

U.S. DISTRICT COURT  
N.D. OF N.Y.  
FILED

FEB 20 2018

BRUCE K. BAERMAN, CLERK

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK**

• 445 Broadway; Albany, NY. 12207-2936 •

CASE NO: 1:16-CV-1490

Dated February 16, 2018

**EVIDENCE: 649 PAGES & 27 VIDEO LINKS (CD AVAILABLE), ATTACHED**

Filed February 16, 2018 in the above said court with Copies sent to U.S. Attorney General Jeff Sessions, Senator Chuck Grassley and President Donald Trump. This is a case of murder, wrongful prosecution, abuse of powers and subversion by enemies domestic against We the People of the United States of America.

**INDICTMENT**

**WE THE PEOPLE**

**- AGAINST -**

Hillary Clinton, Harry Mason Reid, BLM Special Agent in Charge Daniel Love for Utah and Nevada, Attorney General Loretta Lynch, FBI Director James Comey, and Oregon Governor Katherine Brown, FBI Special Agent Gregory T. Bretzing, Grant County Commissioner Boyd Britton, Sheriff David Ward, Judge Steven Grasty, FBI Agent W. Joseph Astarita, Magistrate Judge Peggy A. Leen, Magistrate Judge Carl Hoffman, US Attorney Daniel G. Bogden, US Attorney Steven W. Myhre, U.S. Attorney Nicholas D. Dickinson, US Attorney Nadia J. Ahmed, US Attorney Erin M. Creegan, Chief Judge Gloria M. Navarro, Assistant U.S. Attorney Steven Myhre, Magistrate Judge Michael R. Hogan, Chief Judge Ann L. Aiken, Magistrate Judge Patricia Sullivan, U.S. Attorney Amy E. Potter, U.S. Attorney Frank R. Papagni, Jr., Judge Anna J. Brown, Magistrate Judge John Acosta, Judge Stacie F. Beckerman Judge Dustin Pead, U.S. Attorney Billy J. Williams, U.S. Attorney Ethan D. Knight, Assistant U.S. Attorney Geoffrey A. Barrow, Assistant U.S. Attorney Craig Gabriel, and numerous John/Jane Doe(s) from multiple agencies (*To be identified*) which include, but are not limited, to the Local Police, State Police, BLM, FBI and NGO Contractors.

**We the Grand Jury charge** Hillary Clinton, Harry Mason Reid, BLM Special Agent in Charge Daniel Love for Utah and Nevada, Attorney General Loretta Lynch, FBI Director James Comey, Oregon Governor Katherine Brown, FBI Special Agent Gregory T. Bretzing, Grant County Commissioner Boyd Britton, Sheriff David Ward, Judge Steven Grasty, FBI Agent W. Joseph Astarita, and numerous John/Jane Doe(s) from multiple agencies (*To be identified*) which include, but are not limited, to the Local Police, State Police, BLM, FBI and NGO Contractors with:

- RICO.
- Murder, wrongful prosecution, abuse of powers and subversion
- 18 USC §241 Conspiracy against Rights, resulting in murder of LaVoy Finicum, thereby we seek the death penalty.
- 18 USC §242; Deprivation of rights under color of law, resulting in murder of LaVoy Finicum death, thereby we seek the death penalty.
- 18 USC §1001 knowingly and willfully falsifying and concealing material fact, knowingly and willfully falsifying and concealing material fact, making materially false statements seeking 8 years imprisonment. (*All officers state or federal and the governor are part of the executive branch. The Sheriff, Attorney General and Judge are part of the judicial branch*).
- 42 USC 1983 Civil Action for Deprivation of Rights, Grand Jury seeks restitution for all victims as per the Petit Jury Judgment, to fulfil the Common Law Maxim - for every injury there must be a remedy.
- 42 USC §1986 Action for neglect to prevent, the Jury is to be aware of their power of nullification and thereby have the authority to reward any amount.
- 18 USC §1117 Conspiracy to murder, LaVoy Finicum and others, thereby we seek life imprisonment.
- 18 USC §1111 Murder, the Grand Jury seeks murder in the first degree, thereby we seek the death penalty.
- 18 U.S. Code §2331 Domestic Terrorism for conspiring to put out the order to escalate the peaceful protest to bloodshed as a solution and an ending of the Malheur National Wildlife Refuge peaceful demonstrations, resulting in the death of LaVoy Finicum, and attempted murder of others as well as the subsequent cover up.

**We the Grand Jury charge** Magistrate Judge Peggy A. Leen, Magistrate Judge Carl Hoffman, US Attorney Daniel G. Bogden, US Attorney Steven W. Myhre, U.S. Attorney Nicholas D. Dickinson, US Attorney Nadia J. Ahmed, US Attorney Erin M. Creegan, Chief Judge Gloria M. Navarro, Assistant U.S. Attorney Steven Myhre, Magistrate Judge Michael R. Hogan, Chief Judge Ann L. Aiken, Magistrate Judge Patricia Sullivan, U.S. Attorney Amy E. Potter, U.S. Attorney Frank R. Papagni, Jr., Judge Anna J. Brown, Magistrate Judge John Acosta, Judge Stacie F. Beckerman, Judge Dustin Pead, U.S. Attorney Billy J. Williams, U.S. Attorney Ethan D. Knight, Assistant U.S. Attorney Geoffrey A. Barrow, Assistant U.S. Attorney Craig Gabriel and John/Jane Doe(s) with:

- Jury Tampering (Stacking),
- Wrongful prosecution, abuse of powers and subversion,
- 18 USC §241 - Conspiracy against Rights,
- 18 USC §242 - Deprivation of rights under color of law,
- 18 USC §1001 - knowingly and willfully falsifying and concealing material facts,
- 42 USC 1983 - Civil Action for Deprivation of Rights,
- 42 USC §1986 - Action for neglect to prevent.
- Denying the defendant's right of Habeas Corpus and conspiring to manipulate the jury to achieve a guilty plea in the Nevada Bundy Ranch Trial, Malheur National Wildlife Refuge Trial and the Hammonds Trial.

**We the Grand Jury charge**, that on January 26, 2016 in Harney County, Oregon law enforcement officers acting under the color of law ambushed LaVoy Finicum and others that were on their way to meet with Sheriff Glenn Palmer, who was trying to end the peaceful, lawful unarmed demonstration without bloodshed, while they were traveling on a remote highway away from the Malheur National Wildlife Refuge.

After LaVoy Finicum and others stopped for the FBI and police that pulled up behind them they were shot at for no apparent reason thereby provoking LaVoy Finicum and others to flee for their lives. While being pursued up to 90 miles per hour causing LaVoy Finicum and others to crash into a dead man's roadblock hidden around a curve. Whereas the vehicles that forced the high speed chase, knowing there was a road block around the curve, applied their brakes with ample time to stop. Then LaVoy Finicum with hands up exited his vehicle while numerous shots were fired at him and then was brutally murdered in cold blood by FBI, police, federal agents and others.

