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Attornatus Privatus

**SUPERIOR COURT OF THE STATE OF \_\_\_\_\_**

**COUNTY OF \_\_\_\_\_**

**Address: \_\_\_\_\_**

	)	Case No.:
	)	
	)	
	)	<b>MOTION FOR TRIAL BY JURY;</b>
	)	<b>MEMORANDUM IN SUPPORT OF</b>
Plaintiff(s),	)	<b>MOTION FOR TRIAL BY JURY;</b>
vs.	)	<b>AMERICAN STANDARD FOR JUROR OF</b>
	)	<b>PEER SELECTION; AMERICAN</b>
	)	<b>STANDARD FOR JUROR OF PEER</b>
	)	<b>SELECTION 'OVERLAY'</b>
	)	
Defendant(s).	)	

**Motion for Trial by Jury**

Now into court comes undersigned who, for the reasons set out in the accompanying memorandum, requests that this court allow a jury to decide these matters both as a matter of right and a matter of due process of law.<sup>1</sup>

<sup>1</sup> This court has always declined to give a comprehensive definition of it, and has preferred that its full meaning should be gradually ascertained by the process of inclusion and exclusion in the course of the decisions of cases as they arise. There are certain general principles, well settled, however, which narrow the field of discussion, and may serve as helps to correct conclusions. \*These principles grow out of the proposition universally accepted by American courts on the authority of Coke, that the words 'due process of law' are equivalent in meaning to the words 'law of the land,' contained in that chapter of Magna Charta which provides that 'no freeman shall be taken, or imprisoned, or disseised, or outlawed, or exiled, or any wise destroyed; nor shall we go upon him, nor send upon him, but by the lawful judgment of his peers or by the law of the land.'\* Den ex dem. Murray v. Hoboken Land & Improv. Co. 18 How. 272, 15 L. ed. 372; Davidson v. New Orleans, 96 U.S. 97 <<http://caselaw.lp.findlaw.com/cgi-bin/getcase.pl?court=us&vol=96&invol=97>>, 24 L. ed. 616; Jones v. Robbins, 8 Gray, 329; Cooley, Const. Lim. 7th ed. 500; McGehee, Due Process of Law, 16. From the consideration of the meaning of the words in the light of their historical origin this court has drawn the following conclusions:



1 Memorandum in Support of Motion for Trial by Jury

2 May it please the Court:

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6 First. \*What is due process of law may be ascertained by an examination of those settled usages and  
7 modes of proceedings existing in the common and statute law of England before the emigration of our  
8 ancestors, and shown not to have been unsuited to their civil and political condition by having been  
9 acted on by them after the settlement of this country. This test was adopted by the court, speaking  
10 through Mr. Justice Curtis, in Den ex dem. Murray v. Hoboken Land & Improv. Co.\* 18 How. 272, 280, 15  
11 L. ed. 372, 376 (approved in Hallinger v. Davis, 146 U.S. 314, 320  
12 <<http://caselaw.lp.findlaw.com/cgi-bin/getcase.pl?court=us&vol=146&invol=314#320>>,  
13 36 S. L. ed. 986, 989, 13 Sup. Ct. Rep. 105; Holden v. Hardy, 169 U.S. 366, 390  
14 <<http://caselaw.lp.findlaw.com/cgi-bin/getcase.pl?court=us&vol=169&invol=366#390>>,  
15 42 S. L. ed. 780, 790, 18 Sup. Ct. Rep. 383; but see Lowe v. Kansas, 163 U.S. 81, 85  
16 <<http://caselaw.lp.findlaw.com/cgi-bin/getcase.pl?court=us&vol=163&invol=81#85>>, 41 S. L. ed. 78, 79,  
17 16 Sup. Ct. Rep. 1031). Of course, the part of the Constitution then [211 U.S. 78, 101] before the  
18 court was the \*5<sup>th</sup> Amendment\*. \*If any different meaning of the same words, as they are used in the  
19 14th Amendment, can be conceived, none has yet appeared in judicial decision\*. \*'A process of law,'\*  
20 said Mr. Justice Matthews, commenting on this statement of Mr. Justice Curtis, 'which is not  
21 otherwise forbidden, \*must be taken to be due process of law, if it can show the sanction of settled  
22 usage both in England and in this country.' Hurtado v. California, \*\*110 U.S. 516, 528  
23 \* <<http://caselaw.lp.findlaw.com/cgi-bin/getcase.pl?court=us&vol=110&invol=516#528>>  
24 \*, 28 S. L. ed. 232, 236, 4 Sup. Ct. Rep. 111, 117, 292. \*

