

1 Janice Sue Taylor  
2 3341 Arianna Court  
3 Near Gilbert, Arizona  
4 Mailing address of convenience  
5 Not a claimed residence or domicile  
6 Without the United States,

7  
8 **UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA**

9 UNITED STATES OF AMERICA,

10 Alleged Plaintiff,

11 vs.

12 Janice Sue Taylor,

13 Alleged Defendant

) Case No.: CR-10-400-PHX-DGC

) REBUTTAL OF UNITED STATES  
) ATTORNEY'S DOC#200  
) ON STAY OF TRIAL

) PRESENTED BY AFFIDAVIT OF  
) Janice Sue Taylor

14 Comes now, Janice Sue Taylor, a sovereign, sui juris living woman upon the land, a  
15 follower of Yahshua the Messiah in the laws of The Almighty Supreme Creator, Yahvah first  
16 and foremost and the laws of man when they are not in conflict (Leviticus 18:3,4). Pursuant to  
17 Matthew 5:33-37 and James 5:12, let my yea be yea , and my nay be nay, as supported by your  
18 Federal Public Law 97-280, 96 Stat. 1211. I have personal knowledge of studying the  
19 governments United States Code Title One, "The Organic Laws of the United States of America"  
20 and the matters stated herein, am over the age of majority, and hereby asseverate understanding  
21 the liabilities presented in your Briscoe v. LaHue, 460 US 325. I am "hereinafter the Movant",  
22 by Special Visitation or Appearance, not Granting jurisdiction nor recognizing this court's right  
23 to try her; but intervening in a foreign jurisdiction on behalf of the Alleged Defendant, Persona  
24 JANICE SUE TAYLOR, "hereinafter the Accused". Movant is not trained in the law, nor is  
25 She an Attorney, nor is She appearing Pro Se; but rather of right in Sui Juris.

26 1. Attorneys for the United States have responded opposing Movant's demand for a Stay of  
27 Trial using frivolous arguments. The Attorneys for the United States are wrong in their opinion  
28 that the Court of Appeals will not entertain Movant's appeal. Judge Campbell said Movant

1 could appeal his denial of Movant's motion, as an Interlocutory appeal, before the trial. If this  
2 court is denying Movant's right to inspect the juror list, by not signing an Order and giving a  
3 minute's entry order instead, **Movant's Due Process rights are being denied**. Verbal orders are  
4 as good as a signed one, if stated on the record or a clerk is directed by the Judge to issue them.  
5 Judge Campbell surely ordered his Clerk to prepare the minutes denying the Movant's motions,  
6 thereby acknowledging his **intent of denial**. **Government Advisory counsel** also stated that a  
7 **signed Order** was not necessary for this Interlocutory Appeal, that **minutes** was all that was  
8 needed **in lieu of an Order**, on a denial of the motions, for an interlocutory appeal.

9 2. Without Movant having the right to **inspect the juror list**, this court is **denying Movant**  
10 **due process**. The United States Attorneys has not proven on record that the United States of  
11 America or the United States district court have **Personam, Subject Matter** or **Territorial**  
12 **jurisdiction** over this case or the Movant. The Supreme Court has ruled that when **due process**  
13 has been violated, **JURISDICTION IS DESTROYED**. Further in *Perlaza 439 F3d 1049,*  
14 *1061(2006)* plainly stated that whenever jurisdiction is challenge it must be proven before the  
15 jury and beyond a reasonable doubt. Movant has been **denied her due process** of being able to  
16 inspect the Grand Juror list which is a **guaranteed right** by the 6<sup>th</sup> Article of Amendments to the  
17 Constitution for the United States of America, 1787. Title 28 USC § 1867 (a) and (f), and the  
18 *Test v. United States*, 420 U.S. 28 (1975), also gives Movant an unqualified right to inspect the  
19 juror list. **THIS DENIAL OF DUE PROCESS DESTROYS ALL FEDERAL**  
20 **JURISDICTION**, as decided by the Supreme Court. *Hagan v Lavine*, 415 US 528 (1974)

21 3. Movant has asked for the **due process right** to **Inspect the Jury List** to determine if the  
22 jurors are **qualified** to sit on the **Indictment at hand**. Movant has an **unqualified right by law**  
23 and several **Supreme Court cases** including *Test v. U.S.* Movant supplied five of these cases in  
24 the demand sent to the United States Attorneys doc #198, along with the laws that applied. The  
25 United States Attorneys **intentionally misstates the facts** seeking to **unjustly prejudice the**  
26 **Court**.

27 4. **Movant's Due Process right was destroyed** by not allowing the inspection of the juror  
28 list. **A proper jury is essential to Jurisdiction**. This element of jurisdiction has been  
challenged in this court.

