

Automated Red Light Enforcement Program Administrator  
P.O. Box \_\_\_\_\_  
Jacksonville, Texas 75766

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CM RRR# 7008 0150 0001 4829 7763

Greetings:

In response to your recently received documents whereby it appears that I am being accused of having committed an infraction viewed or considered by you to be the offense of “running a red light”, supposedly recorded by your camera system, **these are the following irrefutable facts:**

1. You are a public servant and you have an Oath of Office, which I accept as a binding contract against you and your actions.
2. The City of Garland is in the County of Dallas.
3. The County of Dallas is in the State of Texas.
4. The State of Texas has a Constitution.
5. The Texas Constitution contains a Bill of Rights found at Article 1.
6. The Texas Constitution, Article 1, Section 16 states, “**No bill of attainder...shall be made.**”
7. The State of Texas is in the union of 50 states known as the United States of America.
8. The Citizens of Texas are due the protections of the United States Constitution’s Bill of Rights because the Texas Constitution Article 16 Section 48 states that it is “subject only to the United States Constitution.”

9. The United States of America has a Constitution.

10. The Constitution for the United States of America has Eight Articles.

11. Article Six Section Two states the Constitution of the united states of America is the supreme law of the land.

12. Article One of the Constitution for the United States of America has ten clauses.

13. Article One, Clause Nine states, “**No bill of attainder ... shall be passed.**”

14. Article One, Clause Ten states, "No state shall....pass any bill of attainder."

15. In the unrepealed case of *Cummings v. Missouri*, 4 Wall. 277, 323, the United States Supreme Court stated,

**"A bill of attainder is a legislative act which inflicts punishment without a judicial trial. If the punishment be less than death, the act is termed a bill of pains and penalties. Within the meaning of the Constitution, bills of attainder include bills of pains and penalties."**

16. You have issued a document that compels me to either pay your Administration a fine OR appear before your Administrative Tribunal, which is not a judicial court.

17. The penalty in your document is less than death, therefore, as declared by the United States Supreme Court, your issued document is a “Bill of Pains and Penalties”, which is encompassed within the definition of a Bill of Attainder.

18. All of the above Constitution cites are unrepealed and the United States Supreme Court ruling is unoverturned, therefore, you, through the City-Approved-Document, have issued a “bill of pains and penalties” which is a Bill of Attainder against me, (copy attached), according to this United States Supreme Court ruling, demanding that I either acquiesce to your demands and pay your City the fine amount of \$100.00, or to appear by a date certain and defend myself in your Administrative Tribunal, that is not constituted of a lawful Judicial Trial.

## TEXAS LAWS YOU HAVE NOW VIOLATED

19. Below is the list of Texas laws that you have violated, by issuing a Bill of Pains and Penalties against me.

**Abuse of Official Capacity**, Texas Penal Code 39.02, by using your Official Capacity to abuse me and many others, by issuing Bills of Pains and Penalties against me, and FELONY BREACH OF FIDUCIARY DUTY.

**Official Oppression**, Texas Penal Code 39.03, by using your Official Capacity to Oppress the people by extorting funds from our hands, through Bills of Pains and Penalties AND by using coercive threats to notify other State Agencies if we do not pay you, and FELONY BREACH OF FIDUCIARY DUTY.

**Extortion**, Texas Penal Code 31.02 and 32.41; You have committed extortion against me, by attempting to coerce me to pay you my money by issuing me an unconstitutional Bill of Pains and Penalties, and FELONY BREACH OF FIDUCIARY DUTY.

**Securing Execution of Document by Deception** Texas Penal Code 32.46(a)(1) by deceiving your coworkers that you have the lawful right to issue Bills of Pains and Penalties when you clearly do not, and FELONY BREACH OF FIDUCIARY DUTY.

NOTICE: **AMOUNTS CAN BE AGGREGATED** per the Texas Penal Code 31.09 and 32.03 and thus, you and your co-conspirators can and should be held accountable (not for one mere Class C amount, but) for the FELONY levels, because you are involved in ONE SCHEME OR CONTINUING COURSE OF CONDUCT, likely having already extorted tens of thousands, possibly even hundreds of thousands of dollars of funds from the people of Texas, whom you asked to serve.

**Simulating Legal Process**, Texas Penal Code 32.48(a)(1) and (2)

**Fraudulent Use of Identification Information**, Texas Penal Code 32.51, by threatening to use my information and sending it to other Texas Departments to persuade them to use their efforts to coerce payment of your Bill of Pains and Penalties, and FELONY BREACH OF FIDUCIARY DUTY.

**Impersonating a Judicial Officer**, Texas Penal Code, 37.11, and FELONY BREACH OF FIDUCIARY DUTY. because ONLY JUDGES can issue Summonses.

**Simulated Summons**, Texas Penal Code 32.48, and FELONY BREACH OF FIDUCIARY DUTY. Only Judges can lawfully issue Summonses and your Bill of Pains and Penalties is summoning me to appear before you.