25  
26 Second. It does not follow, however, that a procedure settled in English law at the time of the  
27 emigration, and brought to this country and practised by our ancestors, is an essential element of  
28 due process of law. If that were so, the procedure of the first half of the seventeenth century would  
be fastened upon the American jurisprudence like a straight jacket, only to be unloosed by  
constitutional amendment. That, said Mr. Justice Matthews, in the same case, p. 529, 'would be to  
deny every quality of the law but its age, and to render it incapable of progress or improvement.'  
Holden v. Hardy, 69 U.S. 366, 388  
<<http://caselaw.lp.findlaw.com/cgi-bin/getcase.pl?court=us&vol=69&invol=366#388>>,  
42 S. L. ed. 780, 789, 18 Sup. Ct. Rep. 383; Brown v. New Jersey, 175 U.S. 172, 175  
<<http://caselaw.lp.findlaw.com/cgi-bin/getcase.pl?court=us&vol=175&invol=172#175>>,  
44 S. L. ed. 119, 120, 20 Sup. Ct. Rep. 77.

29  
30 Third. But, consistently \*with the requirements of due process, no change in ancient procedure can be  
31 made which disregards those fundamental principles, to be ascertained from time to time by judicial  
32 action, which have relation to process of law, and protect the citizen in his private right, and  
33 guard him against the arbitrary action of government\*. This idea has been many times expressed in  
34 differing words by this court, and it seems well to cite some expressions of it. The words \*'due  
35 process of law' 'were intended to secure the individual from the arbitrary exercise of the powers of  
36 government, unrestrained by the established principles of private rights and distributive justice.\*'  
37 Bank of Columbia v. Okely, 4 Wheat. 235, 244, 4 L. ed. 559, 561 (approved in Hurtado v. California,  
38 110 U.S. 516, 527 <<http://caselaw.lp.findlaw.com/cgi-bin/getcase.pl?court=us&vol=110&invol=516#527>>,  
39 28 S. L. ed. 232, 235, 4 Sup. Ct. Rep. 111, 292; Leeper v. Texas, 139 U.S.  
40 462, 468  
41 <<http://caselaw.lp.findlaw.com/cgi-bin/getcase.pl?court=us&vol=139&invol=462#468>>,  
42 35 S. L. ed. 225, 227, 11 Sup. Ct. Rep. 577; Scott v. McNeal, 154 U.S. 34, 45  
43 <<http://caselaw.lp.findlaw.com/cgi-bin/getcase.pl?court=us&vol=154&invol=34#45>>,  
44 38 S. L. ed. 896, 901, 14 Sup. Ct. Rep. 1108). 'This court has never attempted to define [211 U.S.  
45 78, 102] with precision the words 'due process of law.' . . . It is sufficient to say that there  
46 are certain immutable principles of justice which inhere in the very idea of free government which no  
47 member of the Union may disregard.' Holden v. Hardy, 169 U.S. 366, 389  
48 <<http://caselaw.lp.findlaw.com/cgi-bin/getcase.pl?court=us&vol=169&invol=366#389>>,  
49 42 S. L. ed. 780, 790, 18 Sup. Ct. Rep. 383, 387. 'The same words refer to that law of the land in  
50 each state, which derives its authority from the inherent and reserved powers of the state, exerted  
51 within the limits of those fundamental principles of liberty and justice which lie at the base of all  
52 our civil and political institutions.' Re Kemmler, 136 U.S. 436, 448  
53 <<http://caselaw.lp.findlaw.com/cgi-bin/getcase.pl?court=us&vol=136&invol=436#448>>,  
54 34 S. L. ed. 519, 524, 10 Sup. Ct. Rep.



1 Trial by jury is more than an instrument of justice and more than one wheel of the  
2 constitution: it is the lamp that shows that freedom lives. Duncan v Louisiana, 391 US 145, 88  
3 S Ct 1444, 20 LEd2d 491 (1968) at 1451.

4  
5 "I consider [the trial by jury] as the only anchor, ever yet imagined by man, by which a  
6 government can be held to the principles of it's constitution."

7 Thomas Jefferson to Thomas Paine 1789<sup>2</sup>

8  
9 The Sixth Amendment to the US Constitution provides that "in all criminal  
10 prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial  
11 jury..."

