085716

STATE OF TEXAS	§	Municipal Court
BANKRUPT LEGAL FICTION	§	
A/K/A ALTER EGO OF	§	
INTERNATIONAL MONETARY FUND	§	
Plaintiff in Error,	§	
v.	§	Cherokee County
	§	
David George Baugh	§	
LIBELEE & VICTIM OF FRAUD,	§	Jacksonville, Texas
Defendant in Error.	§	

DEMAND TO QUASH CITATION AND DISMISS WITH PREJUDICE DUE TO VIOLATION OF CONSTITUTION AND FAILURE TO STATE A CRIME AS PRESENTED BY AFFIDAVIT OF David George Baugh

State of Texas §
Cherokee County §

I, David George Baugh, am a follower of Jesus Christ in the Greek, Yahshua in the Hebrew, the Messiah in the laws of The Almighty Supreme Creator, YHVH first and foremost and the laws of man when they are not in conflict (Leviticus 18:3,4). Pursuant to Matthew 5:33-37 and James 5:12, let my yea be yea, and my nay be nay, as supported by Federal Public Law 97-280, 96 Stat. 1211. I

have personal knowledge of the matters stated herein, and hereby asseverate understanding the liabilities presented in *Briscoe v LaHue* 460 US 325.

PREFACE

"The United States Attorney is the representative not of an ordinary party to a controversy, but of a sovereignty whose obligation to govern impartially is as compelling as its obligation to govern at all; and whose interest, therefore, in a criminal prosecution is not that it shall win a case, but that justice shall be done. As such, he is in a peculiar and very definite sense the servant of the law, the twofold aim of which is that guilt shall not escape or innocence suffer. He may prosecute with earnestness and vigor - indeed, he should do so. But, while he may strike hard blows, he is not at liberty to strike foul ones. It is as much his duty to refrain from improper methods calculated to produce a wrongful conviction as it is to use every legitimate means to bring about a just one."
Berger v. U.S., 295 U.S. 78, 88 (1935)

"As an attorney, it was my mandate to fight against authority when it was overbearing, abusive, or unjust, but also to respect and believe in the system. When I challenged the system it was not from disrespect; rather, it was the ultimate form of respect.

I understood then, as I do today, that absent challenge, authority becomes totalitarian. Authority needs to be challenged if we are to ensure the integrity of the process. It is one of the great truths of our system."
-- Judge Harold J. Rothwax

In this case foul blows have been struck, and absent challenge, authority becomes totalitarian, wherefore I present my good faith DEMAND TO QUASH CITATION AND DISMISS WITH PREJUDICE DUE TO VIOLATION OF CONSTITUTION AND FAILURE TO STATE A CRIME AS PRESENTED BY AFFIDAVIT OF David George Baugh.

CONTEMPT – JUDICIAL NOTICE

1) This court WILL take judicial notice that I hold the utmost respect for the courts of this state and of this nation; however, I do distinguish between the court and an officer of the court and as to the latter, neither my respect nor my contempt is freely given; it must be earned.

2) This court is about to experience the righteous indignation of a man who has suffered the lawless behavior of evil miscreants. I could make an offer of proof, although in this matter, the facts as a matter of record are so plain and clear that it is obvious that the so-called government can either accept responsibility for what some would call a two point downward departure, OR on the other hand IF the government fails to accept responsibility, it will be obvious that the evil miscreants who participated in the attempt to overthrow the Constitution for The United States of America in the nature of sedition and treason are incorrigible and must be relegated to closely supervised labor such as breaking rocks on the chain gang. It is obvious to those who understand law that the incompetent, personally biased and prejudiced, psychopathic, narcissist Police Chief Reece Daniel, and *"Defective Detective,"* Jason Price may be in desperate need of professional mental health care followed by complete retraining and rigorous testing prior to allowing them any authority beyond sweeping the floor and emptying trash baskets. I suffered a life threatening attack by force of arms totally outside the bounds of law and *Fourth Amendment* constraints as executed by those entrusted with assuring my equal rights and protections under the law are not violated, and keeping the peace. Absent lawful authority, private property was taken by force of arms without just compensation in the nature of inland piracy wherefore the participants lack sufficient years left in their lives to do the prison time they have so diligently earned by specific intent.

