

62+ WAYS to SHUT DOWN A COURT CASE

(Select & Use

each at your own risk upon your own case & research) Revised: 8.24.04

1. “**Is this a Court -of Record?** --of Competent Jurisdiction?” *If NO**, What are you convening?
2. What is your jurisdiction? “**Duh!**” Aren’t there 2 types – Personam and subject matter? Which?
3. “Judge, is your Oath of Office Contract correct? I don’t see where the person administering your oath had an oath AND/OR recorded his copy of your Oath.” “Judge, why don’t I find a Bond?”
4. “**Did the judge sign the correct oath?**” (not ‘impartial’?). (***)*File his Oath into the case:*)
5. “Judge, In your oath I have here, Did you swear an oath to uphold the Constitution? **Do you intend to process this case according to .the Constitution?**”...the laws of this State? the UCC
6. **Swear yourself in** and demand all others (prosecutor) do the same -- *if they refuse to be sworn in, then ask: "May I Let the record show that these people won't swear in & probably intend to lie?"*
7. “May I see the **charging instruments** / the **supporting sworn Affidavits** from each and every **accuser?**”
8. “Judge, how can I know: --that you are being honest and adhering to the law? --if you are being deceitful?”
9. “**May I see an Affidavit from judge describing the nature & authority of this court?**”
10. “Does any part of the fine I might pay go into the judge’s pension fund?” “Is Judge___ a party?”
11. “**Are you, judge, under IRS criminal investigation?**” **Do you, judge, have a D.L.? Recuse!**
12. “Does it not appear that Plaintiff (State) hasn’t exhausted all of its remedies in commerce?”
13. “**How can I understand? How can I recall, as I don’t remember a casual occurrence.**”
14. “Could you repeat / rephrase / breakdown / simplify the question?”
15. “**Do I speak Legalese? To insure due process, may I ask a few defining questions?**”
16. “Could this court Define \$ money?” (*See 37 below*) How can I lawfully pay a debt with a debt?
17. **Put the Federal Reserve Note on trial.** (*see 38*) In what form of money/credit is payment /obligation due?
18. Command/ Demand a **Bill of Particulars** from prosecutor. **Discovery. Interrogatories, Admissions.**
19. Subpoena or **depose the Attorney General**; the cop & all hostile witnesses ASAP.
20. “Can you show me where The **Post Office** is lawfully authorized to serve process?”
21. “Does this Prosecutor have **first hand knowledge** or mere hearsay?” **Incompetent witness.**
22. “**Judge, do you hold the full judicial power of the state? Or is it the military power?**”
23. “**May I Request (Command) an Affidavit that the judge has no bias, no conflict of interest and no interest in the outcome of this case?**”

24. "Will You, Judge, **Sign this contract** that guarantees that you will protect ALL my unalienable rights that are protected by this country's and this State's Constitutions?"
25. "Don't I have the **right to remain silent**? Could anything I say be used against me?"
26. **Are you trying to coerce me into violating my right to remain silent? Judge, if you are not going to protect my** (Constitutionally protected) **rights, shouldn't I expect you to recuse yourself immediately?**
27. **"Before I answer that, can you grant me immunity from state & federal prosecution?"**
28. "I don't know my name." **"I am sorry, what evidence do I have that THAT (all CAPS NAME) is my true Name? – I don't recognize THAT as my true NAME—as me.**
29. May I object to your use of that **Idem sonans** under the legal principle of **Capitis Diminutio**?"
30. *UCC* "Excuse me, Judge, What is your name? Do you have a claim against me? Do you know anyone who has a claim against me?*" (NO) May I request the order be released unto me?"
31. "I can't find a competent attorney for sentencing. Nobody would sign my contract." Read it.
32. **"How can I make a legal determination on what you are asking me to do?"**
33. "What?? I am sorry but is your question reasonably calculated to lead to the discovery of admissible evidence? Could you rephrase the question?"
34. "Don't you need my **permission** to do this? Do I have to **volunteer**? Don't I have to **consent**?"
35. **"If you don't need my permission first, why did I have to sign the citation/order/contract?"**
36. **"How am I liable for the sum in controversy?"** [See page 15 of *Koffler & Reppy's* revision of Shipman's classic "Handbook of COMMON LAW PLEADING"]

**IF "NO"ask, "Based on What? May I let the record show that: (repeat --the gist of the Question above"?)*

37. "Your Honor, how do you propose to collect? Where do you have my **promise to pay**?"
38. "Is it lawful for the State to demand anything from us other than **gold or silver coin**? Where?"
39. Don't the legal tender laws only apply to debts founded on a contract? Are Judgments and taxes founded on contract? Please take judicial notice that there is no gold or silver coin in circulation. It is impossible to pay. The law does not require the impossible." *Clearfield.*
40. **"Judge, why are You asking me Questions? Isn't my Accuser supposed to be the one to ask me questions? Are you judge, my accuser? Are You practicing law from the bench?"**
41. "Mr. (United States) Attorney, are you an organic part of the (federal) **Justice Department**?"
42. Are you prosecuting me upon your own recognizance, or did somebody authorize you to?"