**Criminal Attempt**, Texas Penal Code 15.01, and FELONY BREACH OF FIDUCIARY DUTY. In my case, you have committed Criminal Attempt, for you have not yet fully succeeded in extorting funds from me, however, I am not the first Texan that you have tried this on.

**Criminal Conspiracy**, Texas Penal Code 15.02, because in the case of almost every other Red Light Camera Ticket Bill of Pains and Penalties, you have succeeded in extorting funds from them, otherwise you would not be continuing your crimes, and FELONY BREACH OF FIDUCIARY DUTY.

**Engaging in Organized Criminal Activity**, Texas Penal Code Chapter 71.02(a)(8), due to the hundreds and possibly even thousands of multiple events, committed by the multiple participants and the three Chapter 32 violations above, and FELONY BREACH OF FIDUCIARY DUTY.

**Sedition**, **Seditious** **Organization**, **Communism**, Texas Government Code Section 557.001, 002, 003 and 021. By your issuing a Bill of Pains and Penalties, you have altered the form of government here in Texas. Altering the form of government, from one of a republic to one of a communistic tyranny, in Texas is a crime of Sedition.

Sedition by just ONE PERSON is a third degree Felony crime for that individual, subjecting the offender to up to THREE PENALTIES, (1) permanent removal from office, (2) imprisonment and (3) fines.

However in the case of a public official there is an added bonus, which is FELONY BREACH OF FIDUCIARY DUTY.

Sedition by a TWO OR MORE PERSONS who work together, constitutes a Seditious Organization in violation of TGC 557.003 which calls for (1) removal from office of all offenders, (2) imprisonment and (3) fines of the participants and (4) the dissolution of the organization.

Thus, by your actions, and by the actions of those who are participating in your issuing of Bills of Pains and Penalties, your City has qualified for dissolution, and having its charter revoked, and all assets tendered to the State of Texas.

**The Clauses Of The TEXAS CONSTITUTION That You Have Violated**

20. Below is the list of Texas Constitution clauses that you have violated, by issuing a Bill of Pains and Penalties against me.

**Texas Constitution, Article I, Section 2 states**, “All political power is inherent in the people and all free governments are founded on their authority, and instituted for their benefit.” You do not hold political power. As one of our public servants, you are supposed to obey us, operating only within the lawful boundaries of OUR Office you hold. You have abrogated our Inherent Political Power and altered our Republican Form of Government by issuing Bills of Pains and Penalties, which is FELONY BREACH OF FIDUCIARY DUTY.

**Texas Constitution, Article I, Section 3;** states, “all free men, when they form a social compact, have equal rights...”, and You have denied me Equal Rights, which is FELONY BREACH OF FIDUCIARY DUTY.

**Texas Constitution, Article I, Section 3a** preserves my right to equality under the law, and you have denied me Equality Under the Law with your fraud, which is FELONY BREACH OF FIDUCIARY DUTY.

**Texas Constitution, Article I, Section 9;** states, “The people shall be secure in their persons, houses, papers and possessions, from all unreasonable seizures or searches, and no warrant to...seize any person or thing, shall issue without...probable cause supported by oath or affirmation. ” and You have attempted to gain an unlawful and unreasonable seizure of my property in the form of money, which is FELONY BREACH OF FIDUCIARY DUTY.

**Texas Constitution, Article I, Section 10** states, “In all criminal prosecutions the accused shall have a speedy public trial by an impartial jury. He shall have the right to demand the nature and cause of the accusation against him and to have a copy thereof. He shall not be compelled to give evidence against himself, and shall have the right of being heard by himself or counsel or both, shall be confronted by the witnesses against him and shall have compulsory process for obtaining witnesses in his favor...” and you have violated each and every one of these precepts, which is FELONY BREACH OF FIDUCIARY DUTY.

**Texas Constitution, Article I, Section 13** states, “Excessive bail shall not be required, nor excessive fines imposed, nor cruel or unusual punishment inflicted. All courts shall be open and every person for an injury done him, in his lands, goods, person or reputation, shall have remedy by due course of law.” And You have attempted to have me suffer an Unusual Punishment and deprive me of my Remedy by Due Course of Law, which is FELONY BREACH OF FIDUCIARY DUTY.

**Texas Constitution, Article I, Section 15** states, “The right of trial by jury shall remain inviolate.” And you have violated my Right of Trial by Jury, by denying me access to a Judicial Court, by issuing a Bill of Pains and Penalties, which is FELONY BREACH OF FIDUCIARY DUTY.

**Texas Constitution, Article I, Section 16:** clearly states there shall be **No Bill of Attainders!!** Go back and reread that United States Supreme Court ruling of Cummings v Missouri. What part of “NO” do you not understand?

**Texas Constitution, Article I, Section 17;** You have attempted to take my property (my earnings, my pay) for public use without compensating me, which is FELONY BREACH OF FIDUCIARY DUTY.