12  
13 The accused ask this Court to allow this matter to be tried by a jury as a matter of right.

14  
15 In April 2004, US District Court Judge Adaleberto Jordan in Miami, granted a trial by jury to  
16 Greenpeace in a federal criminal prosecution for a petty offense charged by the government against the  
17 advocacy organization.<sup>3</sup> The federal court exercised its discretion to allow the matter, involving  
18 politically controversial civil disobedience, to be decided by citizens in accordance with the letter and  
19 spirit of the Sixth Amendment to the Constitution.

20  
21 The court ruled:

22  
23 <sup>2</sup> Letter from Thomas Jefferson to Thomas Paine (July 11, 1789) in 15 *The Papers of Thomas Jefferson*  
24 269 (Julian P. Boyd, ed. 1958), cited in Evan R. Seamone, "A Refreshing Jury COLA: Fulfilling the  
25 Duty to Compensate Jurors Adequately," 5 *NYU J Legis. & Pub Policy* 289 (2001-2002) fn 1.  
26 Thomas Jefferson also famously wrote: "Were I called upon to decide whether the people had best be  
27 omitted in the Legislative or the Judiciary department, I would say it is better to leave them out of  
28 the Legislative." *THE PAPERS OF THOMAS JEFFERSON*, 1789, volume 15, ed. Julian P. Boyd and William H.  
Gaines, Jr. (Princeton, N.J. Princeton U Press 1958), 282-83 as quoted in William L. Dwyer, *IN THE  
HANDS OF THE PEOPLE*, (Thomas Dunne Books, 2002).

<sup>3</sup> *US v Greenpeace*, USDC, Southern District of Florida, Miami Division, Case 03-20577. See decision at  
[http://www.greenpeaceusa.org/pdfs/order\\_pendingmotions.pdf](http://www.greenpeaceusa.org/pdfs/order_pendingmotions.pdf)



1           There is something to be said for viewing the jury as a function (or consequence) of the  
2 right to self-governance, and I cannot see anything wrong with having members of the  
3 community determine whether the government can prove the charges against Greenpeace  
4 beyond a reasonable doubt.<sup>4</sup>

5  
6 US District Judge Jordan then went on to quote Alexis de Tocqueville:

7  
8           “The man who judges the criminal is really the master of society. Now the institution of  
9 the jury places the people themselves, or at least one class of citizens, on the judge’s bench. The  
10 institution of the jury, therefore, really puts the direction of society into the hands of the people  
11 or of this class.”<sup>5</sup>

12  
13           This request for a trial by jury is of particular importance because these matters involve  
14 significant issues of political protest against government action. As Justice Kennedy has observed,  
15 “the primary purpose of the jury in our legal system is to stand between the accused and the powers of  
16 the State.” Lewis v US, 518 US 322, 335 (1996) (Kennedy, J., concurring in the judgment).

17  
18           The accused ask for a trial by jury on three grounds:

19  
20           Article III, Section 3 of the U.S. Constitution; the Sixth Amendment to the U.S.  
21 Constitution; and the history of the right to a trial by jury as set out in a prior Supreme Court  
22 decision in Duncan v Louisiana, 391 US 145, 88 S.Ct. 1444, 20 L Ed 2d 491 (1968).

23  
24           Article III, Section 3 of the U.S. Constitution specifically states that:

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26 <sup>4</sup> Pages 13-14 of the opinion.

27 <sup>5</sup>Alexis de Tocqueville, *DEMOCRACY IN AMERICA* 260 (U. Chicago Press, 2000).



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“The trial of all crimes, except in cases of impeachment, shall be by jury.”

The Sixth Amendment to the Constitution specifically states that:

“In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury...”

While the U. S. Supreme Court generally approved the prosecution of petty crimes without the requirement of a jury in Duncan v Louisiana, 391 US 145, 88 S.Ct. 1444, 20 L Ed 2d 491 (1968), the Supreme Court did recognize the particular historical and political importance of a right to a trial by jury when individuals are confronting the government. The court traced the special nature of trial by jury to the English system back to, and possibly even before, the Magna Carta.

