

Janice Sue Taylor
3341 Arianna Court
Near Gilbert, Arizona
Pursuant to U.S.C. 28 §1746 (1)
Without the United States

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CLERK U S DISTRICT COURT DISTRICT OF ARIZONA	
BY _____	DEPUTY

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

UNITED STATES OF AMERICA, Alleged Plaintiff, vs. Janice Sue Taylor, Alleged Defendant) Case No.: CR-10-400-PHX-MHM) REBUTTAL TO GOVERNMENT DOC #134) AFFIDAVIT REQUESTING EXTENTION) OF PRE-TRIAL DEADLINE) Federal Rules of Criminal Procedure) 12(a) (3) and Rule 12 (c) and Federal) Rules of Evidence 102) DUE PROCESS violations) Constitutional violations)
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**ALLEGED DEFENDANT'S AFFIDAVIT TO EXTEND TIME FOR FILING
PRE-TRIAL MOTIONS**

Alleged Defendant, hereinafter Affiant, gives reasons for this Court to continue the Pre-Trial Deadline motions under Federal Rule of evidence 102, Purpose and Construction;

These rules shall be construed to secure fairness in administration, elimination of unjustifiable expense and delay, and promotion of growth and development of the law of evidence to the end that the truth may be ascertained and proceedings justly determined.

Time is necessary in order that truth be ascertained and proceedings justly determined.

Affiant accepts Prosecutors response to the Affidavit requesting extension of pre-trial deadline (doc 134) stating that the extension submitted by Affiant lacks merit and fails to show good cause for an extension, upon proof of claim that the following is not true, and has no basis which would impact Affiant negatively in any due process or fair trial proceedings. And, upon proof of claim that the Prosecutor has given all discovery to Affiant. Affiant has requested in 3 separate documents for any and all discovery Prosecutor has and Affiant has still not received it. See doc 108, 109 and 158.

AFFIANT STATES

1. Affiant States: The Rule of Criminal Procedure 12(c) provides that all pre-trial motions shall be made at the discretion of the Judge. However, in the interests of justice, this Court can extend the time for filing motions.
2. Affiant States: Affiant has been mistakenly indicted on 8 counts of Tax offenses.

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- 1 3. Affiant States: Affiant is currently proceeding sui juris, without an Attorney
2 knowledgeable in Tax Law to represent her.
- 3 4. Affiant States: Affiant has filed many motions into this court, but due to the fact that
4 Affiant is sui juris, and not familiar with all the laws and procedures, the court has struck
5 all defense motions submitted before October 4, 2010, for petty reasons given by the
6 Prosecutor.
- 7 5. Affiant States: The court is supposed to recognize the fact that pro se or sui juris litigants
8 are not trained in the procedures and are to be held to less stringent pleading standards;
9 *By Law and precedent and in accordance with the Supreme Court of the United States*
10 *pro se Pleadings **MAY NOT** be held to the same standard as a lawyer's and/or*
11 *attorney's; and whose motions, pleadings and all papers may **ONLY** be judged by their*
12 ***function and never their form.** See in the nature of: Haines v. Kerner; Platsky v. CIA;*
13 *Anastasoff v. United States; Litigants are to be held to less stringent pleading standards;*
14 *(Emphasis mine)*
- 15 6. Affiant States: Given the gravity of the mistaken charges, and the scope of investigation
16 and research required for effective representation, Affiant and/or council needed more
17 than the 18 days given on October 4, 2010, to indentify issues and file necessary motions.
- 18 7. Affiant States: The current pre-trial deadline is October 22, 2010.
- 19 8. Affiant States: Some of the Motions filed on October 4, 2010 have not been answered,
20 Doc 108 and Doc 109 in particular, to which Affiant has not received any responses.
- 21 9. Affiant States: This is not enough time to prepare a meaningful defense.
- 22 10. Affiant States: An extension of the deadline (Oct 22nd) for filing motions is all the more
23 imperative in this case due to the Prosecutors not responding to the Discovery requests.
- 24 11. Affiant States: Affiant has not been given a complete list of the witnesses the
25 Prosecution is planning on calling, as requested in the Motion for Discovery filed
26 October 4, 2010.
- 27 12. Affiant States: Affiant's life, liberty and property are on the line thus, Affiant and/or
28 counsel must fully prepare all the constitutional, statutory, procedural, and evidentiary
issues attendant thereto that must be addressed by pre-trial motions, which is an
impossibility within the 18 days that the court gave Affiant on October 4, 2010.
13. Affiant States: Affiant is asserting a constitutional entitlement to an extension of the
unrealistically truncated deadline set forth on October 4, 2010, by Judge H. Murguia to

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1 be October 22, 2010. Granting the extension as requested in this motion would serve to
2 vindicate Affiant's constitutional rights to effective assistance of counsel, due process of
3 law, equal protection of the law, confrontation of the Prosecutors evidence, freedom from
4 cruel and unusual punishment.