**Texas Constitution, Article I, Section 19;** states, “No citizen of this State shall be deprived of life, liberty, property, privileges or immunities, or in any manner disfranchised, except by the **due course** of the law of the land.”, and your actions have already deprived me of the Due Course of Law, which is FELONY BREACH OF FIDUCIARY DUTY.

**Texas Constitution, Article 1, Section 22** states, “Treason against the State shall consist only in levying war against it, or **adhering to its enemies**,

giving them aid and comfort...” and you are committing treason to OUR Constitution, which is FELONY BREACH OF FIDUCIARY DUTY, by using OUR OFFICES to levy a financial WAR against us, adhering to OUR ENEMIES, who are thieving lawyers, and you GIVE THEM AID AND COMFORT when you should be filing charges against them and prosecuting them for lying to you to convince you that RED LIGHT CAMERA TICKETS are legal.

**Texas Constitution, Article I, Section 28** states, “**No power of suspending laws** in this State **shall be exercised except by the Legislature.**” and you have suspended our republican form of laws which only allows accusation to be held before a Judicial branch public servant, which is FELONY BREACH OF FIDUCIARY DUTY.

**Texas Constitution, Article I, Section 29** states, “To guard against transgressions of the high powers herein delegated, we declare that everything in this “Bill of Rights” is excepted out of the general powers of government, and shall forever remain inviolate and all laws contrary thereto, or to the following provisions, **shall be void.**” and You have violated our Bill of Rights which were Excepted From the General Powers of [representative] Government, To Remain Forever Inviolate, which is FELONY BREACH OF FIDUCIARY DUTY.

**Texas Constitution, Article II, Section 1;** states, “ the powers of the Government of the State of Texas shall be divided into three distinct departments, each of which shall be confided to a separate body of magistracy, to wit: Those which are Legislative to one; those which are Executive to another, and those which are Judicial to another; **and no person, or collection of persons, being of one of these departments, shall exercise any power properly attached to either of the others,** except in the instances herein expressly permitted.” And you are violating the separation of powers doctrine because you are issuing Bills of Pains and Penalties instead of filing criminal charges, which is FELONY BREACH OF FIDUCIARY DUTY.

### **The Laws Of The United States That You Have Violated**

21. Below is the list of United States laws that you have violated, by issuing a Bill of Pains and Penalties against me.

**18 USC 4 Misprision of Felony**; You have failed to report the federal crimes of Issuing Bills of Attainder, committed by your superiors, subordinates and peers to the proper authorities, and thus, you are an 18 USC 3 accomplice and

accessory after the fact, to all crimes done by the cartel, which is FELONY BREACH OF FIDUCIARY DUTY.

**18 USC 225** Continuing Financial Crimes Enterprises, You have been committing crimes that bring in millions of dollars in unconstitutional fines in a multi-faceted enterprise, which is FELONY BREACH OF FIDUCIARY DUTY.

**18 USC 241** Conspiracy against Rights: You are involved in a Conspiracy against the people's rights to be free from Bills of Attainder and Bills of Pains and Penalties, which is FELONY BREACH OF FIDUCIARY DUTY.

**18 USC 242**, Deprivation of Rights under Color of Law: You have deprived me of my substantive rights under Color of Law, which is FELONY BREACH OF FIDUCIARY DUTY.

**18 USC 514**, Fictitious Obligations; You have issued a Fictitious Obligation against me, which is FELONY BREACH OF FIDUCIARY DUTY.

**18 USC 712**, Misuse of Names, Words, Emblems, or Insignia; You have misused the Names, Words, Emblems or Insignias of the City, which is a political subdivision of the State of Texas, which is a union state of the United States of America, which is FELONY BREACH OF FIDUCIARY DUTY.

**18 USC 872**, Extortion by Officers or Employees of the United States, You have already committed extortion against all of the other people you have issued Bills of Pains and Penalties to wherein they paid your extortion, while working for a City which is a Political Subdivision of the State of Texas, which is a union member of the United States of America.

**18 USC 880**, Attempting to Receive the Proceeds of Extortion; You have, in this case, attempted to receive the proceeds of Extortion, from me, which is FELONY BREACH OF FIDUCIARY DUTY.

**18 USC 1001**, Falsification of a Material Fact; You have issued a document that is not allowed to be issued by law, as if you had lawful permission from we the people to do what you are doing, which is falsifying material facts, which is FELONY BREACH OF FIDUCIARY DUTY.

**18 USC 1017**, Government Seals Wrongfully Used and Instruments Wrongfully Sealed; You have issued instruments that claim to be a lawful

representation of the people, by and through the City, but the people have not consented to a bastardization of the republic, and thus, you have wrongfully used our government seals, which is FELONY BREACH OF FIDUCIARY DUTY.

**18 USC 1018, Making or Delivering Certificates or Writings Containing False Statements**; You have made and caused to be delivered your Bill of Pains and Penalties that has no basis in Constitutional law, thus containing false statements, which is FELONY BREACH OF FIDUCIARY DUTY.

