Janice Sue Taylor,
by Excepted-&-Authorized Appearance
Legal Address. Commencing, in suf. det., at w 1/4 corner of section 26, T.2S.-R.6E., G & SRB & M, thence S. 0° 07' 22" W. to 332.12 ft. to SW corner of section 26, thence bearing 0° S. 7' 22" W. from SW. corner of section 26, 332.12 ft. distant therefrom, thence southerly of N. Section 26 – 858.78 ft to the True Point of the Beginning, continuing thence 164.91 ft. to SE corner, thence 164.91 ft. to SW corner, to True Point of the Beginning; organic city of Gilbert, organic county of Maricopa, organic State of Arizona; —not owned or possessed by the United States of America; —not a post Road; —not on a post Road; —not in a U.S. district.

(response information at certificate of service page)

IN THE [ALLEGED] UNITED STATES DISTRICT COURT FOR THE [ALLEGED] DISTRICT OF ARIZONA

[The United States of America] /
The Internal Revenue Service
federal agency

ALLEGED AS PLAINTIFF,

v.

Janice Sue Taylor

ALLEGED AS DEFENDANT

cc: Circuit Executive Cathy A. Catterson
(not for any review of any recusal for bias)

EXCEPTION OF PREVIOUS ORDER FOR FUNDAMENTAL VIOLATION OF PROCEDURAL RIGHTS; NOTICE FOR INDISPENSABLY NECESSARY CONTINUANCE OF COURT PROCEEDINGS, WHILE CHALLENGE OF GOVERNMENT'S ATTORNEYS FOR PARTICULAR JURISDICTION IS FULLY VERIFIED ACCORDING TO LAW; NOTICE OF CHALLENGE FOR CONSTRUCTIVE SUBJECT MATTER JURISDICTION OF COURT TO BE OVERCOME BY ADVERSE PARTY

Case # CR 10-400-PHX-MHM (ECV)

LIABLE NOTICE: Clerk Of Court

NOTICE: Mary H. Murguia

COMES NOW Janice Sue Taylor by special appearance and not appearing generally in the above numbered case, and enters this appearance of proceeding on the basis that it is the fundamental, not allowable, right of an accused person to rely on all legally potential procedures and measures for defense as may prove to be exculpatory, and not inculpatory, in their nature, and so continues to appear and plead so, duly, hereinafter.

As such, based upon the facts as they are, as stated hereafter, the accused, believed to be the wrongly accused party or person of Janice Sue Taylor, Ms. Taylor hereby EXCEPTS the order spoken to the wrongly accused Ms. Taylor on the date of October 4, 2010, and sets forth the following information upon which the "U.S. attorney's office" is to base its own proposed response in its own defense, if any, as follows.

1. On the date stated above, Ms. Taylor was in the courtroom appearing in no official capacity, except as a specially present spectator only, she not having received any summons or other claim of order to be present there at that time, was unaware that she was to be made subject to being taken advantage of by the U.S. attorney's office by her circumstantial presence, having no idea of what he was talking about to the court as a result of her special appearance there.

2. From the verbiage that the government's attorney seemed to be proffering before the court, it appears that it referred to some form of letter or message that it was supposed to have gotten to Ms. Taylor on some previous occasion relating to her presented Legal Address, but had not actually done so as a matter of any law or fact that could certified to the court as having been done by it, except that the government alluded to some local rule that it had knowledge of as its reasoning to strike her, Ms. Taylor's, right to challenge its own claim for both *in personam* jurisdiction, procedural jurisdiction based upon provable *in personam* jurisdiction, and ultimately, subject matter jurisdiction on its own Office's part, all of which the government would lose if

Ms. Taylor's fundamental right, existent before the fact, to challenge such jurisdictions were to be failed by it, utterly, except upon *clarification* of proof of claim by the government that it has not already failed so - on a basis not established by its own *suspect* circumvention of the United States postal service, in any way or by any manner, hereafter.

