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Beating Civil Traffic Tickets

Part 1. All traffic tickets are invalid.

This information (and video) is about beating civil traffic tickets, dealing specifically with the issue of standing to complain. If a plaintiff lacks standing, then courts are "legally" unable to proceed. Bureaucrats hate when this issue is raised because it destroys any pretense of fairness they are so desperate to maintain.

"Without standing, there is no actual or justifiable controversy, and courts will not entertain such cases." Clifford S. v. Superior Court, 45 Cal.Rptr.2d 333,335.

"If a party is found to lack standing, the court is without subject matter jurisdiction to determine the cause... A court lacks discretion to consider the merits of a case over which it is without jurisdiction." Miss. So. ...Pardons & Paroles, 896 A.2nd 809,812 (Conn. 2006)

A complaint (ticket) is *not* synonymous with a cause of action.

"Governments are... established to protect and maintain individual rights." (Stop laughing.) Courts are part of the government. The jurisdiction of the court is limited to this, therefore for there to be a case or controversy, (the courts have consistently held) there has to be a violation of someone's rights and damage.

"A plaintiff must allege personal injury" - Allen v. Wright, 468 US 737,751; U.S. Supreme Court

Police officer must file a valid cause of action; otherwise there is no standing and the court has no subject matter jurisdiction, and therefore cannot proceed against you.

"Standing is a necessary component of subject matter jurisdiction." Rames v. Byrd, 521 US 811

You must have subject matter jurisdiction even in a traffic case.

"Standing is perhaps the most important of [the jurisdictional] doctrines... Standing represents a jurisdictional requirement which remains open to review at all stages of the litigation..." NOW, Inc. v. Scheidler, 510 US 249.

"The requirement of standing has a core component derived directly from the Constitution. A plaintiff must allege personal injury (the violation of a legal right) fairly traceable to the defendant's allegedly unlawful conduct and likely to be redressed by the requested relief." Allen v. Wright, 468 U.S. 737, 751 (1984).

(Reader is wise to verify this information before relying on it.)

Part 2. Impeaching a Witness (police officer)

There is usually only one witness against you in a traffic case - if they show up. It is easy to impeach a police officer by asking only two questions. This requires the "judge" to strike the witness's testimony.

Impeached means legally disqualified from testifying- the testimony is inadmissible and the Judge has no discretion to accept the testimony, including prior testimony (the ticket).

Two Questions: (Maintain a positive attitude.)

#1: **Did you file a valid cause of action against me?** (Usually they will answer, "Yes.")

#2: **How many elements are in a valid cause of action?** (Usually, in one way or another you'll hear something like... "Objection, calls for a legal conclusion; the witness is not competent to testify.") The judge will sustain the objection, which is exactly what you are looking for, as the judge is now required to strike all of the testimony. - and now you want the matter dismissed.

Top 10 Tips For Traffic Court

Tuesday, 28 August 2007

Traffic courts are scams run by criminals. If you're unfortunate to have gotten a traffic ticket, keep the following tips in mind, your chances of getting it kicked out are much greater:

1. Do not be argumentative. Smile!
2. Don't bring your own opinion or arguments to convince the judge.
3. Stick to the facts.
4. Repeat, "Me, I am not an attorney I don't understand."
5. Don't object and press a particular point more than twice.
6. Stay on point.
7. Only accept responsive answers to questions.
8. Ask questions.
9. Get judge and, or the prosecutor to commit to positions; and then
10. Use those positions/arguments against the judge or prosecutor.

NOTICE: Presented in public interest - not meant to be legal advice - if you are in need of legal advice you are admonished to seek competent legal counsel - competent legal counsel may be interpreted as an Attorney who will actively stand for your rights and who has won 85, or more, percent of his/her cases - plea bargains not to be considered.