**18 USC 1030, Fraud and Related Activity in Connection with Computers**; You have used Government computers to commit your fraud in issuing Bills of Pains and Penalties, which is FELONY BREACH OF FIDUCIARY DUTY.

**18 USC 1341 Frauds and Swindles**; You are heavily involved as a lead participant in this Fraud and Swindle of the people's money in violation of our rights, which is FELONY BREACH OF FIDUCIARY DUTY.

**18 USC 1349, Attempt and Conspiracy**; You, as one person, are involved with many others in the promotion of a conspiracy to extort money outside the confines of law, which is FELONY BREACH OF FIDUCIARY DUTY.

**18 USC 1505, Obstruction of Proceedings Before Departments**; You have obstructed my rights to a fair trial before a jury, which is FELONY BREACH OF FIDUCIARY DUTY.

**18 USC 1510, Obstruction of Criminal Investigation**; Since you have already committed your criminal acts against me, I am beginning a criminal investigation of you and your fellow conspirators, and you are threatening to notify other State Agents to assist in your coercion of my funds through the issuance of your Bill of Pains and Penalties, therefore you are obstructing my Criminal Investigation of you and your actions, which is FELONY BREACH OF FIDUCIARY DUTY.

**18 USC 1512, Tampering With a Witness, Victim or Informant**, You are inducing fear and grave concern against me for being accused with a Bill of Pains and Penalties against the Republican Form of Government, while occupying OUR office, which is a form of unlawful compulsion to pay you money that you

are not lawfully entitled to, which is FELONY BREACH OF FIDUCIARY DUTY.

**18 USC 1513, Retaliating Against Witness, Victim or Informant**; If I do not pay your illicit fine and do not appear before your Administration and you find me GUILTY in your non-Judicial tribunal, you have indicated that you will retaliate against me in a further scheme in violation of the laws and Constitutions of both Texas and the United States of America, which is FELONY BREACH OF FIDUCIARY DUTY.

**18 USC 1515, Misleading Conduct with Corruption**; You are misleading the general public that you have the right to issue a Red Light Camera Ticket craftily disguised as a Bill of Pains and Penalties, which is highly corrupt, which is FELONY BREACH OF FIDUCIARY DUTY.

**18 USC 1519, Falsification of Records**; You are falsifying records, making claims that we the people who are accused by your machines, owe you fines, which is FELONY BREACH OF FIDUCIARY DUTY.

**18 USC 1581, Peonage**; By taking and attempting to take our property without having compensated us first, and outside the confines of law, attempts to makes us your slaves, which is FELONY BREACH OF FIDUCIARY DUTY.

**18 USC 1589, Forced Labor**; By coercing or attempting to coerce funds from my hands, outside the confines of law, you are in effect unlawfully forcing me to labor for you without compensation, and without having been lawfully adjudicated guilty of a crime in a JUDICIAL Branch Court, which is FELONY BREACH OF FIDUCIARY DUTY.

**18 USC 1621, Perjury**; You have Perjured your Oath of Office by issuing Bills of Pains and Penalties, violating our separation of powers doctrines, putting down our republican form of government, extorting funds in the process, which is FELONY BREACH OF FIDUCIARY DUTY.

**18 USC 1622, Subornation of Perjury**, You have caused and assisted others to Perjure their Oaths of Office, which is FELONY BREACH OF FIDUCIARY DUTY.

**18 USC 1911, Receiver Mismanaging Property**, You are receiving money from we the people, fraudulently coerced from their hands, and using it for your future benefit, which is FELONY BREACH OF FIDUCIARY DUTY.

**18 USC 1918, Disloyalty...Against the Republican Form of Government**; You are being disloyal to our republican form of law, which is a form where laws are upheld and obeyed by the public servants first, where they do not invade the powers of either of the other two branches of government, which is FELONY BREACH OF FIDUCIARY DUTY.

**18 USC 1951, Interference With Commerce by Threats**; You are interfering with my commerce, by threatening me with greater fines and penalties if I do not give you some of my money, which is FELONY BREACH OF FIDUCIARY DUTY.

**18 USC 1956 Laundering of Monetary Instrument**; You are converting a photograph into an unlawful Bill of Pains and Penalties and depositing the funds received thereby, which is FELONY BREACH OF FIDUCIARY DUTY.

**18 USC 1957, Engaging in Monetary Transactions in Property Derived from Specified Unlawful Activity**; You are engaging in false claims to receive money in the mail specific unlawful activity, namely issuing Bills of Pains and Penalties, which is FELONY BREACH OF FIDUCIARY DUTY.

**18 USC 1961, 62, 63, 64, 65, 66, 67 and 68 Racketeering**; You are involved in a RICO enterprise with your fellow City Officials and you ALL need to be shut down through Quo Warranto Forfeiture of Existence, for violating one of OUR most precious Constitutional precepts, which is FELONY BREACH OF FIDUCIARY DUTY.

**18 USC 2071(b) Falsification of Documents**; You are falsifying documents to receive money through Bills of Pains and Penalties, which is FELONY BREACH OF FIDUCIARY DUTY.