43. "May I ask if this **Prosecutor** is a **competent witness** with **first hand knowledge**? If he is not, for the record may I order him not to speak as he only has hearsay evidence? Is he an Interloper?"
44. "**Where** is the **Victim**? Where is the First-Hand Eye-Witness? Where is a competent Accuser?"
45. "The info on **my Birth is hearsay**, and you won't admit Hearsay evidence into this court, right?"
46. "What is the **Tax Identification Number** of this Court?" (*proves Court is a corporation.*)
47. "Your Honor, are you a **Mason**? -- Mr. Prosecutor, are you a Mason?"
48. "Your Honor, are you a Beneficiary of any of the **Inns of the Court**?"
49. "Excuse me, can you show me where your **judge's office was created by law**?"
50. "Are you **silently presuming that I know the law**, Judge? How is it physically possible for me to read the over 60 million statutes plus everything ever published in the Federal Register?"
51. **For the Record, can this Court take judicial notice that I do not know the law?"**
52. "Isn't there a statute that says the clerk shall **record ALL orders**? - I order this case dismissed"
53. That depends, your Honor, on **How do you define "Under stand"**? I do **not** Understand. (= I do not come under your standing, Judge/court.)
54. That is **Not my Signature**. Were the **underlying presumptions** of this contract disclosed to me?
55. "In order to understand the legal language, please provide me with a Black's 4th Ed. Dictionary"
56. **Judge, may I hold You as Surety so that I will not be damaged by your undisclosed presumptions, nor by my ignorance of the written and unwritten law, fact or presumptions in this case? (IF "NO", ask: "May I let the Record show that the judge will not...?"**
57. I **Conditionally Accept** your ____ for Value upon valid proof that you can verify that claim.
58. Your Honor, are You a Public Servant? *If "NO" -- Then, Whom, Sir, do You serve?*
59. May I see your State issued **License to Practice Law** here in Washington? Is a **BAR card** a License? What law allows any private non-profit organization to issue a State license? Is WSBA a closed Union Shop?
60. May we cut to the chase here? **What would this Court want from me?**
I will be glad to **comply if you**, judge, will just **sign an order compelling me to perform**.
61. I would like to answer that Judge, but I must defer until I get competent assistance of counsel.
62. **Is this case Civil or Criminal? Civil? Then, shouldn't we go by the civil rules here?**

OPTIONS: ***Get a **certified copy of the Judge's oath** and file it into the case, to lock him in.
Get a certified **Court** copy of your Ticket (front & back). Get copy of 2 ticket #'s before & after yours.

Go to the Annotated RCW's (State's statutes) and copy all of the case cites in the statute(s) you violated, build your case (submit a brief) around a few good ones. Shepardize these cites to find any new case law.

Subpoena homework from officer's required "creative writing" (fiction) class & compare w/ the police report.

Submit a certified copy of the 1878 Washington Constitution (Walla Walla) under Mandatory Judicial Notice.

Remove Case to Federal Court. OR Ask Judge for curative instructions.

Sovereign Options: The very first words you say to the Judge (before identifying yourself):

1. "Hello Judge, and welcome to the *de-jure* state of Washington, How will you act on the Soil today?"
2. "On my own private **unlimited commercial liability**, I certify that the statements which I am about to make are true, correct, and certain. Will the prosecutor do the same?" Will he lie?
3. **I am a sovereign, Does this court recognize that fact?
4. Does this court recognize that I am a sovereign? *If "NO"*, quote [RCW 42.17.251] Let the record show that by absence of stipulated facts, that this court recognizes that I am the sovereign. As a matter of law, isn't a **License** defined as permission to do an act that would otherwise be unlawful?
5. [What about (what I am accused of) is unlawful?]
Your honor, I will be happy to go down today and buy a license, if the court will but tell me where a sovereign goes to get permission to do anything.
6. Let the record show that as a sovereign, I convene this court today for my benefit.
My Name is My Christian Name, and I am here on behalf of the Bankrupt DEBTOR, "MY NAME,"

Also: **Remember UCC 3 Magic Questions?:

1. What is Your Name, Judge?
2. Do You have a claim against me? (3. Does anyone here have a claim against me?)
3. Can anyone here make a more superior claim against this STRAW PARTY than me?

