	Case 2:10-cr-00400-DGC Document 191 Filed 01/31/11 Page 1 of 9
1 2 3 4 5	Janice Sue Taylor  3341 Arianna Court Near Gilbert, Arizona Mailing address of convenience Not a claimed residence or domicile Without the United States USC 18 §1746(1)  FILEDLODGEDRECEIVEDCOPY  JAN 3 1 2011  CLERK U S DISTRICT COURTBISTRICT OF ARIZONABEPUTY
6	UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA
7	
8	UNITED STATES OF AMERICA, ) Case No.: CR-10-400-PHX-MHM
. 9	Alleged Plaintiff,  REPLY TO GOVERNMENTS RESPONSE
10	vs. ) TO INSPECT JURY LIST Doc #188
11	Janice Sue Taylor, RESPONSE DEMANDED BY AFFIANT
12	Alleged Defendant
13	AFFIDAVIT of Janice Sue Taylor
14 15	Comes now, Janice Sue Taylor, a living woman, not a corporation or other type of
16	artificially created person, and not domiciled or residing in the district of Columbia or any other
17	Federal Territory owned by the United States of America; hereinafter the Affiant, by Special
18	Visitation or Appearance, not Granting jurisdiction nor recognizing this court's right to try her
19	but intervening in a foreign jurisdiction on behalf of the Alleged Defendant, Persona JANICE
20	SUE TAYLOR, hereinafter the Accused. Affiant does have firsthand knowledge of this
21	information, is of legal age, competent and of sound mind to testify if called upon. Affiant is not
22	trained in the law, nor is She an Attorney, nor is She appearing Pro Se; but rather of right in Sui
23	Juris.
24	The Alleged Plaintiff in this case has responded by claiming that Affiant wants personal
25	information on the Grand Jury members and any Petit Jury members that may be drawn. This is
26	not true. Affiant does not want their names or addresses; Affiant only wants zip codes, city or
27	town, and county, of their residence at the time of sitting on Affiant's indictment. Affiant does
28	not want all of the jurors that are in the wheel, only the ones that sat on Affiant's indictment, as

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these are the only ones to be challenged of whether they reside in the proper Federal Territory as demanded by law.

Affiant has shown by law that, the Historical and Revision Notes on Title 28 Part 1, Chapter 5 U.S.C. §81-131 shows the Territorial Composition of districts and divisions by Counties were laid out for each State on January 1, 1945. The Judicial Districts and divisions are comprised of the Federal Territory located within the counties, which comprise those districts and divisions. Sections 81-131 represent four classes of territory: 48 States, 2 territories, one possession, Puerto Rico, and a District, the District of Columbia. The three smallest territorial classes conclusively establish that the territorial composition of the districts and divisions located within the States will be territory subject to the exclusive jurisdiction of the United States of America. On the date of the Judiciary Act of 1789 there was no mention of Territorial Composition because there was no Federal Territory owned by the United States of America in any of the 11 States, which had ratified that Constitution. By January 1, 1945 the United States of America had purchased some territory in each of the thirteen original States and retained substantial territory in each of the remaining 35 States. The United States of America owned all territory in Alaska, Hawaii, some of Puerto Rico and all of District of Columbia, and had exclusive Legislative jurisdiction in each of these. This shows the Territorial Composition they are referring to in the other United States to be Federal Territory which they have exclusive jurisdiction over.

The State of Arizona under Title 28, U.S.C. §82, has one Judicial District, with Courts in Phoenix, Prescott, Globe and Tucson. The United States Courts are Federal Courts and are ceded or rented to the United States of America and are composed of Federal Territory. Title 28 U.S.C. §82 shows the Territorial Composition they are referring to must be each Federal Court listed in the Judicial District, which must be on Federal Territory or they have no jurisdiction. The City's of Phoenix, Prescott, Globe and Tucson are surely not composed of strictly Federal Territory owned and under exclusive jurisdiction of the United States of America. Therefore the Federal Judicial District must mean the Federal Territory in the State of Arizona.

The Sixth Article of amendment to the Constitution requires "In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of

the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, (Title 28 U.S.C. §81-131) and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have Assistance of Counsel for his defense".

There are no facts in evidence that prove that the members of the Grand Jury live on Federal Territory within the County of Maricopa, or the County of Pinal, where the alleged crime is to have taken place. According to Article 1, Section 8, clause 17, the crime would have had to taken place within Federal Territory and the Grand Juror's would have to be residents within that Federal Territory for one year. Title 28 Part V chapter 121 U.S.C. §1865 (b)(1). Few if any Federal Jurors are qualified to indict or convict. The same conditions apply to Judges, Title 28, Part 1, Chapter 5 U.S.C. §134 (b), See Exhibit "A". Judges are to reside in the district they are appointed to preside in, which is Federal Territory. Does Judge Mary H. Murguia or David Campbell reside within Federal Territory? This Affiant demands the zip codes of both Judges and all of the Grand Jury members that sat on the indictment of Affiant.