UNDISPUTED FACTS AND PROCEDURAL HISTORY

3) On the night of April 7th, 2008, at about 11:30 PM, I was standing on **private property** in the 300 block of South Main Street, Jacksonville, Texas 75766, adjacent to the building with address of house of Israel, 300 South Main Street, where I had been invited by Robert James Fox who maintains an office therein and is the caretaker of said property by contract, conversing with another man I had not previously met or known, who was later identified as Stephen Lee Jackson who had come to obtain some spiritual, historical, and legal educational information and materials that Mr. Fox makes available through his ministry, *"Matthew 25 Mission,"*, when a Jacksonville Police car, pulled up on Main Street next to the **private property**, and Mr. Jackson decided to then walk away from me and did so.

4) At no time did I move from where I had been standing on the aforesaid private property, nor did I do anything other than just stand there, waiting to see what this officer wanted.

5) Additionally, my properly titled and registered and insured automobile was locked up and parked on the same private property where I was standing.

6) The police officer, later identified to me as Austin Faulkner, then approached me in an aggressive and threatening manner, by force of arms (he had a gun) and demanded I show him my identification.

7) I asserted my rights guaranteed by the *First, Fourth, Fifth,* and *Fourteenth Amendments to the U.S. Constitution,* and politely questioned his authority to come onto the partially lighted private property where I was standing, and had been invited to be by Mr. Fox, and infringe and encroach upon my said rights, invade my privacy, and otherwise intrusively interfere with me, by asking him what was his probable cause to approach me and request me to show him my identification.

8) Mr. Fox was, at the time, inside the *house of Israel* building and immediately available to Faulkner for verification of my being invited to be there on Faulkner's investigative inquiry.

9) Faulkner told me some unidentified, unnamed person had called about two *"suspicious"* men being present in the area, and that was the sole basis for his trespassing on the private property on which I was standing, approaching me, and demanding I show him my identification.

10) When I asked who this unidentified, unnamed alleged *"person"* was, Faulkner failed and refused to tell me, and said he didn't have to disclose this information.

11) When I continued to exercise my right to question his authority to come onto the private property where I was innocuously standing and doing nothing else, and to ask me for my identification, Faulkner became agitated, and subjectively informed me it was the law in Texas, and I had no alternative but to comply with his demand, notwithstanding my claim and exercise of antecedent, unalienable rights guaranteed by the *First, Fourth, Fifth,* and *Fourteenth Amendments to the U.S. Constitution*, or he would place me under arrest.

12) To my knowledge, at no time did Faulkner objectively, reasonably, ask me specifically what I was doing by innocuously standing on the private property at that time, nor did he accuse me of any wrong-doing, nor was there any discernable indication of any wrong-doing on my part, nor any existing exigency or emergency situation or circumstance, because I was simply standing there on private property where I knew I had an absolute right to be, and to remain silent, and unmolested in my person or property by Faulkner as a matter of law.

13) To my knowledge, there was no actual complaint from any competent complainant, victim, or witness regarding me or my standing on the private property where I had been invited, nor did Faulkner verify to me any such complaint had been made upon my rightful and reasonable request prior to his assault upon me and

his deprivation of my liberty and freedom under color of law, under color of office, using color of process.

14) To my knowledge, there is no credible evidence to prove there was any such complaint by any competent witness, and I am certainly entitled to confront any such witness pursuant to the *Fifth, Sixth,* and *Fourteenth Amendments to the U.S. Constitution,* and Faulkner admitted he was not on routine patrol, but that he had **subjectively** acted against me on a purported call from an **unidentified, unnamed person** about *"suspicious"* persons being present in the area at that time.

15) Faulkner did not inform me I was under arrest, or that I was being detained at any time during his assault upon me until, under force of arms, he ordered me to turn around so he could handcuff me behind my back (so tightly that my wrists are still sore 6 days later), at which time he told me I was being arrested for failure to identify myself to him on his demand **prior to my arrest.**

16) At this time, I duly informed Faulkner that he was violating my *First, Fourth, Fifth, Sixth,* and *Fourteenth Amendment* rights guaranteed by the U.S. Constitution, and that anything he did or said could and would be held against him in a court of law, but Faulkner ignored me and proceeded in his assault upon me and my sacred Liberty and Freedom.

17) Faulkner did not ask to or conduct a pat-down search of my person before or after handcuffing me, and then forced me to proceed to his police car, and get into the rear seating area.

