

LESSON ONE

“United States Code of Law – Title 18, Chapter 13 Section 241 & 242”

Need:

All across the Corporate State of the UNITED STATES OF AMERICA, and its many subordinate **ENCLAVES** (CORPORATE STATE OF MISSOURI, CITY OF FERGUSON, ETC.) there has been an increasing amount of “Deprivation of Human, International and **Indigenous** Rights” committed by “alleged” Public Officials/Officers who are operating under “**COLOR OF LAW**”.

Through Our **analysis** of the Michael “Mike Mike” Brown Jr. Case/Situation and through Our *study* and *application* of the Supreme Law of the Land (**U.S.C., Constitutional, and International**) we will be able to over stand the lawful **status** and predicament of the so-called **Black, Colored, Negro, and African-American** communities and what must be done to Lawfully to correct the “**Problem**” of Our People.

End Goal:

To *inform* **Natural Persons** and **Citizens**, alike, of their Constitutional, Universal Human, and Indigenous Rights so that they may confidently Exercise and if needed Defend their **Unalienable** Rights with **impunity**.

United States Code of Law – (U.S.C.) -

The **Code of Laws of the United States of America**^[1] (variously abbreviated to **Code of Laws of the United States, United States Code, U.S. Code, or U.S.C.**) is the official compilation and **codification** of the general and permanent **federal laws** of the United States. It contains 51 titles,^[2] along with a further four proposed titles.^[3] The main edition is published every six years by the **Office of the Law Revision Counsel** of the **House of Representatives**, and cumulative supplements are published annually.^{[4][5]} The official version of those laws not codified in the United States Code can be found in **United States Statutes at Large**.

18 U.S. Code § 242 - 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.*

DEPRIVATION OF RIGHTS UNDER COLOR OF LAW

Summary:

Section 242 of Title 18 makes it a crime for a person acting under color of any law to willfully deprive a person of a right or privilege protected by the Constitution or laws of the United States.

For the purpose of Section 242, acts under "color of law" include acts not only done by federal, state, or local officials within their lawful authority, but also acts done beyond the bounds of that official's lawful authority, if the acts are done while the official is purporting to or pretending to act in the performance of his/her official duties. Persons acting under color of law within the meaning of this statute include police officers, prison guards and other law enforcement officials, as well as judges, care providers in public health facilities, and others who are acting as public officials. It is not necessary that the crime be motivated by animus toward the race, color, religion, sex, handicap, familial status or national origin of the victim.

The offense is punishable by a range of imprisonment up to a life term, or the death penalty, depending upon the circumstances of the crime, and the resulting injury, if any.

Source: <http://www.justice.gov/crt/about/crm/242fin.php>

NOTICE TO ALL LAW ENFORCEMENT:

[NATIONALS OR CITIZENS]

ARE NOT REQUIRED

**TO SHOW IDENTIFICATION
TO A POLICE OFFICER!**

The Police Officer swears by Oath to uphold the **United States Constitution** as an Officer Of Law. Supreme Court Decisions are Considered the Law of the Land In Regards to Constitutionally Protected Rights, and they cannot be interpreted, or re-interpreted, as they are 'stare decisis' (already reviewed and clearly described as Law).

SUPREME COURT CASE:.

Kolender v. Lawson (461 U.S. 352, 1983) in which the United States Supreme Court ruled that a police officer could not arrest a citizen merely for refusing to present identification.

THERE IS NO SUCH THING AS

"FAILURE TO IDENTIFY"

**YOU CAN SUE THE POLICE FOR AN ILLEGAL ARREST AND RESIST
ARREST WITH IMPUNITY!**

"An illegal arrest is an assault and battery. The person so attempted to be restrained of his liberty has the same right to use force in defending himself as he would in repelling any other assault and battery."

(*State v. Robinson, 145 ME. 77, 72 ATL. 260*).

"Each person has the right to resist an unlawful arrest. In such a case, the person attempting the arrest stands in the position of a wrongdoer and may be resisted by the use of force, as in self- defense."

(*State v. Mobley, 240 N.C. 476, 83 S.E. 2d 100*).

"One may come to the aid of another being unlawfully arrested, just as he may where one is being assaulted, molested, raped or kidnapped. Thus it is not an offense to liberate one from the unlawful custody of an officer, even though he may have submitted to such custody, without resistance."

(*Adams v. State, 121 Ga. 16, 48 S.E. 910*).

"These principles apply as well to an officer attempting to make an arrest, who abuses his authority and transcends the bounds thereof by the use of unnecessary force and violence, as they do to a private individual who unlawfully uses such force and violence."

Jones v. State, 26 Tex. App. 1; *Beaverts v. State*, 4 Tex. App. 1 75; *Skidmore v. State*, 43 Tex. 93, 903.

"Federal law & Supreme Court cases apply to state court cases."