**We the Grand Jury find** that the demonstrators were acting lawfully, peacefully and were unarmed. We found that the demonstrators were restoring the Malheur National Wildlife Refuge buildings and artifacts that were in serious neglect and decay while in the hands of the BLM, the supposed custodians. We found that the demonstrators were not threatening and were in peaceful communications with the towns people and law enforcement until the order came from Washington to end the demonstration with violence.

**We the Grand Jury find** that a vast conspiracy was in play that lead up to the murder of LaVoy Finicum and the unlawful arrest and prosecution of many innocent People in order to remove American ranchers, miners and loggers from their lawful right of land usage in order to sell uranium and other land usage to foreign entities, for gain.

**We the Grand Jury charge** Hillary Clinton and Harry Mason Reid with conspiring to sell ~~We~~ the Peoples' uranium and to use or sell ~~We~~ the Peoples' land to foreign states or entities which was the cause for intimidating and terrorizing American Ranchers, American Miners and American Loggers in order to force them off the ~~We~~ the Peoples land and by-conspiring with Attorney General Loretta Lynch and FBI Director James Comey to stop the peaceful demonstration that was exposing their acts of RICO and subversion against ~~We~~ the People.

**We the Grand Jury find** that Congress had two in-depth committee hearings and therein was fully informed of these tyrannical atrocities, orchestrated by the deep state, that started at least in the 1980's, thereby Congress was formally aware of the "Threat, Intimidation & Bullying by Federal Land Managing Agencies" and, did nothing. Whereas, Congress could have denied BLM funding thereby ending the acts of terrorism and preventing the said atrocities and/or bring this to the attention of ~~We~~ the People, via Grand Jury.

**We the Grand Jury charge** Grant County Commissioner Boyd Britton, Judge Steven Grasty, Harney County Sheriff David Ward, United States Attorney General Loretta Lynch, FBI Director James Comey, and Oregon Governor Katherine Brown with conspiring to do whatever was necessary to remove the People from our land through intimidation, conspiracy to commit murder, abuse of powers, subversion, terrorizing, burning grazing areas, cattle and homes, and wrongful imprisonment, as well as the subsequent cover up of these wrongdoings

**We the Grand Jury charge** FBI Special Agent Gregory T. Bretzing, BLM Special Agent in Charge Daniel Love, and FBI Agent John Doe #1 (*sent from Washington to end the peaceful demonstration*) all acting under the color of law with conspiracy to commit murder, abuse of powers, and subversion by setting up an ambush using an illegal dead man's road block with the intent to murder LaVoy Finicum and others in cold blood.

**We the Grand Jury charge** Agent/Officer Sniper #1 (as identified by Peter O's video analysis) at first stop along highway 395, about one mile before the dead man's road block, who Shot at LaVoy after he stopped his automobile and tried to communicate, thereby forcing LaVoy and others to flee for their lives and for taking part in and being complaisant in the murder of LaVoy.

**We the Grand Jury charge** Agent/Officer Chaser (as identified by Peter O's video analysis) who forced LaVoy Finicum to admitted speeds up to 90 mph knowing that there was a dead man's road block just over a mile away and with taking part in and being complaisant in the murder of LaVoy.

**We the Grand Jury charge** the Oregon State Police Sniper (as identified by Peter O's video analysis) who shot 3 shots at LaVoy's truck after LaVoy saw the road block and was attempting to stop with taking part in and being complaisant in the murder of LaVoy. These shots were made to assure he would not stop in time.

**We the Grand Jury charge** the Agent/Officer Shooter # 4 (as identified by Peter O's video analysis) who shot at LaVoy while he was crashing into the snow bank with taking part in and being complaisant in the murder of LaVoy.

**We the Grand Jury charge** the Agent/Officer Shooter(s) (as identified by Peter O's video analysis) who shot numerous shots at LaVoy after he exited the truck with hands up with taking part in and being complaisant in the murder of LaVoy.

**We the Grand Jury charge** the Agents/Officers Shooters 1 through 7 (*as identified in the video analysis of Peter O*) with taking part in and being complaisant in the murder of LaVoy.

**We the Grand Jury charge** numerous John/Jane Doe(s) from multiple agencies (*To be identified*) which include, but are not limited, to the Local Police, State Police, BLM, FBI and NGO Contractors who participated in the planning, set up and execution of LaVoy with taking part in and being complaisant in the murder of LaVoy.

**We the Grand Jury charge** FBI Agent W. Joseph Astarita with participating in the planning, set up and execution of LaVoy and fired two shots at LaVoy Finicum.

**We the Grand Jury find** that all of the aforesaid Agents/Officers acted under the color of law with the intent to murder LaVoy Finicum and others in cold blood while they were in route on highway 395 to meet with Sheriff Glenn Palmer who was trying to end the lawful demonstration without bloodshed.

**We the Grand Jury charge** Magistrate Judge Peggy A. Leen, Magistrate Judge Carl Hoffman, United States Attorney Daniel G. Bogden, United States Attorney Steven W. Myhre, United States Attorney Nicholas D. Dickinson, United States Attorney Nadia J. Ahmed, United States Attorney Erin M. Creegan, Assistant U.S. Attorney Steven Myhre, and Chief Judge Gloria M. Navarro with Jury Tampering (Stacking), wrongful prosecution, abuse of powers, subversion, 18 USC §241 Conspiracy against Rights, 18 USC §242 Deprivation of rights under color of law, 18 USC §1001 knowingly and willfully falsifying and concealing material facts, 42 USC 1983 Civil Action for Deprivation of Rights, 42 USC §1986 Action for neglect to prevent, denying the defendants' unalienable right of Habeas Corpus and conspiring to manipulate the jury to achieve a guilty plea in the Nevada Bundy Ranch Trial.

**We the Grand Jury charge** Judge Anna J. Brown, Magistrate Judge John Acosta, Judge Stacie F. Beckerman, Judge Dustin Pead, U.S. Attorney Billy J. Williams, U.S. Attorney Ethan D. Knight, Assistant U.S. Attorney Geoffrey A. Barrow and Assistant U.S. Attorney Craig Gabriel with Jury Tampering (Stacking), wrongful prosecution, abuse of powers, subversion, 18 USC §241 Conspiracy against Rights, 18 USC §242 Deprivation of rights under color of law, 18 USC §1001 knowingly and willfully falsifying and concealing material facts, 42 USC 1983 Civil Action for Deprivation of Rights, 42 USC §1986 Action for neglect to prevent, denying the defendants' unalienable right of Habeas Corpus and conspiring to manipulate the jury to achieve a guilty plea in the Oregon Malheur National Wildlife Reserve Trial.