5 14. Affiant States: The united States of America Constitutional amendments, I, IV, V, VI,
6 VIII, IX, X, XI, XIII, XIV, XV, & XXIV; being some of the rights violated by not
7 giving Affiant due process ample time to establish her defense.

8 15. Affiant States: According to 28 USC § 2072(b) **any rules** shall not abridge any
9 substantive right, **Due Process** being a substantive right. *See in the nature of: Rules of*
10 *procedure and evidence; power to prescribe; (b) Such rules shall not abridge, enlarge or*
11 *modify any substantive right. All laws in conflict with such rules shall be of no further*
12 *force or effect after such rules have taken effect.*

13 16. Affiant States: This is all the more so when Affiant's life interest, protected by the "life,
14 liberty and property" language in the Due Process Clause, is at stake in the proceeding.
15 Recognizing there is a distinct, continuing, life interest protected by the Due Process
16 Clause. All measures must be taken to prevent arbitrary, cruel, and unusual results.

17 17. Affiant States: There is no harm in allowing an appropriate extension of time for Pre-
18 Trial motions to be filed.

19 18. Affiant States: There could be irreparable damages if the extension is denied.

20 19. Affiant States: Since trial is not until January 25, 2011, Affiant states that this Court
21 should issue an order extending the time to file pre-trial motions, to December 17, 2010.

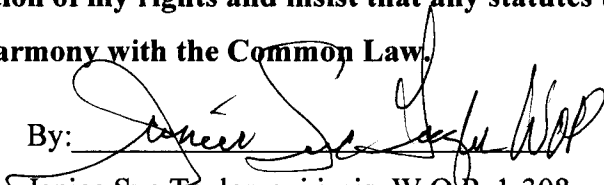
22 I am not an expert in the Law however, I do know right from wrong. If there is any human being damaged
23 by any statements herein, if he will inform me by letter, I will sincerely make every effort to amend my ways. I
24 hereby reserve the right to amend and make amendments to this document as necessary in order that the truth may
25 be ascertained and proceedings justly determined. If the parties given notice by means of this document have
26 information that would controvert and overcome this Affidavit, please advise me in WRITTEN AFFIDAVIT
27 FORM, within ten (10) days from receipt hereof providing me with your counter Affidavit, proving with
28 particularity by stating all requisite actual evidentiary fact and all requisite actual law, and not merely the ultimate
facts of conclusions of law, that this Affidavit statement is substantially and materially false, sufficiently to change
materially my status and factual declarations. Your silence stands as consent to, and tacit approval of, the factual
Declaration herein, being established as fact as a matter of law. May the will of our heavenly father Yahweh, thru
the power and authority of his Son, Yeshua become on earth as it is in Heaven.

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WITHOUT PREJUDICE

Pursuant to UCC 1-308: "I reserve my right not to be compelled to perform under any contract, commercial agreement or bankruptcy that I did not enter knowingly, voluntarily, and intentionally. And furthermore, I do not and will not accept the liability of the compelled benefit of any unrevealed contract or commercial agreement or bankruptcy". I have made a timely and explicit reservation of my rights and insist that any statutes used in my defense shall be construed to be in harmony with the Common Law.

By:



Janice Sue Taylor, sui juris, W.O.P. 1-308
Of one's own right, possessing full social
Civil rights, sovereign character and capacity
Pursuant to U.S.C. 28 §1746 (1)
Without the United States, 11/15/10

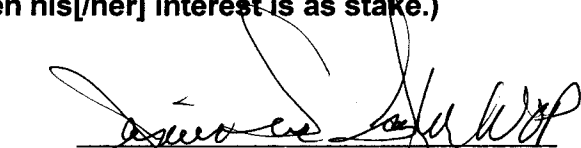
Certificate of Service

I, Janice Sue Taylor, hereby declare and state that I have filed a true and correct copy of the above document Rebuttal to governments Affidavit of extension of time, Said Right Extended To Any Attorney, Whether Or Not At Bar, If Providing Or Proposing To Provide "Assistance - Not Force - Of Counsel" with the Clerk of the Court for the [Alleged] United States District Court For The [Alleged] District Of Arizona, said [Alleged] Court Appearing And Existing [Supposedly] As A Possession Of Its Own And NOT Lawfully Existing In The Legal or Organic County of Maricopa, Legal or Organic [Proposed] State of Arizona, and have mailed a copy hereof, postage prepaid thereon, to the Alleged U.S. Attorney's Office at the following addresses set forth below.

Frank T. Galati,
James Richard Knapp,
Office of the Alleged U.S. Attorney
40 N. Central Ave. # 1200
Phoenix, Arizona near 85004

Susan Anderson, Public Defender Office
850 W. Adams Street, Suite 201
Phoenix, Arizona near 85007

RESPONSE TO THIS EXHIBITED NOTICE IS REQUIRED - *Qui Tacit, Consentire Videtur, Ubi Tractatur De Ejus Commodo* (He[She] who is silent is considered as assenting [to the matter in question] when his[her] interest is as stake.)



Janice Sue Taylor, sui juris, W.O.P. 1-308
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15th day of November, 2010 A.D