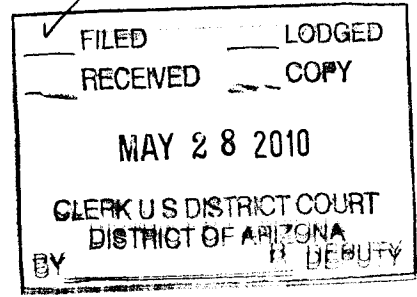


Ronald J. McBride  
P.O. Box 982  
Florence, Arizona 85132



United States District Court  
District of Arizona

United States of America  
  
                  plaintiff,  
  
                  vs.  
  
Janice Sue Taylor,  
                  defendant

) Case #10-400-PHX-MHM

) MOTION TO QUASH  
) SUBPOENA DUCES TECUM

MOTION TO QUASH SUBPOENA DUCES TECUM F.R.C.P. 17 (a)

Ronald McBride, hereafter “McBride” to the alleged action captioned above, moves this court to quash the Subpoena Duces Tecum filed by Frank T. Galati on April 30, 2010, attached as ‘Exhibit A’, for a lack of standing and jurisdiction for the following reasons:

1. Plaintiff lacks standing. The foundation for standing is article III § 2 of the United States constitution: “The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States...” Standing is required because “courts only adjudicate justiciable controversies.” See in the nature of United States v. Interstate Commerce Commission, 337 US 426, 430. Although standing is mainly used in Civil cases, the elements of standing are:

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

“the duty of this court, as of every judicial tribunal, is limited to determining rights of persons or of property, which are actually

controverted in the particular case before it.” See in the nature of Tyler v. Judges of the Court of Registration, 179 US 405.

2. To have standing, a plaintiff must allege the violation of a legal right. The plaintiff has not alleged the violation of a legal right in the Indictment of Janice Sue Taylor. Therefore, there is no standing to complain.

A. Standing also requires injury. Standing requires the violation of a legal right that causes injury:

“Like the prudential component, the constitutional component of standing doctrine incorporates concepts concededly not susceptible of precise definition. The injury alleged must be, for example, "distinct and palpable," Gladstone, Realtors v. Village of Bellwood, 441 U.S. 91, 100 (1979) (quoting Warth v. Seldin, supra, at 501), and not "abstract" or "conjectural" or "hypothetical," Los Angeles v. Lyons, 461 U.S. 95, 101-102 (1983); O’Shea v. Littleton, 414 U.S. 488, 494 (1974). The injury must be "fairly" traceable to the challenged action, and relief from the injury must be "likely" to follow from a favorable decision.” See in the nature of Allen v. Wright, 468 U.S. 737, 751 (1984).

“The plaintiff must show that he himself is injured by the challenged action of the defendant. The injury may be indirect, [See in the nature of] United States v. SCRAP, 412 U.S. 669, 688, 93 S.Ct. 2405, 2416, 37 L.Ed.2d 254 (1973), but the complaint must indicate that the injury is indeed fairly traceable to the defendant’s acts or omissions. [See in the nature of] Simon v. Eastern Ky. Welfare Rights Org., 426 U.S. 26, 41-42, 96 S.Ct. 1917, 1925-1926, 48 L.Ed.2d 450 (1976); O’Shea v. Littleton, 414 U.S. 488, 498, 94 S.Ct. 669, 677, 38 L.Ed2d 674 (1974); Linda R. S. v. Richard D., 410 U.S. 614, 617, 93 S.Ct. 1146, 1148, 35 L.Ed.2d 536 (1973).” [See in the nature of] Vil. of Arlington Hts. v. Metro Housing Dev., 429 U.S. 252, 262.

3. The plaintiff has failed to allege both elements of standing in the indictment of Janice Sue Taylor. Therefore, there is no justiciable controversy and the plaintiff lacks standing to complain. Without standing for a case, a subpoena Duces Tecum of witnesses is moot. Therefore this Subpoena Duces Tecum needs to be quashed.