Howlett v. Rose, 496 U.S. 356 (1990)

Police Officers can only ask for your identification when an investigation is under way and you are a part of it. Therefore, when they hinder you, they are saying that you are under investigation. Their **car** lights and sirens are to only go on if there is an investigation. Therefore they must identify to you the investigation, and your part in it. This is why you ask them "**What is their probable cause**".

I knew someone who was hindered from their travels, and they asked the C.O.P. (Constable on Patrol) for their probable cause. First, they will hesitate. Let's face it, they are not used to you asking them that. They were in a shore town, during off season. The Cop said there were break-ins in peoples' houses to steal their televisions, and that they were being done by boat. Well the person was just entering the foot of the bridge to go out of the town, nowhere near the shore line where boats would dock. They were not in a boat, or near a boat, or going in the direction of a boat. in fact they were going in the opposite direction of a boat, therefore in opposite direction to what was supposedly being investigated. Clearly they were not the object or subject of such investigation. They were able to part their way with no occurrence.

ILLEGAL SEARCH: If they ask do you mind if they search the car? -- Say NO, you cannot search without a search warrant. If you pay attention, they always ask if you mind. They know they have to get your consent. Usually people agree to the search out of fear, or from the fact that they see them as the authority. However, they are with bounds, limits, and protocols, because they are for the purpose of upholding the law, keeping the peace, protecting the citizens, and preserving the rights of the people. (See "*Peace On Earth*" - *Law Enforcers Ethics*" on the Open Reading Page of this site).

Owen v. Independence, 100 S.C.T. 1398, 445 US 622

"Officers of the court have no immunity, when violating a Constitutional right, from liability. **For they are deemed to know the law!**"

Hoffson v. Hayes, 92 Okla 32, 227 F. 417

The courts are not bound by an officers interpretation of the law under which he presumes to act.

You will find, if you speak in an intelligent tone, and ask intelligent questions according to Law, you WILL get a different response. You must remain within the bounds of Law at all times.

Some patrolmen, are actually private security guards for the corporations, not to be confused with Police Officers, because a police officer is an elected official, thus most of those who hinder you are not police officers. They are policy enforcers for private corporations, making them privately armed security guards....

It is NOT the duty of the police to protect you. Their job is to protect THE CORPORATION and arrest code breakers.

(SAPP vs. Tallahassee, 348 So. 2nd. 363, Reiff vs. City of Phila. 477 F. 1262, Lynch vs. NC Dept. of Justice 376 S.E. 2nd. 247).

...thus they are feigning as Law Enforcers and will actually say to you, "I will tell you why I am stopping you after you show me identification" -- drivers **license**, registration, etc. That is not the lawful order, besides a **drivers license** IS NOT identification, and you have the right or liberty to travel upon the roads without it. It is an instrument for use in commercial activity.

Murdock v. Penn., 319 US 105

"No state shall convert a liberty into a privilege, license it, and attach a fee to it."

Shuttlesworth v. Birmingham, 373 US 262

"If the state converts a liberty into a privilege, the citizen can engage in the right with impunity."

They can only monitor those who are participating in commerce. This means they have to prove first, that you are doing commerce. Going to the corner store, the market, or to visit a friend is not commerce. The license instrument comes under administrative Law, and must be identified as to who it is for. The Division Of **Motor Vehicles** is an Agency that works on policies and statutes that are not law, although they tell you it is Law.

"A judge ceases to sit as a judicial officer because the governing principle of administrative law provides that courts are prohibited from substituting their evidence, testimony, record, arguments, and rationale for that of the agency. Additionally, courts are prohibited from substituting their judgment for that of the agency. Courts in administrative issues are prohibited from even listening to or hearing arguments, presentation, or rationale." **ASIS v. US, 568 F2d 284.**

You can also say to them, "*With all due respect, you are breaking the Law, and I do not wish to participate in breaking the law with you.*" You may not be able to get the affect on the spot from a policy enforcer, (police), they will probably find a psuedo reason to give you a ticket/summons/suit. It is **more** and more clear, that they are the one who is breaking the

Law. This is why it is imperative that you start suing or countersuing them. The ticket is a suit, so counter it. Usually they will give you a court date for the ticket/summons/suit. Now there are a few ways to do it. Send the ticket **back** within 3 days to the court, via certified mail, and mark in large letters, **“No Plea”**, on the back, which means you are not pleading to their jurisdiction. You may get a Notice that it is being referred to Superior Court, which says YOUR "not guilty plea" has been entered. So you send them a **“Writ of Error”** to correct them saying you put in a “not guilty plea, when you did not. This is coming from possibly an interim “Centralized Infractions Bureau”, or something like that, different in different States. When Superior Court receives it, they will send you a notification of the court date which will also reflect that you made a “not guilty plea”. So you send them a **“Writ of Error”** as well to correct that you have not made a Plea. Also send a **“Writ of Discovery”** to the Superior Court, asking for the Delegation of Authority, requesting any information you need to prepare a proer defense for yourself, including names and Bond numbers of Officers of the Court, etc. This is being done because some of the Superior Courts, are in fact not a Superior Court, they are administrative courts who have changed their name to “Superior Court” (trickery). You ask for the Delegation of Authority to determine what they can and cannot do and exactly what their jurisdiction entails. You will find that it does not include Traffic Court, as there is no such thing as Traffic Court". If any court proceeds with Traffic Court, they have no Delegation of Authority, (as it does not exist), and they are violating their Oath of Office, warring against the people, and committing treason.