**We the Grand Jury charge** Magistrate Judge Michael R. Hogan, Chief Judge Ann L. Aiken, Magistrate Judge Patricia Sullivan, U.S. Attorney Amy E. Potter and U.S. Attorney Frank R. Papagni, Jr. with Jury Tampering (Stacking), wrongful prosecution, abuse of powers, subversion, 18 USC §241 Conspiracy against Rights, 18 USC §242 Deprivation of rights under color of law, 18 USC §1001 knowingly and willfully falsifying and concealing material facts, 42 USC 1983 Civil Action for Deprivation of Rights, 42 USC §1986 Action for neglect to prevent, denying the defendants' unalienable right of Habeas Corpus and

conspiring to manipulate the jury to achieve a guilty plea in the Oregon Hammons Trial and willfully causing the Hammons to suffer double jeopardy.

**We the Grand Jury**, in the interest of Justice, DEMAND that Attorney General Jeff Sessions ACT immediately in the process of releasing the Hammons and others in the Bundy and Malheur National Wildlife Refuge trials that were coerced into taking a plea, and remain unjustly incarcerated: This Grand Jury has already filed Habeas Corpus's in all these three cases in which officers from all three courts blatantly ignored and concealed from the record; thereby all being already in default because they did not respond to the Habeas Corpus. Therefore, in the interest of Justice, all political prisoners should be released immediately.

## FACTS & EVENTS

**THE HAMMOND CASE<sup>1</sup>** In 1964 the Hammonds purchased their ranch in the Harney Basin. The purchase included approximately 6000 acres of private property, 4 grazing rights on public land, a small ranch house and 3 water rights. The ranch is about 53 miles South of Burns, Oregon.

By the 1970's nearly all the ranches adjacent to the Blitzen Valley were purchased by the US Fish and Wildlife Service (FWS) and added to the Malheur National Wildlife Refuge. The refuge covers over 187,000 acres and stretches over 45 miles long and 37 miles wide. The expansion of the refuge grew and surrounds the Hammond's ranch. Being approached many times by the FWS, the Hammonds refused to sell. Other ranchers also choose not to sell.

During the 1970's the Fish and Wildlife Service (FWS), in conjunction with the Bureau of Land Management (BLM), took a different approach to get the ranchers to sell. Ranchers were told that, "grazing was detrimental to wildlife and must be reduced". 32 out of 53 permits were revoked and many ranchers were forced to leave. Grazing fees were raised significantly for those who were allowed to remain. Refuge personnel took over the irrigation system claiming it as their own.

By 1980 a conflict was well on its way over water allocations on the adjacent privately owned Silvies Plain. The FWS wanted to acquire the ranch lands on the Silvies Plain to add to their already vast holdings. Refuge personnel intentionally diverted the water thereby

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<sup>1</sup> Excerpts from <http://bundy ranch.blogspot.com/2015/11/facts-events-in-hammond-case.html>

bypassing the vast meadowlands and directed the water into the rising Malheur Lakes. Within a few short years the surface area of the lakes doubled. Thirty-one ranches on the Silvies Plains were flooded. Homes, corrals, barns and graze-land were washed away and destroyed. The ranchers that once fought to keep the FWS from taking their land, now broke and destroyed, begged the FWS to acquire their useless ranches. In 1989 the waters began to recede and now the once thriving privately owned Silvies Plains are part of the Malheur National Wildlife Refuge claimed by the FWS.

By the 1990's the Hammonds were one of the very few ranchers that still owned private property adjacent to the refuge. Susie Hammond, in an effort to make sense of what was going on, began compiling facts about the refuge. In a hidden public record she found a study that was done by the FWS in 1975. The study showed that the "no use" policies of the FWS on the refuge were causing the wildlife to leave the refuge and move to private property. The study showed that the private property adjacent to the Malheur National Wildlife Refuge produced 4 times more ducks and geese than the refuge did. It also showed that the migrating birds were 13 times more likely to land on private property than on the refuge. When Susie brought this to the attention of the FWS and refuge personnel, her and her family became the subjects of a long train of abuses and corruptions.

In the early 1990's the Hammonds filed for a livestock water source and obtained a deed for the water right from the State of Oregon. When the Bureau of Land Management (BLM) and US Fish and Wildlife Service (FWS) found out that the Hammonds obtained new water rights near the Malheur National Wildlife Refuge, they were agitated and became belligerent and vindictive towards the Hammonds. The US Fish and Wildlife Service challenged the Hammonds right to the water in an Oregon State Circuit Court. The court found that the Hammonds legally obtained rights to the water in accordance to State law and therefore the use of the water belongs to the Hammonds.

In August 1994, the BLM & FWS illegally began building a fence around the Hammonds water source. Owning the water rights and knowing that their cattle relied on that water source daily, the Hammonds tried to stop the building of the fence. The BLM & FWS called the Harney County Sheriff department and had Dwight Hammond (Father) arrested and charged with "disturbing and interfering with" federal officials or federal contractors (two counts, each a felony). He spent one night in the Deschutes County Jail in Bend, and a second night behind bars in Portland before he was brought before a federal magistrate and released without bail. A hearing on the charges was postponed and the federal judge never set another date.



The FWS also began restricting access to upper pieces of the Hammond's private property. In order to get to the upper part of the Hammond's ranch they had to go on a road that went through the Malheur National Wildlife Refuge. The FWS began barricading the road and threatening the Hammonds if they drove through it. The Hammonds removed the barricades and gates and continued to use their right of access. The road was proven later to be owned by the County of Harney. This further enraged the BLM & FWS.

Shortly after the road & water disputes, the BLM & FWS arbitrarily revoked the Hammond's upper grazing permit without any given cause, court proceeding or court ruling. As a traditional "fence out state" Oregon requires no obligation on the part of an owner to keep his or her livestock within a fence or to maintain control over the movement of the livestock. The Hammonds intended to still use their private property for grazing. However, they were informed that a federal judge ruled, in a federal court, that the federal government did not have to observe the Oregon fence out law. "Those laws are for the people, not for them".

The Hammonds were forced to either build and maintain miles of fences or be restricted from the use of their private property. Cutting their ranch almost in half, they could not afford to fence the land, so the cattle were removed.

The Hammonds experienced many years of financial hardship due to the ranch being diminished. The Hammonds had to sell their ranch and home in order to purchase another property that had enough grass to feed their cattle. This property included two grazing rights on public land. Those were also arbitrarily revoked later. The owner of the Hammond's original ranch passed away from a heart attack and the Hammonds made a trade for the ranch back.