All of the jurors picked today check the box saying they are United States citizens. The term "United States" can also mean just Federal Territory as per Title 28 U.S.C. §3002 (15)(a), (see Exhibit "B") and a person in order to be a resident in a Federal Judicial district, must be residing on Federal Territory, ceded by the State legislature and received into congress. Alleged violations of any acts of Congress must be within specific territorial boundaries of the Federal Government. If the picked jurors cannot understand the difference between the definitions of United States, Federal Territory, Judicial district and Territorial Composition as required by Title 28 U.S.C. §1865(b), then they would not even qualify for the first 2 of the requirements to sit as Grand Jurors or Petit Jurors. See Exhibit "C"

Title 18 U.S.C. §4001(a) states that: "no citizen shall be imprisoned or otherwise detained pursuant to an Act of Congress", and Title 18 U.S.C. rule 54(c) defines an "Act of Congress" includes any Act of congress locally applicable to and in force in the District of Columbia, in Puerto Rico, in a Territory or in an insular possession. This rule has been taken out of Title 18 U.S.C. probably because it told the truth. However, the fact still remains the United States Code

is made up of laws for the Territory owned by the United States of America and the Corporate United States.

Therefore since there is no evidence of Territorial jurisdiction and if the alleged Plaintiff is to be taken seriously, one would have to make the absurd conclusion that Arizona State and all the land within this State is Federal Territory and that it never became a State of the union in 1912, that the Constitution for the United States means nothing and that all written law has no practical use for anyone other than Judges and lawyers. If there is a Federal overlay over the whole United States of America, by what authority did that occur?

Therefore Affiant has determined what areas the Jurors and Judges must reside on and is requesting this court give Affiant the 1. Zip codes, 2. City or Town, and 3. County, in which each juror who sat on Affiant's indictment, resided in. See in the nature of Test v. United States, 420 U.S. 28, 38 (1975). This is not personal information of the Grand Jurors, and Affiant must be entitled to have this information from only the Grand Jury members that sat on her indictment, as no others in the pool or wheel apply to Affiant's challenge. Affiant has read the Organic Laws of the United States and Title 28, Chapter 5, U.S.C. § 81-131 which are Laws made for the governments and If the government does not agree with Affiant in her interpretation of it, Affiant requests the government show their interpretation of it.

Affiant requests an answer within 7 days.

#### 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.

January 27, 2011

Janice Sue Taylor, sui juris

I affirm the above to be true to the best of my knowledge Without the United States, U.S.C. 28, §1746 (1)

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State of Arizona Pinal County America

ACKNOWLEDGEMENT

On January 28 2011, before me, personally appeared, Janice Sue Taylor proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledges to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person or the entity upon behalf of which the person acted.

6 Witness: My

WENDY BIRDSONG
Notary Public - Arizona
Pinal County
My Comm. Expires Oct 20, 2013

# **EXHIBIT "A"**

### U.S. Code



 $\underline{\text{TITLE 28}} > \underline{\text{PART I}} > \underline{\text{CHAPTER 5}} > \S 134 \text{ (b)}$ 

#### § 134. Tenure and residence of district judge

- (a) The district judges shall hold office during good behavior.
- (b) Each district judge, except in the District of Columbia, the Southern District of New York, and the Eastern District of New York, shall reside in the district or one of the districts for which he is appointed. Each district judge of the Southern District of New York and the Eastern District of New York may reside within 20 miles of the district to which he or she is appointed.
- (c) If the public interest and the nature of the business of a district court require that a district judge should maintain his abode at or near a particular place for holding court in the district or within a particular part of the district the judicial council of the circuit may so declare and may make an appropriate order. If the district judges of such a district are unable to agree as to which of them shall maintain his abode at or near the place or within the area specified in such an order the judicial council of the circuit may decide which of them shall do so.