US v Will, 449 US 200,216, 101 S Ct, 471, 66 LEd2nd 392, 406 (1980)

Cohens V Virginia, 19 US (6 Wheat) 264, 404, 5LEd 257 (1821)

“When a judge acts where he or she does not have jurisdiction to act, the judge is engaged in an act or acts of treason.”

Cooper v. Aaron, 358 U.S. 1, 78 S.Ct. 1401 (1958).

“No state legislator or executive or judicial officer can war against the Constitution without violating his undertaking to support it.”

Boyd v. U.S., 116 U.S. 616

“The court is to protect against any encroachment of Constitutionally secured liberties.”

Marbury v. Madison, 5 US 137

“The Constitution of these United States is the supreme law of the land. Any law that is repugnant to the Constitution is null and void of law.”

At this point, the Superior Court really wants to get rid of it. They may call you into Court, to negotiate, (because they want finance from you). They even say that they want to 'make a deal' with you as if you are on a game show. Once you are not willing to negotiate, they set up a "trial" date. Clearly this is a pseudo trial. They will not call you in to pick a jury, they will not have a jury, let alone have a jury of your peers.

In going to Trial you would demand a trial by jury of your Peers, in line with your Constitutionally secured rights.

HOWEVER, YOU CANNOT HAVE A TRIAL WITHOUT AN INJURED PARTY. You cannot, as a matter of Due Process of Law even be called or summons into a Court or Tribunal without having an INJURED PARTY. The injured party is the Accuser and he or she must squarely and surely identify you as the Accused. The accused (you) has either committed an injury to a body (corpus delecti) or injured property or have breached a contract. If so, then the accuser (injured party) must be present and the contract must also be placed as evidence for review. The Accuser (injured party) must put the judicial machinery into action by FIRST writing a sworn affidavit that states the injuries that were committed. Then the summons comes and it must be signed by an Article III judge, which states that the matter has been duly investigated and probable cause for such summons and / or warrant is justified. (See Amendment IV). These are all matters of Due Process of Law and if one of these elements are missing and or corrupted in anyway , the entire matter must be dismissed.

Amendment VII

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any court of the United States, than according to the rules of the common law.

You may return to court, stand your lawful position, as they may attempt a so-called trial, with the police officer, as the only witness. (**Note:** You are always an alleged defendant, never refer to yourself as a 'defendant'). The Magistrate who usually acts unlawfully, upon recognizing that you know your rights will ask if you want to "Nolo Contendo" wherein you contend (not appeal) his judgment, and go before a lawful Article III Judge, instead of him, who is a Magistrate. (Yes, that is right, they actually say that). They know they are a Magistrate, and must admit it, once you have proved it. It is important that you fill out the form for the "Nolo Contendo", right there on the spot before leaving. Because for one, you have a certain amount of days, (5 or so) to submit it, or else it will be closed. If you mail it to them, you ought not trust

that they will process it correctly and in time, etc. Once they close it you must re-open it and pay a fee.

In the end, it usually gets thrown out, because an Article III Judge knows that he ceases to sit as a Judge, and has no judicial power if he takes testimony, rationale, etc., from an agency, or regarding an agency, of which “traffic” is an agency, its policies are ministerial and unconstitutional. There is only Civil Court and Criminal Court. Traffic Court is a farce! It has already been determined by Supreme Court as unlawful. However, if the people still answer to it, then they give it life.

An old Roman Maxim applies: “He who would be deceived — Let Him!”

"Ministerial officers are incompetent to receive grants of judicial power from the legislature, their acts in attempting to exercise such powers are necessarily nullities." **Burns v. Sup., Ct., SF**, **140 Cal. 1.**

Identification: Proof of identity. The proving that a person, subject, or article before the court is the very same that he or it is alleged, charged, or reputed to be; as where a witness recognizes the prisoner as the same person whom he saw committing the crime; or where handwriting, stolen goods, counterfeit coins, etc., are recognized as the same which once passed under the observation of the person identifying them. The requirement of identification as a condition precedent to admissibility is satisfied by evidence sufficient to support a finding that the matter in question is what its proponent claims.

Therefore, you can produce corroborating witnesses (at least 3) as proof that you are who you say you are.