In the early fall of 2001, Steven Hammond (Son) called the fire department, informing them that he was going to be performing a routine prescribed burn on their ranch. Later that day he started a prescribed fire on their private property. The fire went onto public land and burned 127 acres of grass. The Hammonds put the fire out themselves. There was no communication about the burn from the federal government to the Hammonds at that time. Prescribed fires are a common method that Native Americans and ranchers have used in the area to increase the health & productivity of the land for many centuries.

In 2006 a massive lightning storm started multiple fires that joined together inflaming the countryside. To prevent the fire from destroying their winter range and possibly their home, Steven Hammond (Son) started a backfire on their private property. The backfire was successful in putting out the lightning fires that had covered thousands of acres within a short

period of time. The backfire saved much of the range and vegetation needed to feed the cattle through the winter. Steven's mother, Susan Hammond said, "The backfire worked perfectly, it put out the fire, saved the range and possibly our home."

The next day federal agents went to the Harney County Sheriff's office and filled a police report making accusation against Dwight and Steven Hammond for starting the backfire. A few days after the backfire a Range-Con from the Burns District BLM office asked Steven if he would meet him in town (Frenchglen) for coffee. Steven accepted. When leaving he was arrested by the Harney County Sheriff Dave Glerup and BLM Ranger Orr. Sheriff Glerup then ordered him to go to the ranch and bring back his father. Both Dwight and Steven were booked on multiple Oregon State charges. The Harney County District Attorney reviewed the accusation, evidence and charges, and determined that the accusations against Dwight & Steven Hammond did not warrant prosecution and dropped all the charges.

In 2011, 5 years after the police report was taken, the U.S. Attorney Office accused Dwight and Steven Hammond of completely different charges, they accused them of being "Terrorist" under the Federal Antiterrorism Effective Death Penalty Act of 1996. This act carries a minimum sentence of five years in prison and a maximum sentence of death. Dwight & Steven's mug shots were all over the news the next week posing them as "Arsonists". Susan Hammond (Wife & Mother) said, "I would walk down the street or go in a store, people I had known for years would take extreme measures to avoid me."

Shortly after the sentencing, Capital Press ran a story about the Hammonds. A person who identified as Greg Allum posted three comments on the article, calling the ranchers "clowns" who endangered firefighters and other people in the area while burning valuable rangeland. Greg Allum, a retired BLM heavy equipment operator, soon called Capital Press to complain that he had not made those comments and request that they be taken down from the website. Capital Press removed the comments. A search of the Internet Protocol address associated with the comments revealed it is owned by the BLM's office in Denver, Colorado. Allum said he is friends with the Hammonds and was alerted to the comments by neighbors who knew he wouldn't have written them. "I feel bad for them. They lost a lot and they're going to lose more," Allum said of the ranchers. "They're not terrorists. There's this hatred in the BLM for them, and I don't get it," the retired BLM employee said. Jody Weil, deputy state director for communications at BLM's Oregon office, indicated to reporters that if one of their agents falsified the comments, they would keep it private and not inform the public.

In September 2006, Dwight & Susan Hammond's home was raided. The agents informed the Hammonds that they were looking for evidence that would connect them to the fires. The Hammonds later found out that a boot print and a tire tracks were found near one of the many fires. No matching boots or tires were found in the Hammonds home or on their property. Susan Hammond (Wife) later said, " I have never felt so violated in my life. We are ranchers not criminals." Steven Hammond openly maintains his testimony that he started the backfire to save the winter grass from being destroyed and that the backfire ended up working so well it put out the fire entirely.

During the trial proceedings, Federal Court Judge Michael Hogan did not allow time for certain testimonies and evidence into the trail that would exonerate the Hammonds. Federal prosecuting attorney, Frank Papagni, was given full access for 6 days. He had ample time to use any evidence or testimony that strengthened the demonization of the Hammonds. The Hammonds attorney was only allowed 1 day. Much of the facts about the fires, land and why the Hammonds acted the way they did was not allowed into the proceedings and was not heard by the jury. For example, Judge Hogan did not allow time for the jury to hear or review certified scientific findings that the fires improved the health and productivity of the land. Or, that the Hammonds had been subject to vindictive behavior by multiple federal agencies for years.

Federal attorney Frank Papagni hunted down a witness, Dusty Hammond, that was not mentally capable to be a credible witness. Dusty Hammond (grandson and nephew) testified that Steven told him to start a fire. He was 13 at the time and 24 when he testified (11 years later). At 24 Dusty had been suffering with mental problems for many years. He was estranged from his family including his mother. Judge Hogan noted that Dusty's memories as a 13-year-old boy were not clear or credible. However, he continually allowed the prosecution to use Dusty's testimony anyway. When speaking to the Hammonds about this testimony, they understood that Dusty was manipulated and expressed nothing but love for their troubled grandson.

Judge Michael Hogan & Frank Papagni tampered with the jury many times throughout the proceedings, including during the selection process. Hogan & Papagni only allowed people on the jury who did not understand the customs and culture of the ranchers or how the land is used and cared for in the Diamond Valley. All of the jurors had to drive back and forth to Pendleton daily. Some drove more than two hours each way. By day 8 they were exhausted and expressed desires to be home. On the final day, Judge Hogan kept pushing them to make a verdict. Several times during deliberation, Judge Hogan pushed them to make a decision.

Judge Hogan also would not allow the jury to hear what punishment could be imposed upon an individual that has convicted as a terrorist under the 1996 act. The jury, not understanding the customs and cultures of the area, influenced by the prosecutors for 6 straight days, very exhausted, pushed for a verdict by the judge, unaware of the ramification of convicting someone as a terrorist, made a verdict and went home.

On June 22, 2012, Dwight and Steven were found guilty of starting both the 2001 and the 2006 fires by the jury. However, the federal courts convicted them both as "Terrorist" under the 1996 Antiterrorism Act. Judge Hogan sentenced Dwight (Father) to 3 months in prison and Steven (son) to 12 months in federal prison. They were also stipulated to pay \$400,000 to the BLM. Judge Hogan overruling the minimum terrorist sentence, commenting that if the full five years were required it would be a violation of the 8th amendment (cruel and unusual punishment). The day of the sentencing Judge Hogan retired as a federal judge. In his honor the staff served chocolate cake in the courtroom.

On January 4, 2013, Dwight and Steven reported to prison. They fulfilled their sentences, (Dwight 3 months, Steven 12 months). Dwight was released in March 2013 and Steven, January 2014.

Sometime in June 2014, Rhonda Karges, Field Manager for the BLM, and her husband Chad Karges, Refuge Manager for the Malheur National Wildlife Refuge (which surrounds the Hammond ranch), along with attorney Frank Papagni exemplified further vindictive behavior by filing an appeal with the 9th District Federal Court seeking Dwight's and Steven's return to federal prison for the entire 5 years.