# **EXHIBIT "B"**



## U.S. Code

TITLE 28 > PART VI > CHAPTER 176 > SUBCHAPTER A > § 3002

#### § 3002. Definitions

As used in this chapter:

- (1) "Counsel for the United States" means—
- (A) a United States attorney, an assistant United States attorney designated to act on behalf of the United States attorney, or an attorney with the United States Department of Justice or with a Federal agency who has litigation authority; and
- (B) any private attorney authorized by contract made in accordance with section  $\underline{3718}$  of title  $\underline{31}$  to conduct litigation for collection of debts on behalf of the United States.
- (2) "Court" means any court created by the Congress of the United States, excluding the United States Tax Court.
- (3) "Debt" means—
- (A) an amount that is owing to the United States on account of a direct loan, or loan insured or guaranteed, by the United States; or
- (B) an amount that is owing to the United States on account of a fee, duty, lease, rent, service, sale of real or personal property, overpayment, fine, assessment, penalty, restitution, damages, interest, tax, bail bond forfeiture, reimbursement, recovery of a cost incurred by the United States, or other source of indebtedness to the United States, but that is not owing under the terms of a contract originally entered into by only persons other than the United States; and includes any amount owing to the United States for the benefit of an Indian tribe or individual Indian, but excludes any amount to which the United States is entitled under section 3011 (a).
- (4) "Debtor" means a person who is liable for a debt or against whom there is a claim for a debt.
- (5) "Disposable earnings" means that part of earnings remaining after all deductions required by law have been withheld.
- (6) "Earnings" means compensation paid or payable for personal services, whether denominated as wages, salary, commission, bonus, or otherwise, and includes periodic payments pursuant to a pension or retirement program.
- (7) "Garnishee" means a person (other than the debtor) who has, or is reasonably thought to have, possession, custody, or control of any property in which the debtor has a substantial nonexempt interest, including any obligation due the debtor or to become due the debtor, and against whom a garnishment under section 3104 or 3205 is issued by a court.

- (8) "Judgment" means a judgment, order, or decree entered in favor of the United States in a court and arising from a civil or criminal proceeding regarding a debt.
- (9) "Nonexempt disposable earnings" means 25 percent of disposable earnings, subject to section 303 of the Consumer Credit Protection Act.
- (10) "Person" includes a natural person (including an individual Indian), a corporation, a partnership, an unincorporated association, a trust, or an estate, or any other public or private entity, including a State or local government or an Indian tribe.
- (11) "Prejudgment remedy" means the remedy of attachment, receivership, garnishment, or sequestration authorized by this chapter to be granted before judgment on the merits of a claim for a debt.
- (12) "Property" includes any present or future interest, whether legal or equitable, in real, personal (including choses in action), or mixed property, tangible or intangible, vested or contingent, wherever located and however held (including community property and property held in trust (including spendthrift and pension trusts)), but excludes—
- (A) property held in trust by the United States for the benefit of an Indian tribe or individual Indian; and
- (B) Indian lands subject to restrictions against alienation imposed by the United States.
- (13) "Security agreement" means an agreement that creates or provides for a lien.
- (14) "State" means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Marianas, or any territory or possession of the United States.

#### (15) "United States" means—

- (A) a Federal corporation;
- (B) an agency, department, commission, board, or other entity of the United States; or
- (C) an instrumentality of the United States.
- (16) "United States marshal" means a United States marshal, a deputy marshal, or an official of the United States Marshals Service designated under section <u>564</u>.

## **EXHIBIT "C"**

### U.S. Code



<u>TITLE 28</u> > <u>PART V</u> > <u>CHAPTER 121</u> > § 1865 (b)

#### § 1865. Qualifications for jury service

- (a) The chief judge of the district court, or such other district court judge as the plan may provide, on his initiative or upon recommendation of the clerk or jury commission, or the clerk under supervision of the court if the court's jury selection plan so authorizes, shall determine solely on the basis of information provided on the juror qualification form and other competent evidence whether a person is unqualified for, or exempt, or to be excused from jury service. The clerk shall enter such determination in the space provided on the juror qualification form and in any alphabetical list of names drawn from the master jury wheel. If a person did not appear in response to a summons, such fact shall be noted on said list.
- (b) In making such determination the chief judge of the district court, or such other district court judge as the plan may provide, or the clerk if the court's jury selection plan so provides, shall deem any person qualified to serve on grand and petit juries in the district court unless he—
- (1) is not a citizen of the United States eighteen years old who has resided for a period of one year within the judicial district;
- (2) is unable to read, write, and understand the English language with a degree of proficiency sufficient to fill out satisfactorily the juror qualification form;
- (3) is unable to speak the English language;
- (4) is incapable, by reason of mental or physical infirmity, to render satisfactory jury service; or
- (5) has a charge pending against him for the commission of, or has been convicted in a State or Federal court of record of, a crime punishable by imprisonment for more than one year and his civil rights have not been restored.