3. While Ms. Taylor does not stipulate to any usage of any "Rules made for the Government," as government itself is constrained to by Clause 14, of Section 8, Article I of the Constitution, opting to preserve her basic rights of rules and procedures under the common law rules themselves, she nevertheless realizes that under the government's own claim rules, in a court of law, where one party has lawfully and, from a lawful vantage point, successfully served another party with any form of notice, motion, or other proposal or pleading, the party to have been served is alleged to have 10 days plus 3 days for mailing, or 13 days to respond to whatever the moving party has proposed, and is not entitled to a shorter amount of time due to any disability that such moving party suffers from unless the moving party can show that the disability was not its own fault, not by way of a fault that existed by way of a law that was not in favor of the moving party, but was in favor of the non moving party instead.

4. Based upon this realization, Ms. Taylor was given no official lawful notice of either motion or message or any other proposal of which she was materially aware of on that date, and mere minutes, even though proposed in open court, does not qualify

for a replacement of that right merely because the opposing party wishes it so, particularly when the right being exercised by the party of Ms. Taylor was that of challenging, by demonstrated form, the (1) *in personam* jurisdiction; (2) the procedural jurisdiction; and (3) the subject matter jurisdiction of the U.S. attorney's office, and its clients, whatever their claims may be alleged to be against her;

5. For while it is well known that an affected party may challenge an opposing party's applicable jurisdictions at any time, and there exists many examples of case law that demonstrate that point, there has never been any case assertion that grants a court a right to order a party not to have the right to challenge such questions of jurisdiction, either on its own part or on the part of the government's prosecution, before the fact, which if doing so would not only destroy the most essential fabric of any pleader's fundamental rights to so challenge an errant jurisdiction reasonably believed to so, but would also chill the rights of all persons of like rights and disposition, and would set an entirely new precedent not known of or heard about – to be able to suppress the right to challenge the right of jurisdiction before the fact – to this date.

6. While this aforementioned notion, not motion, may have been before the U.S. attorney's Office, and it may have, in some sense, been before the court, it was not properly or adequately before the wrongly accused Ms. Taylor on the date in question, for when she was "invited" to come up to the bench to discuss her progress in finding an attorney which she might employ to work for herself, on her case, in the interest of

justice, and she approached the bench with that understanding, it was *not* of her understanding *or* consent that she be approached on a different subject, altogether, than that, having had *no* prior official and lawful notice of whatever nature as was proffered by the government, its suspect claim for its exposed jurisdictional disability notwithstanding, and that, furthermore, as a result of the court's instant, possibly inadvertent order at that time, it was not her understanding or consent that she abandon, or no longer have, her constitutional or civil rights to not be able to, at the least, challenge the government's (1) *in personam* jurisdiction; (2) procedural jurisdiction; and (3) subject matter jurisdiction, all three, upon which its case in chief was to be based.

7. Except that the court is willing to stipulate that, *before* any fact to be overcome by the moving party as the government, that the wrongly accused party of Ms. Taylor no longer *have* her straightforward constitutional rights, along with the associated right to *demonstrate* such straightforward constitutional right, to challenge *any* jurisdiction that the government may not actually have, then it must be that the court, being moved to make an instant decision by the overanxious government, did so without realizing (inadvertence/excusable neglect) just what the government was asking the court to do, to set aside or injure a fundamental right before a fundamental right, both rights being indispensable as fundamental rights of wrongly accused Ms. Taylor, upon which basis Ms. Taylor, not having been properly before the court on that date, Excepts all

proceedings brought against her that date as being collateral, by which her Exculpatory Rights were unduly denied.

CHALLENGE OF GOVERNMENT'S ATTORNEYS FOR PARTICULAR JURISDICTION TO BE FULLY VERIFIED ACCORDING TO LAW; NECESSITY FOR CONTINUANCE UNTIL GOVERNMENT CAN PROVE ITS OWN (1) *IN PERSONAM* JURISDICTION; (2) PROCEDURAL JURISDICTION; AND (3) SUBJECT MATTER JURISDICTION, UPON WHICH THE COURT'S ULTIMATE LIKE JURISDICTION MUST ALSO BE BASED.