In October 2015, the 9th District Court "resentenced" Dwight and Steven, requiring them to return to prison for several more years. Steven (46) has a wife and 3 children. Dwight (74) will leave Susan (74) to be alone after 55 years of marriage. If he survives, he will be 79 when he is released. During the court preceding the Hammonds were forced to grant the BLM first right of refusal. If the Hammonds ever sell their ranch, they will have to sell it to the BLM.

Dwight and Steven were ordered to report to federal prison again on January 4th, 2016 to begin their resentencing. Both their wives will have to manage the ranch for several years without them. To date they have paid \$200,000 to the BLM, and the remainder \$200,000 must be paid before the end of the 2015. If the Hammonds cannot pay the fines to the BLM, they will be forced to sell the ranch to the BLM or face further prosecution.

It is important to note that federal agencies have no Constitutional authority to buy land. They are “supposed” federal caretakers of ~~We~~ the Peoples’ land that ~~We~~ the People own.

Rhonda Karges specifically deals with all the BLM issues relating to the area in and around the Hammonds property including “grazing denial”. Her husband Chad Karges just happens to be the person in charge of all the issues surrounding the Hammonds ranch such as “water and access”.

Soon after the water rights dispute, the federal government influenced the State of Oregon to change their water law in favor of federal agencies. Wildlife is now considered in the State of Oregon as an accepted beneficial use for government agencies only.

Being convicted as Terrorist made the Hammonds felons. They have been stripped of their right to have guns. The Hammond live 53 miles from the closets town and have no practical way of defending themselves or their cattle. Several times they have watched baby calves be eaten by predators and could do nothing to prevent it.

**NEVADA BUNDY RANCH TRIAL** Judge Gloria Navarro has had a difficult time getting the defendants and spectators to understand that Jury Nullification is a bad thing. She has made her rulings. She has given her orders. She has specifically forbidden nullification from being used in the case of US v. Bundy et al. However, she has not said that jury nullification is illegal. In fact, Nullification is the Law of the Land, as much as Gloria Navarro would like the jurors to believe otherwise. She insinuates that they can be punished for not returning a verdict she approves of.

Navarro declared a mistrial in the first go around when the jury could not reach a unanimous decision on most of the charges. The jury later came out to say they did not believe the government had proven their case. However, Judge Navarro and Assistant U.S. Attorney Steven Myhre have seemed to nearly panic at the thought the jurors may have actually been practicing nullification.

In light of the jury having been deadlocked, Judge Navarro under the color of law declared a mistrial and then called for another trial thereby placing herself above the People and suffered the Hammons Double Jeopardy. Therefore, the government’s second case made it much easier for the prosecution, in that she has ruled nearly 100% in their favor on all major motions presented. She sustained their objections and allowed them to present any evidence they felt necessary. In contrast, this same evidence cannot necessarily be refuted by the defense, as Judge Navarro would support prosecution objections. The defense is limited to a

short 40 minute window within their case, though they have been charged with acts as far out as two years later. The defense cannot bring in evidence and witnesses to prove their defense, as Judge Navarro has ruled against this as well. In fact, the judge has only allowed the defense to present what is called the "mere presence" defense, in which the defendant basically claims they just happened upon the scene of the crime. This, of course, is no defense in the case of the Bunkerville standoff.

The defense has attempted to impeach the government's witnesses, and again, Judge Navarro did not allow this. She practically stamped her foot and threw a tantrum at the thought of defendant Eric Parker telling his version of events on the witness stand, and ultimately had him removed with his testimony stricken from the record.

Navarro has interpreted the law in such a way that the government cannot be wrong in any of their actions and the average citizen is never allowed to defend themselves against any government agent. Additionally, the average citizen cannot avail himself of the Constitutional rights, such as the Second Amendment, without risk of prosecution by the Federal government, as clearly stated by Judge Gloria Navarro.

We must assume that Judge Navarro is of average, if not above average, intelligence. She must see that her rulings have been perceived as dictatorial. She has told the jury they cannot use the US Constitution and cannot even use their own understanding of the law. She has allowed the jury to ask questions of all the prosecution witnesses, yet she has disallowed most of the questions to the only defense witness she allowed to take the stand, Scott Drexler. She continued to disregard our founding documents by telling the jury not to ask some of the questions they have, such as asking about the Bill of Rights, or asking about BLM behavior. They have even been told they do not need to know why the FBI was involved in this case.

According to Navarro, the jury is not allowed to judge the law itself, only the defendant's violation of the law, as she explains it to them. She has gone out of her way to instruct the jury to make them believe they have no choice but find these defendants guilty.

The abuses and corruptions affecting people like the Hammonds are symptoms of a more encompassing problem. Government employees (fulltime & elected) have changed their culture from one of service to, and respect for the people, to the roll of being masters. On the subject of the land, it is evident that government employees are no longer assisting the people in claiming, using and defending property. Instead, they have become the people's competitor for the benefits of the land, and are willing to use force on those who they erroneously compete against.

The federal government adversely controls over 582,000,000 acres of the western lands, 51% of the entire western land mass. They also have recently begun claiming over 72% of western resources such as the sub-surface minerals, forestry and waters. This is a stark comparison to 4.29% federally controlled land in the east.

The impact of the federal government controlling the land and resources inside the western states is hard to calculate. The negative impact on the people can be seen economically, politically, and socially. In order for any people to survive, let alone prosper, it takes the land and resources to do so. Everything we eat, the clothing we wear, the homes we live in, the cars we drive, and so on, come from the earth. All physical comfort and prosperity originates from the earth. Individuals composing the federal government, understanding the origination of wealth, are reserving these resources for themselves and are willing to use force to retain them. The ramifications of their action are slowly forcing the people off the land in the west and into poverty.

Due to the fact that people cannot survive without land and resource, the federal government's action in administering the lands for their own benefit will be the cause of public discontent and unrest until it is corrected.

### **AUTHORITY OF THIS AND ALL COMMON LAW GRAND JURIES**

The "FIRST GRAND JURY" was a Common Law Grand Jury that arose from the People under the authority of God through the People which was never under the thumb of government officials such as judges and prosecutors as we see today. And, until "runaway Grand Juries" under judicial auspices, such as "*This Common Law Grand Jury*" become the norm again by freeing themselves from government control while acting under the knowledge of "Nullification". We the People will never have Liberty and government by consent until we take back control of "OUR" Courts through "FREE" Grand Juries.

*"Although the grand jury normally operates, of course, in the courthouse and under judicial auspices, its institutional relationship with the judicial branch has traditionally been, so to speak, at arm's length."* - United States v. Calandra

The minions (BAR attorneys) of the Deep State have poisoned every issue, infested every level of government and would have We the People believe that only prosecutors can call

the Grand Jury. *"Nothing can be further from the truth"*! More than 1,000 years of History verifies that ~~We~~ the ~~People~~, Sheriffs and Coroners have usually called the Grand Jury.