18) Another Jacksonville Police Officer (name unknown) then came up to the car window and told me I had to give them my identification on their demand, or I was violating Texas law, and I questioned his authority to ask for it as well, and informed him he was violating my aforesaid rights, but he too ignored me, and Faulkner then transported me to the City of Jacksonville Jail.

19) Upon arriving at the jail, Faulkner then, by force of arms (he had a gun and was aided and abetted by other police officers),

ordered me to empty my pockets into a tray he provided and remove my belt, wrist watch, and boots, to which I complied to avoid being physically assaulted and injured.

20) Faulkner then took my wallet from the tray and over my objections that he was violating my *Fourth Amendment* rights, he opened it, and rummaged through it, and removed my valid Missouri driver's license there from, and found I have no warrants against me, and attempted to compel me to provide him with more information about myself, but I again reserved my constitutionally protected right to be silent.

21) Faulkner then attempted to take my fingerprints and photograph, and I respectfully declined, again in claim and exercise of my aforesaid constitutionally protected rights.

22) On my request, I was then afforded a telephone call to Mr. Fox so I could explain the situation to him.

23) I was then informed by Faulkner that unless I allowed him to take my fingerprints and photograph, I would remain imprisoned in their jail indefinitely, and when I respectfully declined, I was placed in a jail cell.

24) The next morning, after a very miserable and restless night of constant harassment by police officers, I was taken before a man who said he was the local judge there in an office at the jail, and there was some confusion as to the specific location of my arrest on the part of said purported judge, apparently due to erroneous statements in the police report of the matter.

25) I then suggested that the matter could be disposed of right then and there as a matter of law because the aforesaid undisputed facts by my Affidavit under penalty of perjury show that Faulkner's mere suspicion, absent any evidence whatsoever, failed to rise to an acceptable level of reasonable belief to establish the requisite probable cause to meet *Fourth Amendment* muster allowing him to trespass onto private property where I was lawfully standing and effect my unwarranted arrest in the first instance.

26) The purported judge then informed me that first he needed to advise me of my rights before proceeding any further, and informed me that I have the right to have an attorney, and the right to remain silent, and that anything I said could be held against me, whereupon I had to laugh, and told him that is exactly the right I claimed and exercised the night before, **before I was arrested**, and for which I was arrested by Faulkner and charged with the offense of *"Fail to Identify (no info) not Fugitive"* as stated in Faulkner's unverified charging instrument #085716. (See attached cartoon illustrating the gross hypocrisy of this matter).

27) The purported judge then ordered that I be released on my promise to appear and dispose of the matter before a Judge Menefee in the Jacksonville Municipal Court at 307 E. Commerce, Jacksonville, Texas 75766 on or before April 18, 2008, however, I was not released until being forced under threat of indefinite imprisonment to allow the officers to take my fingerprints and photograph.

28) I have a firm, good faith reliance that predatory, insolent, disobedient public servant, Faulkner and his counterpart officers of the court have executed oaths to uphold and support both State and Federal Constitutions, and to uphold the law.

29) I have a firm, good faith reliance that predatory, insolent, disobedient public servant Faulkner and his counterpart officers of the court are educated, trained, paid, and sworn to uphold the law.

LAW

30) The section of the Texas Penal Code I'm alleged to have violated, *§ 38.02(a)* provides that: *"A person commits an offense if he intentionally refuses to give his name, residence address, or date of birth to a peace officer who has* ***lawfully arrested*** *the person and requested the information."* (My emphasis added).

31) The *Fourth Amendment to the U.S. Constitution* provides that: *"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched,, and the persons or things to be seized."*

32) The *First Amendment to the U.S. Constitution* provides that: *"Congress [nor state legislatures] shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech [or to choose not to speak], or of the press; or the right of the people peacefully to assemble [which includes the right to interstate travel], and to petition the Government for a redress of grievances."*

33) The *Fifth Amendment to the U.S. Constitution* provides that: *"No person…shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property [such as my fingerprints and photograph], without due process of law; nor shall private property be taken for public use [as was done with my fingerprints and photograph], without just compensation."*

34) The *Sixth Amendment to the U.S. Constitution* provides that: *"In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense."*

35) The *Fourteenth Amendment to the U.S. Constitution* provides that: *"…No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."* It is also by and through the

Fourteenth Amendment that the *First, Fourth, Fifth, and Sixth Amendments* are made applicable to the States.