**18 USC 2073, False Entries into Government Computers**; You are making false entries into Government Computers in issuing Bills of Pains and Penalties, which is FELONY BREACH OF FIDUCIARY DUTY.

**18 USC 2111, Attempted Taking by Intimidation**; You are attempting to take our property by intimidation, coercion, compulsion, threats and emotional duress, which is FELONY BREACH OF FIDUCIARY DUTY.

**18 USC 2381, Treason**; By altering our republican form of government, operating functions of other branches of government prohibited by the separation of powers clauses, you are committing treason to our Constitutions, which is FELONY BREACH OF FIDUCIARY DUTY.

**18 USC 2382, Misprision of Treason**; By not reporting your subordinates, peers and superiors in your treasonous criminal enterprise, you are committing Misprision of Treason, which is FELONY BREACH OF FIDUCIARY DUTY.

**18 USC 2383, Rebellion or Insurrection**; You are in rebellion to we the people, and are committing insurrection to our lawful, republican form of government, by issuing Bills of Pains and Penalties, which is FELONY BREACH OF FIDUCIARY DUTY.

**18 USC 2384, Seditious Conspiracy**; You are involved in a seditious conspiracy to issue Bills of Pains and Penalties, with other actors, placing the funds collected there from into the general funds, from which you all are paid, which is FELONY BREACH OF FIDUCIARY DUTY.

**18 USC 2385, Advocating Overthrow of Government**; Your issuing Bills of Pains and Penalties advocates the overthrow of our lawful republic form of government, where we the people are your Sovereigns and where each branch of government is denied permission to act within the realm of either of the two other branches, which is FELONY BREACH OF FIDUCIARY DUTY.

**42 USC 1981, Equal Rights Under the Law**; You are denying me equal rights under the law, which is FELONY BREACH OF FIDUCIARY DUTY.

**42 USC 1982, Property Rights of Citizens**; You are attempting to deprive me of my property rights, by issuing Bills of Pains and Penalties, outside the confines of true LAW, which is FELONY BREACH OF FIDUCIARY DUTY.

**42 USC 1983, Deprivation of Rights Under Color of Law**; Since you have no lawful right to use OUR OFFICES and OUR RESOURCES in the manner that you are using them, to the deprivation of our rights, you are operating under

the COLOR OF LAW, which is not a valid form of law, which is FELONY BREACH OF FIDUCIARY DUTY. (Look up COLOR, COLOR OF OFFICE and COLOR OF LAW in Blacks Law Dictionaries 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup>)

**42 USC 1985, Conspiracy to Interfere with Civil Rights**; You are involved in a conspiracy to interfere with my CIVIL RIGHTS to not be coerced into paying you money, out of fear of reprisal, upon receipt of one of your Bills of Pains and Penalties, which is FELONY BREACH OF FIDUCIARY DUTY.

**42 USC 1986, Action for Neglect to Prevent**; You have failed to interfere, intervene, stop, block and report the criminal actions of your other conspirators, and thus, you have knowingly and willfully joined them, which is FELONY BREACH OF FIDUCIARY DUTY.

**42 USC 1994, Peonage Abolished**; You are attempting to make me one of your slaves after the date that peonage was abolished, which is FELONY BREACH OF FIDUCIARY DUTY.

## **UNITED STATES CONSTITUTIONAL** **PROVISIONS** **YOU HAVE NOW VIOLATED**

22. Below is the list of United States Constitutional clauses that you have violated, by issuing a Bill of Pains and Penalties against me, and for this you should be stripped of all ability to hold public servant office forever.

**Article I Section 9**, which states, “No bill of attainder ... shall be passed.” Again I ask, what portion of the word “NO” do you not understand?

**Article I Section 10**, which states, “No state shall ... pass any bill of attainder,...” Are you beginning to get the picture yet?

**Article IV, Section 2 and 4**; You have violated the Rights of the American Citizens and altered the Republican Form of Government. The republican form of government is not “a government ran by Republicans”, it is a government where the laws of due process are strictly followed and not a government of mere men acting outside of those laws.

**Bill of Rights, 1<sup>st</sup> Amendment**; Right to Petition the Government for Redress of Grievance. My right to appeal has been eliminated because you did not file criminal charges against me, you filed a Bill of Pains and Penalties.

**Bill of Rights, 4<sup>th</sup> Amendment**; The Right to be free from Unreasonable Seizures; You are committing acts that work to violate my 4<sup>th</sup> Amendment rights in an unreasonable seizure.

**Bill of Rights 5<sup>th</sup> Amendment**; Due Process. You have violated my rights of due process by denying me the right to face my accuser on the witness stand.

**Bill of Rights 6<sup>th</sup> Amendment**; Speedy and Public (Judicial) Trial by Jury, Right to know the nature and cause, to be confronted by witnesses against him, compulsory process for favorable witnesses. These you have violated by your actions.