8. From Ms. Taylor's brief encounter with the government's attorney's office on that date of October 4, 2010, it appears apparent that the government's position, and concern, was that Ms. Taylor not be allowed to use her disclosed Legal Address, the use of which did NOT deny the government its ability to "get any message or other paper to her" via her publicly used and proclaimed popular address so long as it was associated with her Legal Address below it, because the government knew that by confessing to such a legal reality, if it became exposed so, would deny it its case in chief against her in all areas of jurisdiction, aforementioned, necessitating that its case against her be dismissed for lack of proper jurisdiction of any kind, irrespective of its proposed usage of claimed laws and duties and rules upon which it originally intended to make its case.

9. There being the advent into the legal profession, in divers places, in recent times, the discovery that connects the government's current claim for prevailing or superseding jurisdiction in all places, and over all people, located wherever they may

be throughout the Several States, to the codified Title 28, U.S. Code, Sections 81 – 131, whereby, on January 1, 1945, all citizens, men, women, and children, were superimposed into living, dually, in "U.S. districts" while simultaneously still living in their own original domiciles within the State of their domiciled jurisdiction, in order that any law or rule, whatever, passed by the congress or administration of government might have jurisdiction over the people therein, has come to be affirmed as Jurisdiction Fraud on the part of the government, which Jurisdiction Fraud goes to its denial of (1) *in personam* jurisdiction over any citizen or person residing or having domicile in any State and not "in a U.S. district;" (2) and its denial of any procedural jurisdiction necessarily dependent upon the necessary *in personam* jurisdiction in the first place; and (3) going to its, government's, further denial of subject matter jurisdiction also, where it cannot demonstrate, and *has not demonstrated*, by clear and convincing evidence or proof that, without an accused person's not living, residing, or having domicile in a "U.S. district" that it, government, would still have any claim of jurisdiction, of any kind, over the same person, no matter its disability to prove what it cannot prove accordingly.

10. To try to deliberately sidestep its disability to prove, indisputably, its, government's, [f]actual lack of all jurisdiction in its case in chief, it resorted to conjecture that Ms. Taylor, and daughter and associated other, were "playing games" and that their right to challenge its, government's, obvious lack of all applicable jurisdictions was to be collaterally attacked by stipulating that the use of "the local

rules" was to be utilized and extended to them in order to suppress their constitutional right to challenge, before the fact of any court proceeding, the government's own acclaimed right to all case jurisdictions and associated venue, constituting, minimally, an abuse of process by doing so.

11. But no "games" are or have been "played" by Ms. Taylor (life and death is not a game; prisons are not a game), and so far as is known, by her daughter or associated other, neither are rules, whether or not local, law, or that is, rules are not law and may not be used to violate or supersede law as though law, in order to violate or suppress one's constitutional rights by doing so. This point is established in the federal law itself at 28 USC §2072(b), which states that "rules cannot abridge rights," and so, neither the court nor the government, by its proposal, has done so.

12. For the matters at hand are far too serious to call them "games," much less that Ms. Taylor, and others, were "playing" them, and, no games being placed on the table by Ms. Taylor, held out to be a wrongly accused party, and any associated other so far as she is aware, Ms. Taylor continues to except the foregoing unlawful acts and procedural errors done against her and to move forward in her own right, and to duly counter the government's claim that its case has arisen, under *any* of the 7 (seven) net Extended Powers contained in the constitution's Article III, Section 2, Clause 1 – phrases 1 – net 7, and shows it, government, by U.S. Supreme Court decision, as follows:

13. In the case, ***Caha v. United States***, 152 U.S. 211, 215, 14 S.Ct. 513 (1894), it was decided that:

> "The laws of Congress in respect to those matters do *not* extend into the territorial limits of the states, but ***have force only in the District of Columbia, and other places that are within the exclusive jurisdiction of the national government.***" (Emphasis added)

14. And in ***United States v. Watson***, 80 F.Supp. 649, 651 (E.D. Va. 1948), the Supreme Court decided that:

> "Without proof of the **requisite** *ownership* of the United States, the crime has not been made out. . . ."