The U.S. Supreme Court started outlining the importance of the trial by jury by quoting from the 1889 Commentaries on the Laws of England by Blackstone:

“Our law has therefore wisely placed this strong and two-fold barrier, of a presentment and a trial by jury, between the liberties of the people and the prerogative of the crown. It was necessary, for preserving the admirable balance of our constitution, to vest the executive power of the laws in the prince: and yet this power might be dangerous and destructive to that very constitution, if exerted without check or control, by justices of oyer and terminer occasionally named by the crown; who might then, as in France or Turkey, imprison, dispatch, or exile any man that was obnoxious to the government, by an instant declaration that such is their will and pleasure. But the founders of the English law have, with excellent forecast, contrived that the truth of every accusation, whether preferred in the shape of indictment, information, or appeal, should afterwards be confirmed by the unanimous suffrage of twelve of his equals and neighbours, indifferently chosen and superior to all suspicion.” at Duncan, supra, 1448-1449.

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The Supreme Court goes on to note the importance of the right to a jury to the American colonists and in the creation of the nation, in pages 1449-1450:

“Trial by Jury came to America with English colonists, and received strong support from them. Royal interference with the jury trial was deeply resented. Among the resolutions adopted by the First Congress of the American Colonies (the Stamp Act Congress) on October 19, 1765--resolutions deemed by their authors to state 'the most essential rights and liberties of the colonists.’”

The First Continental Congress, in the resolve of October 14, 1774, objected to trials before judges dependent upon the Crown alone for their salaries and to trials in England for alleged crimes committed in the colonies; the Congress therefore declared:

"That the respective colonies are entitled to the common law of England, and more especially to the great and inestimable privilege of being tried by their peers of the vicinage, according to the course of that law.

The Declaration of Independence stated solemn objections to the King's making 'judges dependent on his will alone, for the tenure of their offices, and the amount and payment of their salaries,' to his 'depriving us in many cases, of the benefits of Trial by Jury,' and to his 'transporting us beyond Seas to be tried for pretended offenses.’”

Later in the opinion, the Duncan court again underscored the importance of trial by jury when a person is, as here, confronting their government. See the following quote from page 1451:

“The guarantees of jury trial in the Federal and State Constitutions reflect a profound judgment about the way in which law should be enforced and justice administered. A right to jury trial is granted to criminal defendants in order to prevent oppression by the Government.

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Those who wrote our constitutions knew from history and experience that it was necessary to protect against unfounded criminal charges brought to eliminate enemies and against judges too responsive to the voice of higher authority. The framers of the constitutions strove to create an independent judiciary but insisted upon further protection against arbitrary action. Providing an accused with the right to be tried by a jury of his peers gave him an inestimable safeguard against the corrupt or overzealous prosecutor and against the compliant, biased, or eccentric judge. If the defendant preferred the common-sense judgment of a jury to the more tutored but perhaps less sympathetic reaction of the single judge, he was to have it. Beyond this, the jury trial provisions in the Federal and State Constitutions reflect a fundamental decision about the exercise of official power--a reluctance to entrust plenary powers over the life and liberty of the citizen to one judge or to a group of judges. Fear of unchecked power, so typical of our State and Federal Governments in other respects, found expression in the criminal law in this insistence upon community participation in the determination of guilt or innocence. The deep commitment of the Nation to the right of jury trial in serious criminal cases as a defense against arbitrary law enforcement qualifies for protection under the Due Process Clause of the Fourteenth Amendment, and must therefore be respected by the States.

The (jury trial) clause was clearly intended to protect the accused from oppression by the Government.” *Singer v. United States*, 380 U.S. 24, 31, 83 S.Ct. 783, 788, 13 L.Ed.2d 630 (1965). "The first object of any tyrant in Whitehall would be to make Parliament utterly subservient to his will; and the next to overthrow or diminish trial by jury, for no tyrant could afford to leave a subject's freedom in the hands of twelve of his countrymen. So that trial by jury is more than an instrument of justice and more than one wheel of the constitution: it is the lamp that shows that freedom lives." P. Devlin, *Trial by Jury* 164 (1956).”

The legal history set out by the *Duncan* court holds the right to a trial by jury out as one of the bulwarks of freedom, a much more fundamental right than one which switches on and off like a



1 mathematically calculated switch. Undersigned has found no decision by the Supreme Court which  
2 directly addresses the issue of whether indisputable political protest which could result in incarceration  
3 of up to 6 months should be extended the fundamental right to a trial by jury.