**Bill of Rights 7<sup>th</sup> Amendment**; Right to Trial by Jury for anything over \$20.00. You have denied me a right to a jury trial in a court of law.

**Bill of Rights, 8<sup>th</sup> Amendment**; No Cruel and Unusual Punishment. You are attempting to administratively sentence me with an unusual punishment if I do not pay your administration for your Bill of Pains and Penalties.

**Bill of Rights, 9<sup>th</sup> Amendment**; Unenumerated Rights Retained by the People. We the people have not delegated our powers to be usurped in the manner that you are acting. Those rights not

specifically delegated to you and your particular branch of government are held by us or are delegated to the other two branches.

**Bill of Rights, 10<sup>th</sup> Amendment**; Certain Powers Reserved to the People. All rights not delegated are ours for the protection and preservation of our life, liberty, property and rights.

**The United States Constitution, 13<sup>th</sup> Amendment**; Prohibition against Involuntary Servitude. When I have to work to earn money and then pay you for a Bill of Pains and Penalties, you are making me work for your extortion racket, which is involuntary servitude.

**The United States Constitution, 14<sup>th</sup> Amendment**; Due Process and Equal Protection. You have denied me Due Process and you have denied me equal protection.

**The Texas Civil Torts That You Have Committed Against Me:**

23. Reading through the book of “O’Connor’s Texas Causes of Action” it is clear that you and your co-conspirators have committed the following Civil Torts against me, and I can and should sue you and your agency for:

**Conspiracy**, for you have conspired with others to extort funds from the people outside the strict, limited, delegated powers that we entrusted you with when you gave us your OATH OF OFFICE, that we received and accepted as your contractual promise to not violate ANY of our rights at ANY time in ANY manner, while in OUR Office.

**Breach of Contract**, for you have breached your OATH OF OFFICE by issuing Bills of Pains and Penalties in violation of the many laws shown in this Notice.

**Breach of Fiduciary Duty**, for you are in fact a Fiduciary in OUR Office, and you have breached that duty by issuing Bills of Pains and Penalties, without MY delegated permission, collecting extortion and using it for your and other co-conspirators' pay.

**Common Law Fraud**, for you have committed fraud against me, in your attempt to extort money from me by using Bills of Pains and Penalties.

**Immunity Is Waived By The Illegal Acts Of The Agent**. When a state official or agency performs an illegal or unauthorized act, the official or agency is no longer acting for the State. Federal Sign v Texas S. Univ. 951 SW2d 401-401

The performance of an illegal or unauthorized act waives both immunity from suit and immunity from liability. Kubosh v City of Houston, 2 SW3d 463, 468-69.

A private litigant does not need legislative permission to use the State for a state official's violation of state law. Federal Sign. Id.

Therefore according to Dillard v Austin I.S.D., 806 SW2d 589, 598, I now demand to know who is the head person of the governmental unit or agency that is performing or threatening to perform against me under these Bills of Pains and Penalties.

According to San Antonio v McKinney, 936 SW2d at 283 and Lake County Estates v Tahoe Reg'l Planning Agency, 440 U.S. 391, 400, your municipality is NOT PROTECTED from suit by the 11<sup>th</sup> Amendment of the United States Constitution.

**Intentional Infliction of Emotional Distress**, by causing me to fear reprisals from you and other State Agencies that have power to deny me License Plates, Drivers License, and other Occupational and Recreational Licenses.

**Defamation**, for you have invaded my interest in my reputation and good name.

**Libel and Slander**, for you have published my name in a Bill of Pains and Penalties, and have further threatened to compel other agencies to penalize me if I do not pay your extortion.

**Negligence**, for you have been negligent in your public servant duties, acting outside the confines of a republican form of government, by issuing fraud for money.

**Negligent Misrepresentation**, by having a pecuniary interest in the Bill of Pains and Penalties, by the funds going into the general funds of the City, from which you are paid, and misrepresented your actions as being lawful when they are not.

**Common Law Breach of Warranty**, by having warranted your actions and behaviors with a BOND, to be lawful at all times during your public service, when you have violated so many laws for issuing Bills of Pains and Penalties.

### **OUT OF COURT SETTLEMENT DEMAND**

24. For a **very brief** window, I will give you time and opportunity to remedy your crimes and torts against me. I am willing to enter negotiations to settle this matter out of court, TODAY, if you (1) remove this unconstitutional accusation from your records immediately and (2) pay me \$300.00 (three hundred dollars) by Certified Check, mailed by Certified mail to my mailing address I have given you above. Upon receipt of your check, I will mail the Original of your fraudulent Bill of Pains and Penalties back to you for your disposal, wall hanging, filing, shredding or whatever you choose to do with it. Otherwise I am keeping it for evidentiary purposes. [T.R.Ev. 902(5)]

25. If you do not repair my tainted and tarnished name, back to its rightful status of being clear of fraudulent accusations, libel and slander, free from this unlawful and unconstitutional BILL OF PAINS AND PENALTIES, **AND** compensate me immediately for having damaged me, I will be left no choice but to believe that you are fully intent in exercising powers not delegated to you, in violation of the

separation of powers doctrine and thus, commit crimes in a treasonous conspiracy against me, and the people of Texas.