ALSO: **4. Can You** provide me with the **Appearance Bond**, on my own **personal recognizance**, at **no cost** to me, to **enable me** to freely make a **Plea** in this case?

5. Upon your Refusal, that will be a Dishonor. I will use your Dishonor to charge an involuntary bankruptcy petition for closure and discharge.

7 Steps of OBJECTION (not consenting): If the Judge/Prosecutor says anything negative you must immediately **OBJECT** (or - state that "**I do not consent.**") by **ASKing**;

1. **ASK:** "For the Record, may I respectfully - **OBJECT** ?" "**NO**"* → **If OverRuled:**
2. **ASK:** "For the Record, may I respectfully - request a legal **Reconsideration** of your Ruling?"
3. "For the Record, may I respectfully - **Reject that Ruling** and **take Exception** to that Ruling?" "*If NO!*"* → **if Overruled**, or "Your Objection is Noted for the record":
4. (*You can still stand your Ground:*) **ASK:** For the record, may I - request the **legal or factual basis for your ruling**, your Honor? → *If "NO!"*.*
5. **ASK:** For the record, may I respectfully - request a "**written judicial Finding of Facts and Conclusion of Law**" on this issue?. → *If Angrily Denied**:

6. For the record, may I respectfully move for an **interlocutory declaratory appeal** on this matter?
7. ASK: For the Record, may I - move to **stay these proceedings** until this instant matter is adjudicated by a court of competent jurisdiction?

****When the Judge says NO!* -- *ASK: "BASED ON WHAT Law or Fact?"***

****If "NO" ASK "May I let the record show this court will not allow the Accused to --?"***

May I deny _____ with timely rejection as hearsay?

May I ask for curative instructions?

If the judge cites you with **contempt of court**: **"For the Record: I am sorry-- IS THAT CRIMINAL CONTEMPT OR CIVIL CONTEMPT, Judge?"--WAIT!**

Criminal: Who makes the Claim, What's the Crime, & Who is the injured party, Judge? *Wait for Answer*

Civil: Where is the **Contract** between You and Me? Did I agree to any terms of any contract Judge?

"I do not wish to be found either in contempt of the Law, or in contempt of this court.

How can I be found in contempt if I am only following the Law & Rules before me?"

Options: --Can you, Judge, provide curative instructions to help me stay within the law?

--For the Record, Does it not appear that this court is acting in contempt of the Law?

--Can you show me how/where this court is following the Law respecting this matter?"

--For the Record, Can you point out just which Law/Court Rule here am I disobeying??"

--For the Record, Which Judge will adjudicate your citing me with contempt?

--For the Record, may I find this Court appears to be acting in contempt of the Law?

--For the Record, may I find you Judge, to be in contempt of the Law, and malfeasant and misfeasant in your performance on the bench today, and in breach of your sworn oath?

Subject: **HOW TO RESPOND TO CONTEMPT IN THE COURTROOM:**

If used properly This should back a raging dragon judge right back down in his chair docile..... believe me it is

not easy to do that **"KNOW RIGHTS OR NO RIGHTS"** William Mayhar

How to Respond to Contempt of Court, Judicial Attack

We cringe for people going into court, dealing with the "sons of vipers, offspring of serpents" in these outlaw courts today. So many people write to us and call us, as they are being rendered in the money machine every day, liquidated to the Funding Streams for the elite.

The rendering is in the **PROCESS** and most people do not have experience to understand or recognize corrupt process when they are in the middle of it. Attorneys do - they created it and don't let everyone in on the "secret"

(wink wink) while you and your children are destroyed.

To help all the people in courts right now who are discovering Sui Juris process and going in without attorneys, they need to know what to say when the judge turns into a raging dragon because they dared to ask a question or try to make the record, and to help keep from being arrested. These tools in particular are used and shared with many thanks to our friends Milt and Darlene Mitcheck, who were the researchers behind the "Vultures" compilations that exposed the false judicial oaths in Oregon in September 2001, Research that can be also found at our website www.avoiceforchildren.com.

If you know the right words, they back down right now - they may still have you arrested, but you have said the right words on the record to discredit him in his contemptuous acts against you, and you will use this record in any appeal or future hearings as you go. The main thing is you DISCREDIT HIM and IMPEACH HIM IN HIS OWN COURTROOM if you say the right things.