15. These recognized decisions by the Supreme Court coincide with a careful Test of Article III, Section 2, Clause 3's State and federal criminal jurisdiction separation clause therein, which became the underlying reason for the January 1, 1945 Jurisdiction Fraud circumvention brought about by Title 28, U.S. Code, Sections 81 through 131, *et al.*

16. Therefore, in light of these things rendered, the wrongly accused party, or just the party or person, of Ms. Janice Sue Taylor, hereby officially challenges the government, by and through its attorneys, to prove its jurisdictions, all three of them, to a court of competent jurisdiction, before it continue with its case in chief, if ever;

17. Which court of competent jurisdiction is not to be the [alleged] United States district court for the [alleged] district of Arizona, inasmuch as its own (1) *in personam* jurisdiction; and (2) its procedural jurisdiction; and (3) its subject matter jurisdiction

are hereby, officially challenged and charged against based upon the legal fact that it, court, cannot, of itself, sustain or maintain its own subject matter jurisdiction to proceed, except that the moving party or government first overcome the due challenge, or challenge having actual substance to be tried and determined, before a court higher and other than itself, which the government must now show how Title 28, U.S. Code, Section 82, in particular, has been extended to the citizens of the State of Arizona, of which Ms. Taylor is one, and how such Section 82, aforementioned, is able to be relied upon to grant to the government, in the face of Supreme Court decisions that denies it the same, to (1) have *in personam* jurisdiction over Ms. Taylor; and (2) from *that in personam* jurisdiction have consequential procedural jurisdiction over Ms. Taylor, and (3) from both of the two foregoing forms of jurisdiction, have subject matter jurisdiction over Ms. Taylor, in order that its case in chief have standing, the *lack of* which precedes and supersedes all jurisdictional questions altogether, in any United States court at all.

18. The court is therefore duly put on notice by wrongly accused Ms. Taylor, wrongly accused in her own right to perceive herself so and to defend herself so, that its own jurisdiction, in all 3 of its aforementioned forms, over the government's case before it, has been and is hereby challenged on the basis that the substance that proves it so is a serious substance, that there is nothing funny, as any game played, about the problem of Jurisdiction Fraud, a result of *UnLawful* governmental *Collateral Attack*, necessitating that, until the government proves its own qualified and plenary

jurisdiction in all 3 (three) of the challenged forms, before a higher court of competent jurisdiction, if ever, the case is, under its own rules, under Supreme Court decisions that apply those rules in a particular way, to be continued forthwith to such time as the requisite higher court agrees to.

19. As to the question of subject matter jurisdiction, from within the Ninth Circuit to the Supreme Court itself it has been decided that:

> Rescue Army v. Municipal Court of Los Angeles, 171 P2d 8; 331 US 549, 91 L. ed. 1666, 67 S.Ct. 1409. **"A court has no jurisdiction to determine its own jurisdiction**, for a basic issue in any case before a tribunal is its power to act, and a court must have the authority to decide that question in the first instance."

20. Consequently and appropriately, the court is to enter its own interlocutory appeal to the ninth circuit in order to have it examine Ms. Taylor's posted Legal Address, to be reviewed in conjunction with her agreed-to use of her popular or common-public used address above the same, by which the government's attorneys may submit their own arguments to the same, if any, in order to overcome, if overcome they can, the challenge by Ms. Taylor of its, government's, lack of subject matter jurisdiction, and lack of standing as to its case in chief, before the above titled court may continue this case.

21. Ms. Taylor, being her own attorney, and these matters set forth herein being timely submitted by Ms. Taylor in her own right to submit all final "pretrial" motions, and Ms. Taylor, having no other attorney representing her to supersede or suspend her own right for submission of pleadings, and requiring and accepting no advice from any

former attorney no longer her attorney in law or fact to do or not do any thing whatsoever, and knowing that the reason that her prior challenges for the court's constructive subject matter jurisdiction were stricken, without their reading as was judicially noticed and required therein, was because she, Ms. Taylor, "had an attorney of record" at the time, and now no longer does so, Ms. Taylor, under veil and color of jurisdiction, files, not as an motion or notice, but as an introducing into the case particular evidence and reasoning as set forth in The Impartial Jury Pleadings attached hereto, to which binding constructive knowledge thereof is to follow, arising and held within the four corners of the Constitution, which such Constitution includes, not having at any time been excluded, the Common Law, by which the wrongly accused Ms. Taylor's indispensable rights are to be maintained.