36) *"Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them." Miranda v. Arizona, 384 U.S. 436, 491.*

37) *Public Law 97-280, 96 STAT. 1211 (1982)* (copy attached) provides that the Bible is the Word of God and is to be applied in America.

38) *Article 15.17(a)* of the *Texas Code of Criminal Procedure* mandates that a recording of the communication between myself and the magistrate be made.

39) *Article 15.17(e)* of the *Texas Code of Criminal Procedure* provides that a record shall be made of the proceedings.

CLAIMS

40) The foregoing undisputed facts I've presented under penalty of perjury clearly show that City of Jacksonville Police Officer Employee, Austin Faulkner, in moving against me and arresting me and imprisoning me, acted carelessly, recklessly, and negligently, in felony breach of his fiduciary duty to uphold and obey the State and U.S. Constitutions, and was unresponsive to my reasonable requests and statements questioning his probable cause, and that he acted indifferently to my timely and duly, respectfully asserted rights guaranteed by the State and U.S. Constitutions, and that his actions were criminal in nature, under color of law, under color of office, using color of process, and serving absolutely no legitimate government purpose or compelling public interest whatsoever.

41) Furthermore, delusional tyrant, sycophant, and narcissist, Jacksonville Police Chief, Reece Daniel, and his woefully ignorant and incompetent hireling lackey, stooge and minion, *"Defective"* Detective Jason Price both made completely false public statements regarding me, publicly vilifying and damaging me, thereby admitting

for the record of this matter that the patently unlawful, felony criminal and unconstitutional actions against me by Faulkner are the general practice and custom in their training and supervision of Police Officer employees of the Jacksonville Police Department and City of Jacksonville general policy to undermine the State and U.S. Constitutions in the nature of sedition and treason, and have impermissible unfettered discretion to subjectively, arbitrarily, and capriciously attack and vilify anyone and everyone including myself whom they suspiciously deem to be suspected of crimes or criminal activity, completely absent any reasonable belief sufficient to rise to the level of *Fourth Amendment* probable cause muster to effect my unwarranted arrest, by assuming facts not in evidence to substantiate their fallacious claims. (See attached news article from the April 9, 2008 Jacksonville Daily Progress).

42) The aforesaid undisputed facts clearly show that for *Fourth Amendment* purposes, Faulkner had effected a seizure of me while I was innocuously standing on private property where I had been invited to be, and had every aforesaid right to be, in that I was not free to walk away from Faulkner.

43) The aforesaid undisputed facts clearly show that for *Fourth Amendment* purposes, there existed absolutely no discernable exigency or emergency situation or circumstances and no objective facts indicating that society's legitimate interest required my seizure, much less my unlawful, unwarranted arrest, at the time of Faulkner's trespassing onto the private property on which I was lawfully, innocuously standing and his assaulting me by force of arms as he did; instead, the undisputed facts in evidence show there were no public concerns served by my seizure and subsequent false arrest and imprisonment, and these actions against me did not advance any legitimate public interest whatsoever.

44) The mere fact that I was openly and innocuously standing on the private property alone, fails to provide any legal basis for Faulkner's erroneous conclusive suspicion that I was engaged in criminal conduct, showing that my right to personal security and privacy far outweighed any purported public interest, and Faulkner's ungrounded suspicions alone cannot negate my *Fourth*

Amendment guarantees which assure my freedom from any such purely subjective police interference; it is clear that Faulkner's actions against me exceeded the tolerable limits of the *Fourth Amendment*, for want of any objective criteria, showing that Faulkner's actions were impermissibly arbitrary, capricious, and abusive, and therefore unconstitutional and unlawful, in felony breach of his fiduciary duty.

45) It is undisputable that as a matter of law, predatory, insolent, disobedient public servant Faulkner and his counterpart officers of the court are required to report and prevent criminal activity, particularly amongst themselves as promptly as they become aware of it pursuant to*18 U.S.C. §§ 241, 242,* and *42 U.S.C. §§1985-1986.*

46) In this matter, the undisputed facts in the record show I have been defrauded by predatory, insolent, disobedient public servant Faulkner, and his counterpart officers of the court will have aided and abetted him by specific intent, since they have no excuse such as ignorance of the law, unless the charging instrument is quashed, and this matter dismissed with prejudice, and Faulkner is held personally and officially accountable by officers of the court for his heinous crimes against me under color of law, under color of office, using color of process.