4  
5 The importance of the jury when citizens challenge their government cannot be overstated.  
6 Judges are not the same as juries. Indeed, protection against overbearing and oppressive judges was  
7 one of the main arguments of the proponents of jury trials when the Bill of Rights were enacted.<sup>6</sup>  
8 Commentators agree that the purpose of the jury is to give the average person the opportunity to  
9 challenge governmental misconduct.<sup>7</sup> This is particularly important to protect the citizen from  
10 oppression by governments. As Dean Pound said:

11  
12 “The will of the state at large imposed on a reluctant community, the will of a majority  
13 imposed on a vigorous and determined minority, find the same obstacle in the local jury that  
14 formerly confronted kings and ministers.”<sup>8</sup>

15  
16 In a court of record, the magistrate remains silent.<sup>9</sup> All courts in the state are a court of  
17 record,<sup>10</sup> a judicial tribunal having attributes and exercising functions independently of the person of

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19 <sup>6</sup> Charles W. Wolfram, “The Constitutional History of the Seventh Amendment,” 57 Minn. Law Rev. 639,  
670-671 (1973).

20 <sup>7</sup> William V. Dorsaneo, “Re-examining the Right to Trial by Jury,” 54 SMU L Rev 1695 (2001). Footnote  
21 nine of this article provides a great summary: “See for example, Akhil Reed Amar, The Bill of Rights  
22 as a Constitution, 100 Yale L.J. 1131, 1190 (1991) (“The jury summed up-indeed embodied-the ideals of  
23 populism, federalism, and civic virtue that were the essence of the original Bill of Rights.”); Akhil  
24 Reed Amar & Alan Hirsch, For the People: What the Constitution Really Says About Your Rights 52  
25 (1998) (“To the Framers, the value of the jury derived more profoundly from another consideration:  
the role of ordinary citizens in thwarting various forms of government oppression, corruption, and  
self-dealing.”); id. at 55 (“It is almost impossible to exaggerate the jury’s importance in the  
constitutional design. No idea was more central to the Bill of Rights-indeed, to America’s  
distinctive regime of government of the people, by the people, and for the people.”); 1 Laurence H.  
Tribe, American Constitutional Law 617 (2000) (“Thus, it is not an exaggeration to say that ‘the  
entire issue of a Bill of Rights was precipitated at the Philadelphia Convention by an objection that  
the document under consideration lacked a specific guarantee of jury trial in civil cases.” ’)  
(quoting Charles Wolfram, The Constitutional History of the Seventh Amendment, 57 Minn. L. Rev. 639,  
657 (1973)).

26 <sup>8</sup> R. Pound, Law in Books and Law in Action, 44 Am.L. Rev. 12, 18 (1910) quoted in note 32 of US v  
Dougherty, 473 F2d 1113, 1130 (DC Cir 1972).

27 <sup>9</sup> In a “court of record,” the tribunal is independent of the magistrate, so the “judge” is merely a  
“referee,” and must “remain mute.”





1 the magistrate designated generally to hold it. Henceforth the writ which is called Praeceptum shall not  
2 be served on any one for any holding so as to cause a free man to lose his court. [Magna Carta,  
3 Article 34].

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5 In *Skiver v. State*, 37 Ark.App. 146, 151, 826 S.W.2d 309 (1992), Chief Judge George  
6 Cracraft, speaking for this court, said:

7  
8 “[W]hile we may agree with appellant that it is improper for a trial judge to  
9 needlessly inject himself into the trial, the judge is not merely the chairman of a trial, who  
10 must remain mute until a party calls upon him for a ruling; instead he has some responsibility  
11 for the proper conduct of the trial and achievement of justice.”

12  
13 Therefore, given the circumstances of this case and the reasons set out above, undersigned  
14 requests that this Court grant the motion for trial by jury both as a matter of right and due process of  
15 law.

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16 <sup>10</sup> COURT OF RECORD. A court of record may not be in name only. Further, keeping a record alone is  
17 not sufficient to qualify as a court of record. To be a court of record a court must have four  
18 characteristics, and may have a fifth. They are:

19 A. A judicial tribunal having attributes and exercising functions independently of the  
20 person of the magistrate designated generally to hold it [*Jones v. Jones*, 188 Mo.App.  
21 220, 175 S.W. 227, 229; *Ex parte Gladhill*, 8 Metc. Mass., 171, per Shaw, C.J. See,  
22 also, *Ledwith v. Rosalsky*, 244 N.Y. 406, 155 N.E. 688, 689][*Black's Law Dictionary*,  
23 4th Ed., 425, 426]