22. All findings of fact and conclusions of law, point by point and fact by fact, inclusive of whether or not any longtime judicial error, or else ongoing judicial fraud, has been committed by United States these many decades, which shall include the particular version of jury instructions that are set forth as a constructive part of this challenge for constructive (meaning the legal makeup or construction of the court) subject matter jurisdiction are to be made preserved subjects for appeal, should appeal become any necessity, and what the court may wish to not consider here must be and will be considered on appeal, in order to set a new precedent rule under Rule Nisi ("*Becomes The Imperative and Final Rule* Unless *Cause Can Be Shown Against It*"),

as to how United States courts are to be constructed and operated, the Constitution itself overriding current errant practices, hereafter.

23. Finally, in order for the government to have legal standing in its own case, it will need to bring two clean hands into the courtroom for two essential reasons.

24. The first goes to the government's and the government's involved client's own *claimed* right of standing as to any of its charges made, where a charge of 2 counts of Attempted Treason committed by the IRS federal agency on August 18, 1954 were committed, starkly by it, as seen by the hereby submitted "The IRS federal agency Special Exhibit" attached hereto, which acts were committed in direct conjunction with the committed act, by the 83rd Congress, Second Session, on August 16, 1954, under the auspices and aegis of one or more illegally acting factions therein, at page 725 of the newly created "Internal Revenue Code of 1954," much of which the Internal Revenue Service federal agency's current case in chief must depend, which Act at page 725 goes to aiding and giving comfort to an enemy, whether known or unknown, a clear-cut qualification of Article III, Section 3, Clause 1 Constitution-defined actual Treason, furthered and confirmed in its vile state by the Congress' own law at Title 18, U.S. Code, Section 793, titled "**US Code - Section 793: Gathering, transmitting or losing defense information**," by which Act the Congress convicted itself in that it, the Congress, had *failed* to provide any classified security requirement with its act whatsoever, subjecting the security of the nation to an open door policy for enemy spies wishing, without opposition or threat of prosecution, to learn the Second

Amendment security of the entire nation, by and through the use of the "IRS federal agency," currently appearing before the court as "the government," itself.

25. Raising the legally superseding question for the first time, as with Fraud which *voids* or *invalidates* that which it touches or connects to, would therefore Treason, similar to the way Fraud works, invalidate *or* void, not just a smattering of that which it is "close to," but rather the entire law itself into which it was found, or actually contained in?

26. That is, would Treason found and exposed to be visibly inserted into the law, any law, invalidate, in its entirety, as publicly distrustable and unreliable the very law itself that such Act of Treason was found it.[?]

27. According to all law professors and attorneys and members of the public that the wrongly accused Ms. Taylor has polled and consulted with on the matter so far, it would; Treason *would* be sufficient and more than sufficient, if in fact existent so, to void out even the entirety of the Internal Revenue Code of 1954 itself, upon which the government's current case in chief must, one way or the other, depend.

28. IF such Act of 1954 must be rendered as involuntarily VOID, then the government, by its attempts to come into the court with this knowledge, even if obtained constructively, comes into the court with dirty hands.

29. However, the dirty hands do not end there, as the wrongly accused Ms. Taylor has in her own personal library the DVD video documentation on a subject that the IRS

federal agency knows well, known across the nation, by its popular reputation, as the Ultimate Lawsuit evidence, which DVD videos, along with the material [f]acts committed by the IRS federal agency in 1953 through 1964, existent as, minimally, 84 acts as facts, or as Counts of Fraud, committed, clearly, indisputably by certain of its head officials during those years, not "controverting points of law," that exposes the federal agency's dirty hands yet further, and, being facts and not controverting points of law, requires that an impartial Jury review and try the evidence, approximately 3 to 4 hours of it, to be viewed on a DVD player only, in order to determine whether or not it is to convict the IRS federal agency itself for the massive amount of dirt, not questions of law, that it has on its hands.

30. Based upon the wrongfully accused Ms. Taylor's acclaimed right of this date being the last date in which she supposedly has the right to submit any pre-trial motions for her own defense, she therefore reserves this right to introduce such 4 videos, the Evidence Package Outline DVD videos, Part 1 and 2; The Fingerprint Inside the Crime Scene DVD video; and the "Income Defined" DVD video, and their corresponding, related pages of evidence, into the case, and petitions the impartial Jury to watch them as a matter of the trial of the evidence itself (*one* of the *minimum* purposes of the impartial Jury is to try the facts) placed before it for trial by impartial Jury purposes.