4. No corpus delecti. There is no corpus delecti. The corpus delecti is related to standing and must be proven in every prosecution and has two elements:

“Component parts of every crime are the occurrence of a specific kind of injury or loss, somebody’s criminality as source of the loss, and the accused’s identity as the doer of the crime; the first two elements are what constitutes the concept of “corpus delicti.” See in the nature of, U.S. v. Shunk, 881 F.2d 917, 919 C.A. 10 (Utah).

The corpus delicti of a crime consists of two elements: (1) the fact of the injury or loss or harm, and (2) the existence of a criminal agency as its cause [citations omitted] there must be sufficient proof of both elements of the corpus delicti beyond a reasonable doubt.” See in the nature of, 29A American Jurisprudence Second Ed., Evidence § 1476.

5. Without a corpus delicti there is no crime. Plaintiff has not established a corpus delicti in Janice Sue Taylor’s indictment. Without a corpus delicti the subpoena Duces Tecum for witnesses is moot.
6. Lack of jurisdiction. “Standing represents a jurisdictional requirement...” See in the nature of, National Organization for Women, Inc., v. Scheidler, 510 US 249. As with standing, the foundation of the court’s jurisdiction is article III § 2 of the United States constitution: “The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States...”
7. There is no true adversary in this adversary proceeding:

**“the duty of this court, as of every judicial tribunal, is limited to determining rights of persons or of property, which are actually controverted in the particular case before it.” See in the nature of, Tyler v. Judges of the Court of Registration, 179 US 405.**

If the constitution applies to this court, then the court’s jurisdiction is limited to “cases”. A “case”, as shown above, requires an allegation of a legal right being violated and distinct injury caused thereby. The plaintiff has not alleged the violation of a legal right or injury in the indictment against Janice Sue Taylor. Therefore, there is no true adversaries or case before the court and the court lacks jurisdiction. Without any factual case before the court, the subpoena Duces Tecum of any witness is only a fishing expedition, and must be quashed in the favor of justice.

8. Mr. Galati has not presented any facts that show McBride is within the “Federal District of Arizona”. Although Mr. Galati’s opinion in Janice Sue Taylor’s indictment

indicates that Ms. Taylor is a resident of Gilbert or Florence, Arizona, residence has not been established. Mr. Galati has not presented any evidence that Gilbert, Florence or the State of Arizona is anything other than a fiction and how can Ms. Taylor or Mr. McBride live within a fiction or the “Federal District of Arizona”. The State of Arizona is not geographic, as the State of Arizona did not exist before February 1912.

9. The Subpoena Duces Tecum served on Mr. McBride did not have a **seal of the court** as required by the Federal Rules of Criminal Procedure rule 17(a), and is therefore invalid.

**Federal Rules of Criminal Procedure, Rule 17.(a) Subpoena**

**(a) Content. A subpoena must state the court’s name and the title of the proceeding, include the seal of the court, and command the witness to attend and testify at the time and place the subpoena specifies. The clerk must issue a blank subpoena—signed and sealed—to the party requesting it, and that party must fill in the blanks before the subpoena is served.**

Mr. Galati has not provided any new court trial date and McBride has reason to believe the date has been changed to July 13, 2010.

10. Mr. Galati has made no offer of immunity from McBride’s information being used against McBride in potential future actions. Mr. Galati’s actions by serving a invalid subpoena Duces Tecum upon McBride indicate this is nothing but a fishing expedition upon McBride’s personal private life. Mr. Galati has not presented any facts to indicate that Janice Sue Taylor’s indictment has any standing in order for this court to have a case or a subpoena Duces Tecum before it.
11. By Law and precedent and in accordance with the Supreme Court of the United States ***pro se* Pleadings MAY NOT be held to the same standard as a lawyer’s and/or attorney’s; and whose motions, pleadings and all papers may ONLY be judged by their function and never their form.** See in the nature of: Haines v. Kerner; Platsky v. CIA; Anastasoff v. United States; Litigants are to be held to less stringent pleading standards.