24 B. Proceeding according to the course of common law [*Jones v. Jones*, 188 Mo.App. 220,  
25 175 S.W. 227, 229; *Ex parte Gladhill*, 8 Metc. Mass., 171, per Shaw, C.J. See, also,  
26 *Ledwith v. Rosalsky*, 244 N.Y. 406, 155 N.E. 688, 689][*Black's Law Dictionary*, 4th Ed.,  
27 425, 426]

28 C. Its acts and judicial proceedings are enrolled, or recorded, for a perpetual memory  
and testimony. [3 Bl. Comm. 24; 3 Steph. Comm. 383; *The Thomas Fletcher*, C.C.Ga., 24  
F. 481; *Ex parte Thistleton*, 52 Cal 225; *Erwin v. U.S.*, D.C.Ga., 37 F. 488, 2 L.R.A.  
229; *Heininger v. Davis*, 96 Ohio St. 205, 117 N.E. 229, 231]

D. Has power to fine or imprison for contempt. [3 Bl. Comm. 24; 3 Steph. Comm. 383;  
*The Thomas Fletcher*, C.C.Ga., 24 F. 481; *Ex parte Thistleton*, 52 Cal 225; *Erwin v.*  
U.S., D.C.Ga., 37 F. 488, 2 L.R.A. 229; *Heininger v. Davis*, 96 Ohio St. 205, 117 N.E.  
229, 231.][*Black's Law Dictionary*, 4th Ed., 425, 426]

E. Generally possesses a seal. [3 Bl. Comm. 24; 3 Steph. Comm. 383; *The Thomas*  
*Fletcher*, C.C.Ga., 24 F. 481; *Ex parte Thistleton*, 52 Cal 225; *Erwin v. U.S.*, D.C.Ga.,  
37 F. 488, 2 L.R.A. 229; *Heininger v. Davis*, 96 Ohio St. 205, 117 N.E. 229,  
231.][*Black's Law Dictionary*, 4th Ed., 425, 426]



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Accordingly, this Court shall incorporate the hereto attached American Standard for Lawful Juror Peer Selection and the American Standard for Lawful Juror Peer Selection “overlay,” as method by which the peers of the undersigned, provided this matter does go to trial,<sup>11</sup> shall be lawfully identified and selected as a matter of Law and undersigned unalienable fundamental God-given rights.

**Verified**

Declare under penalty of perjury under the laws of the United States of America (without the United States) that the foregoing is true and correct. 28 U.S.C. § 1746

Executed on this \_\_\_\_\_ day of the month of \_\_\_\_\_, in the year of our Lord, 20\_\_\_\_ A.D.

\_\_\_\_\_  
*Attornatus Privatus*

**Declaration of Service**

I declare that I am over the age of 18 years. I also declare under penalty of perjury that I served this action on all parties to this matter either by email, USPS or by personal delivery on this \_\_\_\_\_ day of the month of \_\_\_\_\_, in the year of our Lord.


By: \_\_\_\_\_

<sup>11</sup> Substitution of a “jury trial” or “trial by A jury” shall be construed as unlawful and accordingly, unacceptable.

# AMERICAN STANDARD<sup>1</sup> AND GUIDE FOR JUROR OF PEER<sup>2</sup> SELECTION

State: \_\_\_\_\_ County: \_\_\_\_\_ Name of Court: \_\_\_\_\_

**“Lawful Americans do not consent to the Private Corporation’s ability to convene a *Corporation Jury*<sup>3</sup> imposing such in lieu of a Trial by Jury<sup>4</sup>.”**

~ Please, only select the one (1) choice in each category that best describes you and shade in box, e.g. “” ~

## CITIZENSHIP STATUS AND STANDING

A people, de Jure, not subject to the United States       Citizen of the United States       US Citizen

## RELIGIOUS STATUS AND STANDING

Born again Christian / Baptized       Believes in God / Not Baptized       Atheist       Other

## RACE

White       American Indian       Black       Hispanic       Asian       Other

## GENDER

Man, or

Woman

## JUROR TO RECEIVE PAYMENT FROM STATE OR COUNTY FOR JURY SERVICES

No       Yes

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<sup>1</sup> *The Right to a Jury of One's Peers*

The Sixth Amendment rights associated with trial proceedings -- the right to a speedy trial, the right to a public trial and the right to be judged by a jury of one's peers -- are so bound together by circumstance and tradition that it is almost inconceivable to separate them. Still, each of these parallel rights has developed in its own manner through the centuries.