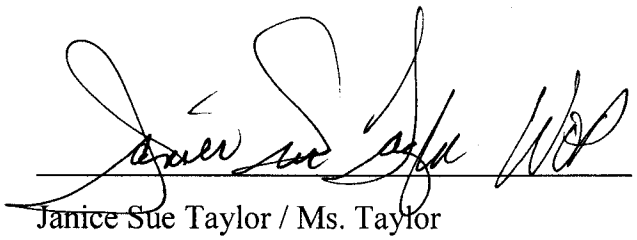
31. These evidences are hereby incorporated into this material facts pleading by this reference, and as a matter of the exposing of the aforementioned federal agency's dirty

hands, becomes a preserved right of the impartial Jury to try the same, providing that the government can show its ability to overcome the due challenges to its own (1) *in personam* jurisdiction, and (2) its subsequent procedural jurisdiction; and (3) its consequential subject matter jurisdiction, for itself, and likewise can overcome those same challenges for the court itself as well.

32. Realizing that wrongly accused Ms. Taylor's former attorney would, in every likelihood, not either read, reviewed, or submitted the evidence of errant to else straightforward wrongdoings by the government into her case, as one's defense attorney, if any, is supposed to be empowered and invoked by fiduciary duty to do, submits, with every due right reserved and preserved to do so, all of the foregoing parts and procedural and material defenses in her own favor, by her own fundamental right to do so, hereby, this timely date, with continued fundamental rights still existing, and continuing to exist hereafter.

RESPECTFULLY

October / 22 / 2010



Janice Sue Taylor / Ms. Taylor

CERTIFICATE OF SERVICE

I, Janice Sue Taylor, hereby declare and state that I have filed a true and correct copy of the above document 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 and the Maricopa County Sheriff's Office, et al, 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

Joe Arpaio, Sheriff
Maricopa County Sheriff's Department
100 West Washington
Phoenix, Arizona 85003

Major General Hugo Salazar
Adjunct General, Commanding,
Arizona State Militia
Over All **Military Crimes** Committed In **Arizona:**
I.E., Treason, Misprision of Treason,
Seeded Treason / Covert Invasion of "**Them**"
Trial By Treason, Seeded Insurrection
5636 E. McDowell Rd.
Phoenix, AZ 85008

ATTENTION: Provost Marshal

RESPONSE TO THIS EXCEPTION AND INTRODUCTORY PLEADING IS REQUIRED - *Qui Tacet, 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.)**

Popular Address,
For Use For Postal Service
Mailing:
Janice Sue Taylor
3341 Arianna Court
Gilbert, AZ 85298

JUST
CUT >
AND
GLUE >
To Envelope

Legal Address. Commencing, in suf. det., at w 1/4 corner of section 26, T.2S.-R.6E., G & SRB & M, thence S. 0° 07' 22" W. to 332.12 ft. to SW corner of section 26, thence bearing 0° S. 7' 22" W. from SW. corner of section 26, 332.12 ft. distant therefrom, thence southerly of N. Section 26 – 858.78 ft to the True Point of the Beginning, continuing thence 164.91 ft. to SE corner, thence 164.91 ft. to SW corner, to True Point of the Beginning; organic city of Gilbert, organic county of Maricopa, organic State of Arizona; —not owned or possessed by the United States of America; —not a post Road; —not on a post Road; —not in a U.S. district.

Legal Notice. Do not mind the small letters size for the Legal Address that you see. All Articles – Sent By U.S. Mail – Are To be **Opened** And Read **Only** When Accompanied By Label Size (small size) "**Legal Address**" From First Page (Shown Above) Displayed On Envelope - **Below** Popular Address. Otherwise, Where Legal Address Is Not Present, Article Sent Will Be Returned **Unopened**.

No need to waste gasoline and time by not using the U.S. mail, or postal service.

Dated this 22nd day of October, 2010 A.D.

Janice Sue Taylor