It wasn't until 1970 that Congress, under the Organized Crime Control Act of 1970 (18 U.S.C.A. §§ 3332-3333), authorized the creation of a "special grand jury" that provided for the court or any attorney appearing on behalf of the United States for the presentation of evidence to a Grand Jury.

During the past 48 years the use of the aforesaid act coupled with the dumbing down of ~~We~~ the ~~People~~ by removing from our education civics, constitutional studies and history or the teaching of fake and repugnant history in its place; all controlled by the minions of the US Department of Education and thereby controlling our children's curriculum. While convincing the populace *"via propaganda"* claiming that *"only a US Attorney can call and control the Grand Jury"* thereby resulting in the eradicating of ~~We~~ the ~~Peoples'~~ unalienable right of *"government by consent"* as declared in the Declaration of Independence, resulting in the corruption of our Justice System. And, until ~~We~~ the ~~People~~ take back our Power and Authority, there can be No Liberty! And that Liberty which we think we have is just an illusion that is shattered when you become their victim in *"their courts of injustice"*.

**AUTHOR & SOURCE OF LAW** *"Sovereignty itself (God and We the People by God's Grace) is, of course, not subject to law, for it is the author and source of law; but in our system, while sovereign powers are delegated to the agencies of government, sovereignty itself remains with the people, by whom and for whom all government exists and acts, And the law is the definition and limitation of power...."*<sup>2</sup> *"'Sovereignty' means that the decree of sovereign makes law, and foreign courts cannot condemn influences persuading sovereign to make the decree."*<sup>3</sup> *"The people of this State, as the successors of its former sovereign, are entitled to all the rights which formerly belonged to the King by his prerogative."*<sup>4</sup> *And, "the state cannot diminish the rights of the people."*<sup>5</sup> *"Supreme sovereignty is in the people and no authority can, on any pretense whatsoever, be exercised over the citizens of this state, but such as is or shall be derived from and granted by the people of this state."*<sup>6</sup>

<sup>2</sup> Yick Wo v. Hopkins, 118 US 356, 370 Quotiens dubia interpretatio libertatis est, secundum libertatem respondendum erit.

<sup>3</sup> Moscow Fire Ins. Co. of Moscow, Russia v. Bank of New York & Trust Co., 294 N.Y.S. 648, 662, 161 Misc. 903.;

<sup>4</sup> Lansing v. Smith, 4 Wend. 9 (N.Y.) (1829), 21 Am. Dec. 89 10C Const. Law Sec. 298; 18 C Em.Dom. Sec. 3, 228; 37 C Nav.Wat. Sec. 219; Nuls Sec. 167; 48 C Wharves Sec. 3, 7.

<sup>5</sup> Hurtado v. People of the State of California, 110 U.S. 516.

<sup>6</sup> NEW YORK CODE - N.Y. CVR. LAW § 2: NY Code - Section 2.



Thereby We the People ordained and established the Constitution for the United States of America<sup>7</sup>. We the People vested Congress with statute making powers<sup>8</sup>. We the People defined and limited that power of statute making<sup>9</sup>. We the People limited law making powers to ourselves alone<sup>10</sup>. We the People did not vest the Judiciary with law making powers. We the People are the “*judicial tribunal having attributes and exercising functions independently of the person of the magistrate designated generally to hold it, and proceeding according to the course of common law.*”<sup>11</sup>

*“The constitutions of most of our states assert that all power is inherent in the people; that they may exercise it by themselves, in all cases to which they think themselves competent, as in electing their functionaries executive and legislative, and deciding by a jury of themselves, both fact and law, in all judiciary cases in which any fact is involved ...”*<sup>12</sup>

## **HAND BOOK FOR FEDERAL GRAND JURORS SUBVERTS THE AUTHOR & SOURCE OF LAW**

The Federal Grand Jury Handbook, which was written by the American Bar Association, makes the following (eleven) foundational false claims thereby creating a statutory grand jury under government control and not the control of a Free and Sovereign People thus rendering use of these indictments a nullity. (1) The jury derives its authority from the Constitution, legislated statutes and the courts rules. (2) The first grand jury consisted of 12 men who were summoned. (3) Grand jurors originally functioned as accusers or witnesses, rather than as judges. (4) The Grand Jury hears only that evidence presented by United States Attorney. (5) A grand jury is not necessary for prison sentencing less than one year. (6) A person may waive grand jury proceedings and agree to be prosecuted. (7) The grand jury is not free to compel a trial of anyone it chooses. (8) The government attorney must sign the indictment

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<sup>7</sup> We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America. Preamble.

<sup>8</sup> **Article I Section 1:** ALL LEGISLATIVE POWERS herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

<sup>9</sup> **Article I Section 8;** To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

<sup>10</sup> “Sovereignty itself is, of course, not subject to law, for it is the author and source of law; but in our system, while sovereign powers are delegated to the agencies of government, sovereignty itself remains with the people, by whom and for whom all government exists and acts And the law is the definition and limitation of power...” [Yick Wo v. Hopkins, 118 US 356, 370 Quotiens dubia interpretatio libertatis est, secundum libertatem respondendum erit].

<sup>11</sup> Jones v. Jones, 188 Mo.App. 220, 175 S.W. 227, 229; Ex parte Gladhill, 8 Mete. Mass., 171, per Shaw, C.J. See, also, Ledwith v. Rosalsky, 244 N.Y. 406, 155 N.E. 688, 689.

<sup>12</sup> Thomas Jefferson, letter to John Cartwright; June 5, 1824.

before a party may be prosecuted. (9) The grand jury is to consult the government before undertaking a formal investigation. (10) The grand jury cannot investigate without government approval. (11) The grand jury is composed of 23 government qualified persons.