26. Bear this in mind. You have already committed your crimes against me, whether or not you ever would have succeeded in extorting funds from me. You have already been extorting funds from hundreds of other State Citizens, which The City, and all involved participants, under RICO and the TEXAS TORTS have been violating since those fraudulent cameras were first installed.

27. I can take either of two roads that are now before me. I can take the road of non-prosecution by way of “out of court settlement” and forgive you for your trespass, or, if you choose to not repair my damaged name, I could file criminal charges against you.

28. I could also sue you in your personal capacity for your damages against me. I could also file Quo Warranto against you and petition to have you removed from OUR office for your crimes, treason and operation outside of the delegated powers that we originally entrusted to you. I could do any one, more than one, or I could do ALL THREE. ALL of them are fully within my rights.

29. AND since I know that you are not working alone in your fraud scheme, I can file to have the City’s charter revoked for the issuance of Bills of Pains and Penalties.

30. In case your fine City lawyer lies to you and tells you that you are protected from liability, please know that crimes committed by public officials strip them of Official Immunity and Sovereign Immunity. See Hopkins v Clemson Agricultural College, 221 U.S. 636 and Old Colony Trust Co. v Seattle, 271 U.S. 427. There, the U.S. Supreme Court stated, “But immunity from suit is a high attribute of sovereignty—a prerogative of the State itself—which cannot be availed

of by public agents when sued for their own torts. The 11<sup>th</sup> Amendment was not intended to afford them freedom from liability in any case where, under color of their office, they have injured one of the State's citizens. To grant them such immunity would be to create a privileged class free from liability from wrongs inflicted or injuries threatened. Public agents must be liable to the law, unless they are to be put above the law."

## WHO I AM

31. I AM the government. The Sovereignty that you claim to exercise BELONGS TO ME! It came from the Creator of the Universe, through we the people to our created offices, one of which you just happen to temporarily occupy.

32. The United States Supreme Court has already ruled that I am the Sovereign.

### **Dred Scott v. Sandford, 60 U.S. 393 (1856)** states:

"The words 'people of the United States' and 'citizens' are synonymous terms, and mean the same thing. They both describe the political body who, according to our republican institutions, form the sovereignty, and who hold the power and conduct the Government through their representatives. They are what we familiarly call the 'sovereign people,' and every citizen is one of this people, and a constituent member of this sovereignty."

### **Yick Wo v Hopkins** 118 U.S. 356 decided May 10, 1886 states:

"Sovereignty itself is, of course, not subject to law, for it is the author and source of law; but, in our system, while sovereign powers are delegated to the agencies of government, **sovereignty itself remains with the people, by whom and for whom all government exists and acts**".

### **Chisholm v. State of Georgia, 2 U.S. 419 (1793)** states:

"Sovereignty is the right to govern; a nation or State-sovereign is the person or persons in whom that resides. In Europe the sovereignty is generally ascribed to the Prince; here it rests with the people; there, the sovereign actually administers the Government; here, never in a single instance; our Governors are the agents of the people, and at most stand in the same relation to their sovereign, in which regents in Europe stand to their sovereigns. Their Princes have personal powers, dignities, and pre-eminences, our rulers have none but official; nor do they partake in the sovereignty otherwise, or in any other capacity, than as private citizens."

### **Colten v. Kentucky** (1972) 407 U.S. 104, 122, 92 S. Ct. 1953 states;

“The constitutional theory is that we the people are the sovereigns, the state and federal officials only our agents.”

**Julliard v Greenman**, 110 U.S. 421, (1884) states,  
“There is no such thing as a power of inherent sovereignty in the government of the United States... In this country **sovereignty resides in the people**, and Congress can exercise no power which they have not, by their Constitution entrusted to it: all else is withheld.” and

**Perry v United States**, 294 U.S. 330, 353 (1935) states  
“The Congress cannot revoke the Sovereign power of the people to override itself as thus declared.”

**Penhallow v. Doane's Administrators**, 3 Dall 54, 93; and  
**McCullock v. Maryland**, 4 Wheat 316, 404, 405; all state  
"In the United States, Sovereignty resides in the people, who act through the organs established by the Constitution."

## WHAT YOU ARE

33. You are just a public servant out of control, and you have damaged me. You are a tortfeasor, a treasonous communist quisling, tearing at the fabric of our country. You are a lying oath breaker and a

34. You applied to work for ME. You promised to ME and to my fellow Texans and Americans who live here, that you would abide by Constitutional precepts and PROTECT MY RIGHTS.

