

Jimmy C. Chisum, 84388-008 Federal Prison Camp Herlong
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CLERK U S DISTRICT COURT DISTRICT OF ARIZONA	
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UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

United States of America
petitioner

v

Maria D Forman, et al
respondents

Case No 2:09-cv-00444-SRB

Motion to dismiss for failure to
Prosecute

Respondent Chisum now moves the court to dismiss this case and cause in its entirety with prejudice for failure to prosecute.

In the initial answer filed by this respondent the jurisdiction of the government and court were challenged.

Under 9th Circuit precedent, Perlaza, 439 F 3d 1149, 1160 (2006) once jurisdiction is challenged it must be first proven on the record before the case can move one step farther. The due process right in this precedent has been violated by the plaintiff and by the court.

Under Supreme Court precedent once jurisdiction is challenged it must be proven on the record and can not be merely assumed. The due process right of those many precedents has been violated by the plaintiff and by the court.

Under Supreme Court precedent, once due process rights are violated the jurisdiction is destroyed, and any act of the court is not voidable but simply void.

All the actions of the plaintiff and rulings of the court subsequent to the denial of due process are void acts and of no effect upon any party under the legitimate rule of law.

All inferior courts, judges, and government agents are governed by the rule of law, one part of which is the precedents of the courts above.

Under precedent, jurisdiction is never waived, and must be proven on the record by real and substantive evidence.

No proof has occurred on or off the record, and the course of justice is diverted from the rule of law and rights of the people by the reickery of the lawyers supposedly from the department of justice and from the courts sworn to justice.

Precedent requires that a specific statute directly traceable to Congress authority to legislate is the beginning of jurisdiction; but no such law is on the record in reference to any of the alleged liabilities in this case.

The Supreme Court has never changed; the labor of every citizen is their property that is not subject or object of federal taxation for income.

The Supreme Court gives one and only one lawful definition for this court of income; corporate profits from specific excise taxable activities. There are no corporations nor excise activities anywhere in the cause or complaint; therefore there is and can be no specific law for income taxation on Marie D. Forman, or any other respondent.

The extra-Constitutional reach of this case is a shoddy attempt to infringe and impair the obligations of contracts and must not be rewarded by the courts in assuming jurisdiction that is not within the scope of its powers.

All that has transpired without jurisdiction being proven on the record is frivolous, fictitious, void, and a nullity. Plaintiff unduly wastes the court's assets in this over zealus suit prohibited by Congress, apparently hoping the inbred prejudice of the court will carry the day.

These unlawful excesses should not be rewarded but sanctioned.

Wherefore respondent moves that this case be dismissed with prejudice, and apply appropriate sanctions to the plaintiff.

Prepared and signed this 31 day of March, 2010


Jimmy Clayton Chisum, pro per