**Conclusion**

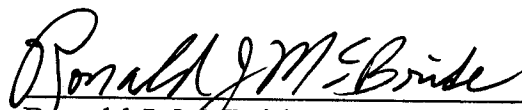
There is no true adversary in this adversary proceeding:

**“the duty of this court, as of every judicial tribunal, is limited to determining rights of persons or of property, which are actually controverted in the particular case before it.” See in the nature of, Tyler v. Judges of the Court of Registration, 179 US 405.**

**Who, What, Where, is the true adversary in this proceeding?**

Because the plaintiff has failed to provide the above required elements to establish standing to complain, jurisdiction, and there is no corpus delicti, declared as facts in the indictment of Janice Sue Taylor, and the fact that there is no seal of the court on the Subpoena Duces Tecum as required by rule 17 (a) Federal rules of Criminal Procedure, this Court should quash the subpoena Duces Tecum filed against McBride, or schedule a Show Cause Hearing on why it should not.

Submitted this 28<sup>th</sup> day of May, 2010.

  
\_\_\_\_\_  
Ronald J. McBride

Certificate of service

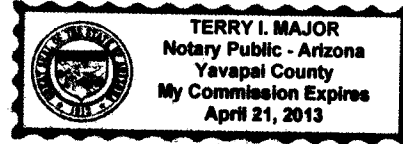
This is to certify that I, Terry Majors<sup>18</sup>, delivered a true and correct copy of the foregoing MOTION TO QUASH SUBPOENA DUCES TECUM on this 28<sup>th</sup> day of May 2010, to the plaintiff at the following addresses:

  
Notary: Terry Majors

Clerk of the Court  
401 W. Washington St  
Phoenix, Arizona

Judge Mary H. Murguia  
401 W. Washington St  
Phoenix, Arizona

Frank T. Galati  
40 N. Central #1200  
Phoenix, Arizona





U.S. Department of Justice

EXHIBIT "A"

United States Attorney  
District of Arizona

Two Renaissance Square  
40 N. Central Avenue, Suite 1200  
Phoenix, Arizona 85004-4408

(602) 514-7500  
FAX: (602) 514-7693

May 3, 2010

Ronald J. McBride  
P.O. Box 982  
Florence, AZ 85132

Re: United States v. Sue Taylor  
CR-10-00400-PHX-MHM

Dear Mr. McBride:

You have been subpoenaed as a witness in the above-captioned case compelling your attendance at the trial of the above matter.

The trial will begin on June 1, 2010. You will be contacted at a later date closer to trial to confirm your attendance and to make additional arrangements.

Please be advised that your subpoena will remain in effect until you are excused from service by either this office or the U.S. District Court. It is therefore requested that you contact the Internal Revenue Service Special Agent David Votaw at (480) 503-7337 should you be absent from your place of residence for any period of time or should your address or telephone number change.

Sincerely yours,

DENNIS K. BURKE  
United States Attorney  
District of Arizona

FRANK T. GALATI  
Assistant U.S. Attorney

FTG/mlc

# UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

United States of America

DUCES TECUM

v.

**SUBPOENA IN A  
CRIMINAL CASE**

Sue Taylor

Case Number:

Defendant.

CR-10-00400-PHX-MHM

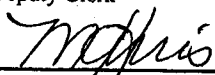
TO:

Ronald J. McBride  
P.O. Box 982  
Florence, AZ 85132

YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below, or any subsequent place, date and time set by the court, to testify in the above referenced case. This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

PLACE  United States Courthouse 401 West Washington Street Phoenix, Arizona 85003	COURTROOM Room 505
	DATE AND TIME June 1, 2010 at 9 a.m.

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):  
See attached.