35. In case you forgot what you are in office for, go back and read the third sentence of the Declaration of Independence, which explains that **Government is instituted among men to protect our rights**. You are failing in your job. I have the duty to know the limitations of the powers we have delegated to you, and to monitor your actions and to correct your error when you overstep your bounds. (read the Olmstead case quote below)

## **THIS IS MY TEXAS CONSTITUTION** **REDRESS, PETITION, ADDRESS, REMONSTRANCE**

The Texas Constitution, Article 1, Section 27 states, “The **citizen shall have the right** in a peaceable manner, to assemble together for their common good, and

apply to those invested with the powers of government for redress of grievances or other purposes, by petition, address or remonstrance.”

You are in egregious error, operating ULTRA VIRES, issuing Bills of Pains of Penalties, outside the strict confines of the Texas Constitution and the United States Constitution.

My advice, warning, remonstrance and admonition to you, for the benefit of the people of Texas, who are your masters, is this:

(1). Immediately Cease and Desist from filing any further fraudulent BILLS OF PAINS AND PENALTIES.

(2). Make immediate public apology for erecting those fraudulent B.P.P. Cameras.

(3). Make immediate provision and allowances for every “red light camera” fine payment to be returned to every extortioner that you have received funds from.

(2). REMOVE every one of those “bill of pains and penalties cameras” before I am forced to provide thousands of my fellow Citizens with this information.

(3). Get your hands, your ink pens, and your actions back behind the bars of our Constitutions, where they belong, **and stay there**, IF you want OUR money for occupying OUR offices,

and if you cannot or will not do that, then;

(4). Leave OUR office now and go find a private sector job where, in all likelihood, you will have to actually work for a living, instead of being a blood sucking, parasitic vampire.

Sincerely,

Robert James Fox

as in *U.S. v. Fox*, 766 F Supp 569, as was cited at 18 USCA §1546(a)

## **OTHER PERTINENT CASELAW THAT MAY ASSIST YOUR SERVICE**

**Mattox v. U.S.**, 156 US 237, 243. We are bound to interpret the Constitution in the light of the law as it existed at the time it was adopted.

**S. Carolina v. U.S.**, 199 U.S. 437, 448 (1905). The Constitution is a written instrument. As such, its meaning does not alter. That which it meant when it was adopted, it means now.

**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.

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

**Norton v. Shelby County**, 118 U.S. 425. An unconstitutional act is not law; it confers no rights; it imposes no duties; affords no protection; it creates no office; it is in legal contemplation, as inoperative as though it had never been passed.

**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.

**Waring v. the Mayor of Savannah**, 60 Georgia at 93. People are supreme, not the state.

**First Trust Co. v. Smith**, 134 Neb.; 277 SW 762. The theory of the American political system is that the ultimate sovereignty is in the people, from whom all legitimate authority springs, and the people collectively, acting through the medium of constitutions, create such governmental agencies, endow them with such powers, and subject them to such limitations as in their wisdom will best promote the common good.

**Vanhome's Lessee v Dorrance**, 2 U.S. 304 (1795). "What is a constitution? It is the form of government, **delineated by the mighty hand of the people**, in which certain first principles of fundamental laws are established."

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

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

**U.S. v William M. Butler**, 297 U.S. 1. The question is not what power the federal government ought to have, but what powers, in fact, have been given by the people. . . . The federal union is a government of delegated powers. It has only such as are expressly conferred upon it, and such as are reasonably to be implied from those granted. In this respect, we differ radically from nations where all legislative power, without restriction of limitation, is vested in a parliament or other legislative body subject to no restrictions except the discretion of its members.

**2 Elliot's Debates, 94; 2 Bancroft, History of the Constitution, 267.**

The people themselves have it in their power effectually to **resist usurpation**, without being driven to an appeal in arms. An act of usurpation is not obligatory: It is not law; and any man may be justified in his resistance. Let him [who resists usurpations] be considered as a criminal by the general government; yet only his fellow citizens can convict him. They are his jury, and if they pronounce him innocent, not all powers of congress can hurt him; and innocent they certainly will pronounce him, if the supposed law he resisted was an act of usurpation.

**Terry v. Ohio**, 392 U.S. 39 (1967). There have been powerful hydraulic pressures throughout our history that bear heavily on the court to water down constitutional guarantees and give the police the upper hand. That hydraulic pressure has probably never been greater than it is today. Yet if the individual is no longer to be sovereign, if the police can pick him up whenever they do not like the cut of his jib, if they can "seize" and "search" him in their discretion, we enter a new regime. The decision to enter it should be made only after a full debate by the people of this country.

**Olmstead v. United States**, 227 U.S. 485, (1928) which states, "Decency, security and liberty alike demand that government officials shall be subjected to the same rules of conduct that are commands to the citizen. In a government of laws, existence of the government will be imperiled if it fails to observe the law scrupulously. Our government is the potent, the omnipresent teacher. For good or ill, it teaches the whole people by its example. Crime is contagious. If the

government becomes a lawbreaker, it breeds contempt for the law; it invites every man to become a law unto himself; it invites anarchy. To declare that in the administration of the criminal law the end justifies the means ... would bring terrible retribution. Against that pernicious doctrine this court should resolutely set its face.