR'S FAILURE, 2**

## **T**

**THREATS, 1**