47) The Constitution guarantees a republican form of government, however in this matter I have been senselessly attacked, kidnapped by force of arms, falsely imprisoned, and defrauded by government armed thugs, and quisling pettifogger shysters groveling for filthy lucre utilizing democratic, a/k/a "Mob Rule," *de facto,* vague and ambiguous statutes that unconstitutionally permit and encourage unfettered, predatory and arbitrary abuse of the police power as a matter of City of Jacksonville policy, for purposes of revenue enhancement in the nature of a protection racket of legalized plunder and extortion, through the impermissible police power judicial determinations, and biased and prejudiced personal opinions of woefully ignorant and incompetent, predatory, parasitic government armed thug police officers, depriving me of my rights in an obvious attempt to overthrow the Constitution for The United States of America in the nature of sedition and treason.

48) Recognizing Faulkner as a public servant, sworn to uphold and obey the State and U.S. Constitutions, and thereby respect my rights, he owed me the duty to conduct himself in a constitutionally permissible, polite, courteous, appropriate, plainly objective, respectful and reasonable manner, and simply ask me what I was doing there at that time, which he clearly failed and refused to do.

49) The undisputed facts clearly show that Faulkner engaged in negligent, overly intrusive, abusive and sloppy police work, and failed and refused to conduct himself in a constitutionally permissible manner and maintain public servant-mandated demeanor as aforesaid, and thus first conduct a requisite, proper, and sufficient investigation prior to his demanding I identify myself and his threatening me with arrest if I failed or refused to comply, and then arresting me by force of arms when I stood firm on my rights, which would have completely avoided my arrest and his assault on me and his deprivation of my liberty and freedom, and invasion of my privacy, said to be my *"right to be left alone."*

50) On his proper and permissible inquiry, even though I had no legal obligation to inform him based on the aforesaid undisputed facts, situation and circumstances, and my rights guaranteed by the State and U.S. Constitutions, Faulkner could have immediately determined that I was an invited guest of Mr. Fox had he made such investigative inquiry, which could have easily been verified simply by making a call, or walking over to the building and knocking on the door.

51) Thus, Faulkner had a much more objectively sensible and reasonable alternative than subjectively, arbitrarily, and capriciously assaulting and arresting me as he did, which he owed me the duty to exercise, and he failed and refused to do, and instead he committed the crimes of aggravated kidnapping, my false arrest and false imprisonment, placed me in unnecessarily life-threatening endangerment (I am age 64 and have a heart condition), causing me to suffer severe and extreme, irreparable damages and injuries, including, but not limited to, defamation of my character, and severe and extreme mental and emotional distress.

52) This matter is an example of insolent, disobedient public servant usurpers acting in felony breach of fiduciary duty, in that officers of the court have acted in a criminal conspiracy to take my private property without cause or just compensation, violating by specific intent the Fifth Amendment to the Constitution of The United States of America, taking my fingerprints and photographs by force or imminent threat of physical violence when I am entitled to the presumption of innocence, and denying me the just compensation to which I am entitled. It is plain and clear that said violations of the Constitution are but one facet of the B.A.R. TERRORIST corrupting influence using the police power adversely against the people, acting in collusion and conspiracy to overthrow the Constitution for The United States of America in the nature of sedition and treason.

53) The cornerstone to due process is **notice** and **opportunity**. Absent proper notice an accused may be absolutely deprived of the opportunity to defend. Lies, fraud, deceit, shyster shenanigans, and other treachery fail as to proper notice.