This can be used in any court in any setting, at any level, all the same basic process. I think in any country, with slight variations. *Sui Juris* process is simple and common law, as "any reasonable people would understand" and bridges all forms of courts or dealing with public authorities.

One of the main TOOLS they use to arrest you in a courtroom is "CONTEMPT OF COURT". Contempt is an instant six months in jail or a year sentence, potentially that is what you face. They use this for any or no reason, mainly for intimidation, and this is where they will (have already) use a stun belt or gun on a defendant who "irritates" the court asking for our rights.

When they do this to you, and it happens so fast it makes your head spin, if you have this written down, and can keep your wits about you enough to remember to say it, (you should practice it ! It is THAT important !) here is what you say:

"IS THAT CIVIL CONTEMPT OR CRIMINAL CONTEMPT JUDGE?"

(You wait for a response on the record - do not talk until he answers and if they pause this LONG pause is on the record that he cannot answer you - the silence of a witness answering a question is an admission of truth in a court record and the longer the pause the better. All you want on the record is to make them COMMIT and then you go on, and now you have them caught in the permanent record)

If he says "**CRIMINAL CONTEMPT**" - you say "**WHO MAKES THE CLAIM, WHAT IS THE CRIME AND WHO IS THE INJURED PARTY?**" and wait again as long as it takes for him to say something.

If he says "**CIVIL CONTEMPT**" you say "**WHERE IS THE CONTRACT BETWEEN ME AND YOU? I DON'T AGREE TO THE TERMS OF THE CONTRACT**", JUDGE.

NOW you have him acting CRIMINALLY OUTSIDE OF ANY LAWFUL JURISDICTION AND OUT OF IMMUNITY in his own courtroom on the record and here's why. In civil court, EVERYTHING is a CONTRACT and nothing can be done that is not a form of a contract. And ONLY HUMANS CAN LAWFULLY CONTRACT. Every citation, money exchange, order, anything at all is an exchange - a contract - between two humans. The constitution is a contract with the Children of a Creator with Inherent Rights and the Constitutionally Sovereign People in the state, bonded by the JUDICIAL OATH - their contract.

Anyway, when you say to him "I don't agree to the terms of the contract" he KNOWS he does not have a contract with you and if you have committed no crime he has no authority to arrest you or even be conducting the hearing - he is OUT of his lawful jurisdiction and OUT of his IMMUNITY.

Now, if he says "**CRIMINAL CONTEMPT**", like one judge did to me, with no lawful oath by the way, he made a FOOL of himself ! He said "IF YOU ASK THAT AGAIN I AM HOLDING YOU IN CONTEMPT OF COURT" I said "IS THAT CRIMINAL OR CIVIL CONTEMPT WALBERG?" and he raged and said "CRIMINAL".

I said "WHAT CRIME HAVE I COMMITTED AND WHO MAKES THE CLAIM? WHO IS THE INJURED PARTY?" He went nuts and started yelling "*THE STATE OF OREGON*", "*THE JUDICIAL SYSTEM*", "*THE COURT*"..... I said "YOU KNOW THAT **ONLY A HUMAN CAN MAKE A CLAIM AND THERE IS NO CRIME AND NO INJURED PARTY - YOU KNOW THAT THE STATE OF OREGON CANNOT MAKE A CLAIM**" he backed down and sat there red faced (he had already arrested me about three times for speaking before this contempt attempt) and it shut him down.

This was on the third day of the battle in his courtroom/sham jury trial last January - so after this confrontation backed him down he sat WAY BACK in his chair for three hours and let me make the record, while the jury waited in the back. **MAKING THE RECORD WAS MY ONLY GOAL ANYWAY TO UPDATE THE RECORD IN OUR CASE.** Unfortunately for us, the juries do not understand anything at all, and these confrontations scare them, so all the knowledge of court process and higher law goes right over their heads and they do EXACTLY what the judge LETS them do by the way he manipulates the instructions. This judge held his finger to his upper lip and looked like a cadaver for three hours, listening to the record of the crimes of our evidence against the state and his own treason as I outlined what has happened.

That is how you make the Record. You have to use another trick called "**OFFER OF PROOF**". When they fight you and attack you, and rage, and say you can't say anything in front of the jury, and the DA interrupts literally EVERY sentence to stop you from speaking for days (I have gone through this !)... you tell the judge "**I AM GOING TO MAKE AN OFFER OF PROOF FOR MY APPEAL**". He sometimes will go in the back room altogether and leave the record on, or he will sit way back and listen while you make the record of your facts without the jury present. Another trick process word is "**OFFER INTO EVIDENCE**" they will let you go around for days and be denied because you don't say it that way they are insane, but if you do use their words they know that they have to acknowledge that this is their process and they use it so you have to be able to use it too.