The right of a person to be tried by a jury of one's peers is traditionally founded on a provision contained in Chapter 29 of that great document of English law, the Magna Carta. That provision, written in 1225, states: "No freeman shall be taken or imprisoned, or be outlawed, or exiled, or any other wise destroyed; nor will we not pass upon him, nor (condemn him), but by lawful judgment of his own peers, or by the law of the land."

<sup>2</sup> peer (plural peers)

1. Somebody or something who/that is at an equal level.
2. A noble with a hereditary title, i.e., a peerage, and in times past, with certain rights and privileges not enjoyed by commoners.

<sup>3</sup> Sometimes called a "Jury Trial" which consists of some number less than 12 who are told they are only able to "judge" the "facts" of the case, that the "law" will be dictated to them by the "judge" as they are too stupid to understand same. A Corporate Jury will receive what is called a "directed verdict" where the corporate officer pretending to be a "judge" will tell the "jury" what to think/how to "find" the "defendant." To understand the difference, look at "Trial by Jury."

<sup>4</sup> Trial by jury. A trial in which the issues of fact [and law] are to be determined by the verdict of a jury, duly selected, impaneled, and sworn. A jury for the trial of a cause was (sic) a body of twelve men, described as upright, well-qualified, and lawful men, disinterested and impartial, not of kin nor personal dependents of either of the parties, having their homes within the jurisdictional limits of the court, drawn and selected by officers free from all bias in favor of or against either party, duly impaneled under the direction of a competent court, sworn to render a true verdict according to ... the evidence given them. [Said verdict is to be rendered immediately upon the conclusion of the trial by polling each individual juror publicly. For the issue to be found "true" the jury] ... must return their unanimous verdict upon the issue submitted to them. -*Black's Law Dictionary Fifth Edition, page 1349.* [Bracketed Material from *Blackstone's Commentaries on The Law, The Federalist Papers, and The Anti-Federalist Papers* to correct some of the misstatements found in *Black's Law Dictionary.*]

Northwest Ordinance, Article II: The inhabitants of the said territory shall always be entitled to the benefits of the writs of habeas corpus, and of the trial by jury; of a proportionate representation of the people in the legislature, and of judicial proceedings according to the course of the common law. All persons shall be bailable, unless for capital offences, where the proof shall be evident, or the presumption great. All fines shall be moderate; and no cruel or unusual punishment shall be inflicted. No man shall be deprived of his liberty or property, but by the judgment of his peers, or the law of the land, and should the public exigencies make it necessary, for the common preservation, to take any person's property, or to demand his particular services, full compensation shall be made for the same. And, in the just preservation of rights and property, it is understood and declared, that no law ought ever to be made or have force in the said territory, that shall, in any manner whatever, interfere with or affect private contracts, or engagements, bona fide, and without fraud previously formed.

*American Standard for Lawful Juror of Peer Selection*



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# AMERICAN STANDARD AND GUIDE FOR JUROR OF PEER SELECTION

State: \_\_\_\_\_ County: \_\_\_\_\_ Name of Court: \_\_\_\_\_

**“Lawful Americans do not consent to the Private Corporation’s ability to convene a *Corporation Jury*<sup>1</sup> imposing such in lieu of a Trial by Jury.”**

*~ Hole punch the shaded boxes of this overlay and overlay it on juror selection form to identify the juror of peer ~*

## CITIZENSHIP STATUS AND STANDING

A people, *de Jure*, not subject to the United States       Citizen of the United States       US Citizen

## RELIGIOUS STATUS AND STANDING

Born again Christian / Baptized       Believes in God / Not Baptized       Atheist       Other

## RACE

White       American Indian       Black       Hispanic       Asian       Other

## GENDER

Man, or

Woman

## JUROR TO RECEIVE PAYMENT FROM STATE OR COUNTY FOR JURY SERVICES

No       Yes

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**NOTE: PUNCH OUT THE SELECTED CRITERIA AND OVERLAY ON PEER SELECTION FORM FOR JUROR PEER SELECTION**

The above selected criterion identifies the Peers of:

\_\_\_\_\_  
(print name)

Case No. \_\_\_\_\_

I, the hereunder signed, do affirm the Juror of Peer Selection hereinabove defined.

\_\_\_\_\_  
(sign)

*American Standard for Lawful Juror of Peer Selection*



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