U.S. MAGISTRATE JUDGE OR CLERK OF COURT  <b>RICHARD H. WEARE</b> (By) Deputy Clerk 	DATE April 30, 2010
--	------------------------

ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER: FRANK T. GALATI, Assistant U.S. Attorney  
Two Renaissance Square - 40 N. Central Avenue, Suite 1200  
Phoenix, Arizona 85004-4408  
(602) 514-7500 or 1-800-800-2570



1. A list of all entities for which you are named, or have been named, as:
  - (a) a trustee;
  - (b) a member of an L.L.C. or purported L.L.C.; and or
  - (c) an officer, director or incorporator of a corporation or purported corporation.
  
2. Any and all records of any sort whatsoever, including but not limited to, documents, notes, receipts, bank statements, bank records, checks, check stubs, sales contracts, ledgers, closing statements, escrow documents that pertain in any way whatsoever to any of the entities:
  - (a) Listed in response to #1 above; and/or
  - (b) Listed on the attached list.

**DBA's**

A J 438 Land Trust  
 A J 525 Land Trust  
~~Beseek Family Trust~~  
 Burning Bush Ministries Land Trust  
 CG Hilltop 40 Land Trust  
 Circle R Investments  
 Copa Cabana Land Trust  
 Healing 194 Land Trust  
 Healing Hands 194 Land Trust  
 Helmscircle Trust  
 Herbal Land Trust  
 Herbal Research Institute  
 Herbal Trust  
 Higley Citrus Trust #D2  
 Hilltop LLC  
 Hilltop Trust  
 Ideal Investments LLC  
 Kachinaplx Trust  
 Land Capital International  
 LM03 Land Trust  
 LMSIXTY Land Trust  
 Lovalley Irrevocable Trust  
 LP 20 Land Trust  
 McBride Ministries  
 McBride Musical Ministries  
 Meadowbrook Trust  
 Miroyal, LLC  
 Myland LLC  
 Myracine Land Trust  
 National Land Bank Broker  
 National Land Bank, LLC  
 National Land Brokerage  
 Nature's Herb & Tea Garden  
 Noble & Master LLC  
 P & H 3 Irrevocable Trust  
 P & H Irrevocable Trust  
 P & H L.L.C  
 11 Mile Corner Land Trust  
 LP 20 Land Trust  
 Picacho Land Trust

**DBA's**

P & H Trust  
 Peace Pipe LLC  
 Peacepipe 20 LLC  
 Peacepipe LLC  
 Peacepipe Twenty LLC  
 Pecley Land Trust  
 Pepperplx Trust  
 Piece Pipe LLC  
 Pierce Family Trust  
 Property Resources Internet, Inc.  
 Property Resources, Inc.  
 Pure Trust  
 Q.C. Research Land Trust  
 R.J. McBride Family Trust  
 Rideal Investments LLC  
 Riggs 194 Trust  
 Riggs 196 Trust  
 Riggs 3.7 Irrevocable Pure Trust  
 Riggs 3.7 Land Holding Trust  
 Riggs 3.7 Trust  
 Royce LLC  
 Speck Trust  
 Speck Trust International  
 Spring I Trust  
 Spring Irrevocable Trust  
 Spring Linda Land Trust  
 Spring Trust  
 Sue J Taylor Trust  
 Sue Taylor Inc., Employees Profit Sharing Plan  
 Sumac Irrevocable Trust  
 Summer Irrevocable Trust  
 Summer Trust  
 Susan McBride Family Trust  
 The Barstow Land Trust  
 The Cambridge Land Trust  
 Trumanco LLC  
 Wrkplace Trust  
 Barstool Land Trust  
 CG Hilltop 40 Trust  
 LMO3 Land Trust

LM6 Land Trust	Burning Bush Ministries
McBride Musical Ministries Land T: Speck Trust	
Pierce Family Trust	Higley Citrus Trust
Weeltka Holding Trust	Myracine Land Trust
Boseck Family Trust	Cambridge Land Trust
Copa Cabana Land Trust	