### **REBUTTAL TO THE FALSE CLAIMS OF THE HAND BOOK FOR FEDERAL GRAND JURORS AND PROOF POSITIVE OF ITS DECEPTIVENESS**

(1) "The federal grand jury derives its authority from the rules of the federal courts." See, page 1 Handbook for Federal Grand Jurors

**REBUTTAL of #1** - The Jury is an unalienable right derived from God and the process by which we have government by consent of the People. Quoting US v Williams<sup>13</sup> "*Because the grand jury is an institution separate from the courts, over whose functioning the courts do not preside, we think it clear that, as a general matter at least, no such "supervisory" judicial authority exists, and that the disclosure rule applied here exceeded the Tenth Circuit's authority. "[R]ooted in long centuries of Anglo-American history," Hannah v. Larche, 363 U.S. 420, 490, 80 S.Ct. 1502, 1544, 4 L.Ed.2d 1307 (1960) (Frankfurter, J., concurring in result), the grand jury is mentioned in the Bill of Rights, but not in the body of the Constitution. It has not been textually assigned, therefore, to any of the branches described in the first three Articles. It " 'is a constitutional fixture in its own right.' " United States v. Chanen, 549 F.2d 1306, 1312 (CA9 1977) (quoting Nixon v. Sirica, 159 U.S.App.D.C. 58, 70, n. 54, 487 F.2d 700, 712, n. 54 (1973)), cert. denied, 434 U.S. 825, 98 S.Ct. 72, 54 L.Ed.2d 83 (1977). In fact the whole theory of its function is that it belongs to no branch of the institutional government, serving as a kind of buffer or referee between the Government and the people. Stirone v. United States, 361 U.S. 212, 218, 80 S.Ct. 270, 273, 4 L.Ed.2d 252 (1960); Hale v. Henkel, 201 U.S. 43, 61, 26 S.Ct. 370, 373, 50 L.Ed. 652 (1906); G. Edwards, The Grand Jury 28-32 (1906).*"

(2) "The first English grand jury consisted of 12 men selected from the knights or other freemen, who were summoned to inquire into crimes alleged to have been committed in their local community." (see, page 1 HFGJ)

**REBUTTAL of #2** - Magna Carta Paragraph 52 says that the first known grand jury organized themselves and acted under the authority of the Sovereign People and is made up

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<sup>13</sup> US v Williams 112 S. Ct. 1735 504 U.S. 36 118 L.Ed.2d 352.

of "five and twenty jurors of whom mention is made below in the clause for securing the peace."

- (3) "Grand jurors originally functioned as accusers or witnesses, rather than as judges."  
(see, page 2 HFGJ)

**REBUTTAL of #3** - Magna Carta, being the equivalent to our Declaration of Independence in the People being the consentors and the putting down of tyrants, Paragraph 52 says that the grand jury is the Sureties of the Peace whereas we read: "*If anyone has been dispossessed without the legal judgment of his peers, from his lands, castles, franchises, or from his right, we will immediately restore them to him; and if a dispute arise over this, then let it be decided by the five and twenty jurors of whom mention is made below in the clause for securing the peace. Moreover, for all those possessions, from which anyone has, without the lawful judgment of his peers, been disseized or removed by our government we will immediately grant full justice therein.*"

- (4) "The grand jury normally hears only that evidence presented by a United States Attorney" (see, page 3 HFGJ)

**REBUTTAL of #4** - Again, the aforesaid would deny government by consent and place ~~We~~ the ~~People~~ in subjection to our servant prosecutor. Quoting US v Williams<sup>14</sup> "*The grand jury's functional independence from the judicial branch is evident both in the scope of its power to investigate criminal wrongdoing, and in the manner in which that power is exercised. 'Unlike [a] [c]ourt, whose jurisdiction is predicated upon a specific case or controversy, the grand jury 'can investigate merely on suspicion that the law is being violated, or even because it wants assurance that it is not.'*" *United States v. R. Enterprises*, 498 U.S. ----, ----, 111 S.Ct. 722, 726, 112 L.Ed.2d 795 (1991) (quoting *United States v. Morton Salt Co.*, 338 U.S. 632, 642-643, 70 S.Ct. 357, 364, 94 L.Ed. 401 (1950)). *It need not identify the offender it suspects, or even "the precise nature of the offense" it is investigating. Blair v. United States*, 250 U.S. 273, 282, 39 S.Ct. 468, 471, 63 L.Ed. 979 (1919)."

- (5) Handbook claims that "an infamous crime is one which may be punished by imprisonment for more than one year." This infers that an indictment is not necessary for legislated sentencing of crimes calling for less than a year imprisonment. (see, page 3 HFGJ)

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<sup>14</sup> US v Williams 112 S. Ct. 1735 504 U.S. 36 118 L.Ed.2d 352

**REBUTTAL of #5** - The unalienable right of a grand jury is a part of due process of law and cannot be denied if the unalienable right of liberty hangs in the balance. Amendment V: *No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury... nor be deprived of life, liberty, or property, without due process of law.*

- (6) "The person being investigated by the government may, however, waive grand jury proceedings and agree to be prosecuted by a written charge of crime called an information". (see, page 4 HFGJ)

**REBUTTAL of #6** - The 5<sup>th</sup> Amendment denied the aforesaid conclusion when ~~We~~ the People said "*No person shall be held to answer*"<sup>15</sup> therefore an information from a prosecutor in place of a grand jury indictment is repugnant and void for it too easily opens the door of abuse under color of law for extortion and vindictive prosecution.

- (7) "The grand jury is not completely free to compel a trial of anyone it chooses."

- (8) "The government attorney must sign the indictment before a party may be prosecuted. Thus, the government and the grand jury act as checks on each other. This assures that neither may arbitrarily wield the awesome power to indict a person of a crime." (see, page 4 HFGJ)

**Rebuttal of #7 & 8:** The aforesaid would deny government by consent and place ~~We~~ the People in subjection to our servant prosecutor. Quoting US v Williams<sup>16</sup> "*The grand jury requires no authorization from its constituting court to initiate an investigation, see Hale, supra, 201 U.S., at 59-60, 65, 26 S.Ct., at 373, 375, nor does the prosecutor require leave of court to seek a grand jury indictment. And in its day-to-day functioning, the grand jury generally operates without the interference of a presiding judge. See Calandra, supra, 414 U.S., at 343, 94 S.Ct., at 617. It swears in its own witnesses, Fed.Rule Crim.Proc. 6(c), and deliberates in total secrecy, see United States v. Sells Engineering, Inc., 463 U.S., at 424-425, 103 S.Ct., at 3138. ... The grand jury remains "free to pursue its investigations unhindered by external influence or supervision so long as it does not trench upon the legitimate rights of any witness called before it." United States v. Dionisio, 410 U.S. 1, 17-18, 93 S.Ct. 764, 773, 35 L.Ed.2d 67 (1973).*"

<sup>15</sup> Amendment V: *No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury...*

<sup>16</sup> US v Williams 112 S. Ct. 1735 504 U.S. 36 118 L.Ed.2d 352.