Another important phrase to use is **RUSH TO JUDGMENT**. After going around with them to a certain point and being blocked at all points, you say '**ARE YOU TRYING TO RUSH ME TO JUDGMENT?**' WOW - it works - boy they sit back so fast and shut up you would not believe - you would think they were shot - supposedly four times in a hearing saying that gets a reversal, but with us they don't give us anything, so I am not sure. But it is an important TOOL, you say this and it means they are preventing you from putting on your evidence as a lawful court and judicial due process requires, and for you to say this as they are doing it is like shooting them in their chair.

I hope people will write these things down in front of them when they are terrified in court - everyone is terrified in the court, even the attorneys, especially when you are bringing truth of this magnitude in there - we say where the truth meets the lie there is fallout - like a neutron bomb, you definitely stir up the hornet's nest when you speak the truth in their courtrooms.

The rest of the Process for the People to Access the Courts is in the book we wrote. We learned these tools more recently and they are an "addition" to the information in the Sui Juris Book. This is what REALLY happens when you are in there, not what we think will happen or hope will happen. And learning these tools, you are prepared to meet this present evil face to face. ... pamela gaston

ER 201(d)(e)(f) & ©RCW 5.24.010 Mandatory Judicial Notice

RCW 5.24.010 Judicial notice of Constitution and laws.

Every court of this state shall take judicial notice of the Constitution, common law, civil law, and statutes of every state, territory and other jurisdiction of the United States. [1941 c 82 § 1; Rem. Supp. 1941 § 1278.]

NOTE: When you appear by **special appearance** and **restricted appearance** at the **arraignment**, the judge will attempt to get you to plea without assistance of counsel, OR the judge will have already entered a plea for you on a prior hearing if you didn't know about Assistance of Counsel.

QUESTION: Your Honor, I am unlearned in the law **If I enter a plea without Assistance of Counsel at arraignment, would I be waiving my right of Assistance of Counsel arising under and secured in the Sixth Amendment of the Bill of Rights of the Constitution of the United States? Is that my right? **OR****

Your Honor, on the **last hearing** a Magistrate (judge) _____ entered a Plea for me against my will and I didn't have Assistance of Counsel at that time. I am unlearned in the law. **Didn't that violate my Constitutional Right of Assistance of Counsel secured in the Sixth Amendment?**

NOTE: Purpose of the Question is to set the judge up!

NOTE: If the Judge answers **NO**, then use **1.** If the Judge answers YES, then use **2.**

YOUR STATEMENT TO JUDGE:

NO 1. Sir, arising under the adjudged decision of the Supreme Court of the United States in *Powell v. State of Alabama*, 287 U.S. 45 (1934) don't we find the following?:

[The] Right of accused to assistance of counsel includes right to assistance of counsel from time of arraignment until beginning of trial for purpose of consultation, investigation, and preparation for trial (Code Ala.1923, § 5567; Const.Ala.1901, § 6).

THEN STATE THIS TO JUDGE: Your Honor, hasn't the Supreme Court of the United States consistently held the secured right in the Sixth Amendment to have Assistance of Counsel in criminal proceedings, including Arraignment?? See also *Hamilton v. State of Alabama*; 368 U.S. 52 (1961), *Massiah v. United States*, 377 U.S. 201(1964); *McNeil v. Wisconsin*, 501 U.S. 171(1991); *Texas v. Cobb*, 532 U.S. 162 (2001)

USE TO GET THE JUDGE ON THE RUN; Sir, did you just lie [or – are you not telling me the truth] to me and are attempting to deny me my right to have Assistance of Counsel secured in the Sixth Amendment at Arraignment?

NOTE: If you have the presence of mind – go after the judge politely, but shocked and appalled that he didn't tell you the truth as you are Unlearned in the Law. NEVER threaten the judge or shout! Maintain your cool and use your knowledge and wisdom, but remembering to say that you are Unlearned in the Law!

2. YES Sir, did I just hear what you said correctly that I would be waiving my right secured in the Sixth Amendment to Assistance of Counsel if I entered a Plea without Assistance of Counsel?

WAIT FOR AN ANSWER:

FOLLOWUP: Sir, May I let the record so show that this Magistrate is intentionally and knowingly attempting to deny me my 6th Amendment right to have Assistance of Counsel, including at this arraignment proceeding??

Sir, I am Unlearned in the Law, and I would like to answer your question, but how can I properly answer until I have obtained effective Assistance of Counsel secured in the Sixth Amendment? Is that my right?