54) The preposterous allegation of "failure to identify" amounts to criminal acts on the part of the Jacksonville Police Department; I am in one of two conditions, either I am under arrest or I am not under arrest; if I am not under arrest I have the right to free speech which includes the right NOT to speak; on the other hand, if I am under arrest, the arresting officer MUST have taken an oath to support the Federal Constitution as the Supreme Law of the land; said Constitution prohibits the arresting officer from compelling me to be a witness against myself, a fact further confirmed by the Miranda warning which in the very first line makes it plain and clear one has a right to remain silent; the fact that the arresting officer is armed and dangerous and has breached his oath by attempting to compel me to be a witness against myself does not create a misdemeanor on my part, rather it produces plain and clear evidence that **ALLEGED OFFICER AUSTIN FAULKNER IS IN FELONY BREACH OF HIS FIDUCIARY DUTY, HAS COMMITTED AGGRAVATED KIDNAPPING, AND IS INVOLVED IN A CLEVER SCHEME TO OVERTHROW THE CONSTITUTION FOR THE**

UNITED STATES OF AMERICA IN THE NATURE OF SEDITION AND TREASON AS A MATTER OF GENERAL PRACTICE, POLICY AND CUSTOM OF THE CITY OF JACKSONVILLE POLICE DEPARTMENT AND CHIEF OF POLICE, REECE DANIEL BY HIS OWN ADMISSION!!!

55) The Declaration of Independence provides that all men are created equal and that men created government to secure the rights of men. Those who opt for a position of authority in government must secure their loyalty with an oath to support the State and Federal Constitutions however it is clearly their actions which verify the loyalty to this nation OR their lies which evidence the moral turpitude in the taking of the solemn oath. Police are educated, trained, paid, and SWORN to uphold the law, so they appear to have no excuse for acting in collusion in the most evil manner, yet they work in unison to support overthrowing the Constitution for the United States of America in the nature of sedition and treason, overruling Congress and 28 USC §2072(b), overruling the U.S. Supreme Court, to wit: *"Where rights secured by the constitution are involved, there can be no rule making or legislation which would abrogate them." Miranda v. Arizona, 384 U.S. 436, 491,* overruling the Federal Rules of Evidence, Rule 102, effectively urinating on the Magna Carta, and summarily eliminating religious and free speech, association, assembly, and travel RIGHTS secured at the First Amendment, pursuant to the oath they had to execute in order to hold the office, in the republican form of government they are sworn to uphold. The egregious conduct is best described as PERFIDY*, however such acts of moral turpitude evidence the criminal act of FELONY BREACH OF FIDUCIARY DUTY.

*PERFIDY, *n.* [L. *perfidia*; *per* and *fides*, faith.]
The act of violating faith, a promise, vow or allegiance; treachery; the violation of a trust reposed. Perfidy is not applied to violations of contracts in ordinary pecuniary transactions, but to violations of faith or trust in friendship, in agency and office, in allegiance, in connubial engagements, and in the transactions of kings.

PERFIDIOUS, *a.* [L. *perfidus*; *per* and *fidus*, faithful. *Per* in this word signifies *through, beyond,* or *by, aside.*]

1. Violating good faith or vows; false to trust or confidence reposed; treacherous; as a *perfidious* agent; a *perfidious* friend.
2. Proceeding from treachery, or consisting in breach of faith; as a *perfidious* act.
3. Guilty of violated allegiance; as a *perfidious* citizen; a man *perfidious* to his country.
American Dictionary of the English Language, Noah Webster 1828

9) Pursuant to the Declaration of Independence, police acting as quislings* attempting to overthrow the Constitution for The United States of America in the nature of sedition and treason cannot claim to be more equal than myself. In other words, their psychopathic, narcissistic claims to titles of nobility and immunity fail to be anything but evidence of being intoxicated with delusions of grandeur requiring professional mental health care, or in the case of the incorrigible, closely supervised activity such as breaking rocks on the chain gang.

> ** quisling \ n: a traitor who collaborates with the invaders of his country, especially by serving in a puppet government.*
> *Webster's New Collegiate, Seventh Edition (1961)*

55) It is plain and clear that the First Amendment provides "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof…". Federal Public Law 97-280, 96 Stat. 1211 provides that the Bible is the Word of God and plainly declares that we should apply its teaching in our lives, society, and government, and I was and am doing so, and for this, I was viciously assaulted, falsely arrested, subjected to aggravated kidnapping, falsely imprisoned, falsely charged with a crime, and otherwise vilified and persecuted by criminals engaged in inland piracy and criminal syndicalism for filthy lucre, masquerading themselves as City of Jacksonville public servant peace officers.