*There is yet another respect in which respondent's proposal not only fails to comport with, but positively contradicts, the "common law" of the Fifth Amendment grand jury. Motions to quash indictments based upon the sufficiency of the evidence relied upon by the grand jury were unheard of at common law in England, see, e.g., People v. Restenblatt, 1 Abb.Prac. 268, 269 (Ct.Gen.Sess.N.Y.1855). And the traditional American practice was described by Justice Nelson, riding circuit in 1852, as follows:*

*"No case has been cited, nor have we been able to find any, furnishing an authority for looking into and revising the judgment of the grand jury upon the evidence, for the purpose of determining whether or not the finding was founded upon sufficient proof, or whether there was a deficiency in respect to any part of the complaint. . . ." United States v. Reed, 27 Fed.Cas. 727, 738 (No. 16,134) (CCNDNY 1852).*

*We accepted Justice Nelson's description Costello v. United States, 350 U.S. 359, 76 S.Ct. 406, 100 L.Ed. 397 (1956), where we held that "it would run counter to the whole history of the grand jury institution" to permit an indictment to be challenged "on the ground that there was incompetent or inadequate evidence before the grand jury." Id., at 363-364, 76 S.Ct., at 409. And we reaffirmed this principle recently in Bank of Nova Scotia, where we held that "the mere fact that evidence itself is unreliable is not sufficient to require a dismissal of the indictment," and that "a challenge to the reliability or competence of the evidence presented to the grand jury" will not be heard. 487 U.S., at 261, 108 S.Ct., at 2377. It would make little sense, we think, to abstain from reviewing the evidentiary support for the grand jury's judgment while scrutinizing the sufficiency of the prosecutor's presentation. A complaint about the quality or adequacy of the evidence can always be recast as a complaint that the prosecutor's presentation was "incomplete" or "misleading." Our words in Costello bear repeating: Review of facially valid indictments on such grounds "would run counter to the whole history of the grand jury institution[,] [and] [n]either justice nor the concept of a fair trial requires [it]." 350 U.S., at 364, 76 S.Ct., at 409.*

- (9) "The grand jury may consider additional matters otherwise brought to its attention, but should consult with the government attorney or the court before undertaking a formal investigation of such matters. This is necessary because the grand jury has no investigative staff, and legal assistance will be necessary in the event an indictment is voted." (see, page 5 HFGJ)

**REBUTTAL of #9** - Again, the aforesaid would deny government by consent and place We the People in subjection to our servant prosecutor. Quoting US v Williams<sup>17</sup> Recognizing this tradition of independence, we have said that the Fifth Amendment's "constitutional guarantee presupposes an investigative body 'acting independently of either prosecuting attorney or judge' . . ." *Id.*, at 16, 93 S.Ct., at 773 (quoting *Stirone*, supra, 361 U.S., at 218, 80 S.Ct., at 273).

(10) *"A federal grand jury is not authorized to investigate situations involving the conduct of individuals, public officials, agencies, or institutions."* (see, page 5 HFGJ)

**REBUTTAL of #10** - The aforesaid would place the government above reproach whereby they could prevent indictments against their own and again, would deny government by consent and place We the People in subjection to our servant prosecutor. Quoting US v Williams<sup>18</sup> *"Given the grand jury's operational separateness from its constituting court, it should come as no surprise that we have been reluctant to invoke the judicial supervisory power as a basis for prescribing modes of grand jury procedure. Over the years, we have received many requests to exercise supervision over the grand jury's evidence-taking process, but we have refused them all, including some more appealing than the one presented today. In Calandra v. United States, supra, a grand jury witness faced questions that were allegedly based upon physical evidence the Government had obtained through a violation of the Fourth Amendment; we rejected the proposal that the exclusionary rule be extended to grand jury proceedings, because of "the potential injury to the historic role and functions of the grand jury." 414 U.S., at 349, 94 S.Ct., at 620. Costello v. United States, 350 U.S. 359, 76 S.Ct. 406, 100 L.Ed. 397 (1956), we declined to enforce the hearsay rule in grand jury proceedings, since that "would run counter to the whole history of the grand jury institution, in which laymen conduct their inquiries unfettered by technical rules." *Id.*, at 364, 76 S.Ct., at 409."*

(11) *"The judge will then direct the selection of 23 qualified persons to become the members of the grand jury."* (see, page 6 HFGJ)

**REBUTTAL of #11** - Magna Carta Paragraph 52 makes it clear that a grand jury is made up of 25 People not 23. *...if a dispute arise over this, then let it be decided by the five and twenty jurors of whom mention is made below in the clause for securing the peace.*

<sup>17</sup> *US v Williams* 112 S. Ct. 1735 504 U.S. 36 118 L.Ed.2d 352.

<sup>18</sup> *US v Williams* 112 S. Ct. 1735 504 U.S. 36 118 L.Ed.2d 352.

## RIGHT OF GRAND & PETIT JURY

**LYSANDER SPOONER** (An Essay on the Trial by Jury, 1852): "...*there can be no legal right to resist the oppressions of the government, unless there be some legal tribunal, other than the government, and wholly independent of, and above, the government, to judge between the government and those who resist its oppressions....*"

**LYSANDER SPOONER** (An Essay on the Trial by Jury, 1852): "*The authority to judge what are the powers of the government, and what are the liberties of the people, must necessarily be vested in one or the other of the parties themselves--the government, or the people; because there is no third party to whom it can be entrusted. If the authority be vested in the government, the government is absolute, and the people have no liberties except such as the government sees fit to indulge them with.*"

**Marston's, Inc. v. Strand**, 560 P.2d 778, 114 Ariz. 260): "*Grand jury is [an] investigative body acting independently of either prosecutor or judge whose mission is to bring to trial those who may be guilty and clear the innocent.*"

"*Although the grand jury normally operates, of course, in the courthouse and under judicial auspices, its institutional relationship with the judicial branch has traditionally been, so to speak, at arm's length.*" *United States v. Calandra*, 414 U.S. 338, 343, 94 S.Ct. 613, 617, 38 L.Ed.2d 561 (1974); Fed.Rule Crim.Proc. 6(a).

## CONCLUSION

We the People have the unalienable right to consent, or not to consent, as to the government's accusations against the People. And if indicted We the People have the unalienable right to decide the law, the facts and the conclusion of the matter.

All officers of the court Magistrates, Judges, Prosecutors, Appointed Counsels, United States Attorneys, Sheriffs, United States Marshalls and clerks; and Legislators' of statutes are employed by the government and/or are members of the BAR which teaches their members to be anti-constitutional and anti-common law, and thereby subversive. They are trained to place the letter of legislative law above the essence of common law, that being justice and mercy.

To allow our servants to control the jury would breed "absolute" government corruption and control which this paper and present judiciary conditions conclusively proves. Therefore, it is

the unalienable right of ~~We~~ the People to provide for the administration of the Grand and Petit Juries. The first recorded grand jury was established by the People through the Magna Carta, whereas the grand jury assembled itself and brought into subjection the tyrant king back under the will of the People; and today, now, so do ~~We~~ the People.

**A TRUE BILL**

SEAL

DATED: February 9, 2018



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Grand Jury Foreman

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Prepared by:

Grand Jury Foreman

Unified United States Common Law Grand Jury

P.O. Box 59; Valhalla, NY 10595

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