56) Judge Edith Jones of the U.S. Court of Appeals for the Fifth Circuit, told the Federalist Society of the Harvard Law School on February 28, 2003 "The first 100 years of American lawyers were trained on Blackstone, who wrote that: 'The law of nature …

dictated by God himself … is binding … in all counties and at all times; no human laws are of any validity if contrary to this; and such of them as are valid derive all force and all their authority … from this original."

57) "One witness shall not rise up against a man for any iniquity, or for any sin, in any sin that he sinneth: at the mouth of two or more witnesses, or at the mouth of three witnesses, shall the matter be established. If a false witness rise up against any man to testify against him that which is wrong; Then both the men, between whom the controversy is, shall stand before the Lord, before the priests and judges, which shall be in those days; And the judges shall make diligent inquisition: and, behold, if the witness be a false witness, and hath testified falsely against his brother; Then shall ye do unto him as he had thought to have done unto his brother: so shalt thou put the evil away from among you. And those which remain shall hear, and fear, and shall henceforth commit no more any such evil among you. And thine eye shall not pity; but life shall go for life, eye for eye, tooth for tooth, hand for hand, foot for foot."
Deuteronomy 19:15-21

58) In the words of U.S. Supreme Court Justice, Robert Jackson: *"It is not the function of our government to keep the citizen from falling into error; it is the function of the citizen to keep the government from falling into error."*
American Communications Association v. Douds, 382, 442.

CONCLUSION AND RELIEF

59) WHEREFORE, having shown that my antecedent, unalienable rights, liberties, and freedoms guaranteed by the State and U.S. Constitutions have been violated by those moving against me, and that said parties have committed felony breach of their respective fiduciary duties, and that the citation or charging instrument fails to state a cause of action upon which the relief sought can be granted against me, the citation or charging instrument must be quashed, and the matter dismissed with prejudice for want of

jurisdiction, and in the interest of justice and fairness, as a matter of law.

60) I also hereby DEMAND the return of my finger prints and photograph, and full compensation for all actual and reasonable time and costs incurred in my defense of this false accusation as set forth in the attached billing document.

61) I also DEMAND A PUBLIC RETRACTION of the false statements and evil insinuations publicly made against me by insolent, disobedient public servants, Reece Daniel and Jason Price, and a personal apology from each in writing.

62) I also DEMAND certified copies of the proceedings before the magistrate, and the police report of this incident.

63) **If the police officers involved or associated with this event were held accountable for the aggravated kidnapping and other crimes it would quickly become clear that they do not have enough years left in their lives to do the prison time they have so diligently earned!!!!**

CAVEAT

64) "If you are determined to execute a man in any case, there is no occasion for a trial; the world yields no respect to courts that are merely organized to convict."
Robert H. Jackson, United States Prosecutor at Nuremberg

65) I am not an expert in the law, however, I do know right from wrong. If there is any human being damaged by any statements herein, if he will inform me by facts I will sincerely make every effort to amend my ways. I hereby and herein reserve the right to amend and make amendment to this document as necessary in order that the truth may be ascertained and proceedings justly determined. If the parties given notice by means of this document have information that would controvert and overcome this Affidavit, please advise me IN WRITTEN AFFIDAVIT FORM within thirty (30)

days from receipt hereof providing me with your counteraffidavit, proving with particularity by stating all requisite actual evidentiary fact and all requisite actual law, and not merely the ultimate facts or conclusions of law, that this Affidavit Statement is substantially and materially false sufficiently to change materially my status and factual declarations. Your silence stands as consent to, and tacit approval of, the factual declarations herein being established as fact as a matter of law. May the will of our Heavenly Father Yahvah, through the power and authority of the blood of his son Yahshua be done on Earth as it is in Heaven.

Reserving ALL Natural God-Given Unalienable Birthrights, Waiving None,

28 USC § 1746(1)

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.
Signed on this the fourteenth day of the fourth month in the year of our Lord and Savior two thousand eight.

David George Baugh, unrepresented
c/o 300 S. Main Street
Jacksonville [75766]
Texas, North America

SUBSCRIBED AND SWORN/AFFIRMED BEFORE ME BY THE MAN IDENTIFIED TO ME AS David George Baugh, this 14th Day of April, 2008.

_____

NOTARY PUBLIC My Commission Expires:

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing document was hand delivered or sent by mail, postage prepaid, to opposing parties this the fourteenth day of the fourth month in the year of our Lord and Savior two thousand eight.

by: David George Baugh, unrepresented