1 5. There are only two specific kinds of **Territorial jurisdiction, Federal or State**, and the  
2 Supreme court has plainly stated that **jurisdiction follows sovereignty**, *FMC v. South Carolina*  
3 *States ports authority*, 535 U.S. 743 (2002). *Hagen v. Lavine*, 415 US 528, 533 (1974), “where  
4 *jurisdiction is challenged, it must be proven...the law requires proof of jurisdiction to appear on*  
5 *the proceedings...jurisdiction can never be assumed, it must be proven*”. All these cases require  
6 **proof of ownership of the property involved**. Because of the separation of **Federal** and **State**  
7 **Jurisdiction**, jurisdiction is determined by sovereignty and therefore **Federal jurors** must reside  
8 in the **Federal Sovereignty Territory** or they cannot serve on a Federal jury, pursuant to the 6<sup>th</sup>  
9 Article of Amendment to the Constitution and Title 28 Chapter 5 §§81-131..

10 6. Movant has adequate reason to believe that none of the Grand Jurors in this matter  
11 lawfully reside within **Federal Sovereign Territory**. Simply put all of the **private property**  
12 under the sovereignty of Arizona is without the sovereign **Territory** of the **Federal**  
13 **government**. The entire burden of proof is upon the Attorneys for the Alleged Plaintiff in this  
14 case. The United States Attorneys for the Alleged Plaintiff has **shown no proof** and the court in  
15 its own **prejudice** says **no proof is required**. This court had no authority to dislodge, overrule,  
16 or supersede the decisions and interpretations given in plain language of the United States  
17 Supreme court, cited above.

18 7. Movant again reminds United States Attorneys for the Alleged Plaintiff and the court that  
19 the 9<sup>th</sup> Circuit has declared that Movant has a right to honesty in all government actions; and this  
20 is in complete harmony with the Supreme Court in *Berger*, 295 US 78, 88 from 1935 and  
21 Congress in the McDade Amendment 28 USC 530(b) requiring truth not just pursuit of  
22 conviction and following State ethical rules. Learned Counsel fails this test and appears to be  
23 willfully joined by the bench.

24 8. Likewise, the courts Personam and Subject matter jurisdiction have been properly  
25 challenged and the court in **denial of due process rights**, demonstrating its **open prejudice**  
26 barrels ahead as the conductor of the Federal Railroad for the destruction of **Movant's personal,**  
27 **civil and legal rights**. This court bears the **necessity of justice load** in the “**Constitutional**  
28 **imperative**” stated in *Miranda v. Arizona*, 16 L Ed 2d 602 (1965), where it is stated that this  
courts **specific duty** is to **protect** Movant's rights against the **over zealous acts of government**

1 **agents** and not to **prejudicially join** into the abuse, or **aid the abuse in any form**. When one  
2 adds the clear unambiguous statements of the Supreme Court that are not subject to this court's  
3 interpretation such as *Eisner v Macomber*, 252 US 189 (1920) which protects property and  
4 requires one and only one definition for income, in any law pursuant to the 16<sup>th</sup> Amendment, that  
5 is not met here, and *US v Lanier*, 520 US 259 (1997) stating that all law must be written in plain  
6 English that men of common intellect can understand and apply without difference, this court's  
7 **participation** as a **party in the case** to impose its **own interpretation is just plain wrong**.

8 9. For the **Subject matter**, there is a specific chain of authority that this court is bound to  
9 follow from the Supreme Court but rather chooses, in its **apparent prejudice**, to **overrule the**  
10 **Supreme Court** to aid the abusers, **intentionally** abandoning its **oath for justice**, and **lawfully**  
11 **leaving the bench vacant**. The most recent statement Movant is aware of is *Boulware v. U.S.*,  
12 06-1509 decided by the Supreme Court March 3, 2008 where that court reiterated its decision  
13 from *Sansone* 380 US 343,351 (1965) by stating that there must be a **specific law imposing a**  
14 **tax**, deficiency of a tax lawfully imposed, and refusal to pay and specifically protecting  
15 Boulware's right to his property against overzealous agency (the same burden this court bears).  
16 That express requirement does not exist in this case; there is **no specific law or regulation** to  
17 impose an excise tax upon Movant's property. This specific law requirement draws its authority  
18 historically from *US v. Hill* 123 US 681,686 (1897) "...Jurisdiction of the courts of the United  
19 States means a law providing in terms of revenue, that is to say a law which is directly traceable  
20 to the power granted to congress by section 8 article 1 of the Constitution, to lay and collect  
21 taxes, duties, imposts and excises." There is, and **never** has been **any specific law** on the record  
22 or submitted by the Attorneys for the United States Alleged Plaintiff as proof of **Subject matter**  
23 **jurisdiction**; further complicated by the fact that the Supreme Court has repeatedly ruled that  
24 absent properly promulgated regulations this non-existent law would do nothing *US v Mersky*,  
25 361 US 431. This court then drives the case forward absent **all three forms of jurisdiction**,  
26 having itself on numerous occasions **violated due process rights and destroyed all illusion of**  
27 **jurisdiction**.

28 10. Movant sincerely believes that she does not owe a Federal tax on her property, and the  
Supreme Court in *Erie Railroad v Thompkins*, and elsewhere stated that any disagreement must

1 be settled in Movant's favor. The Court has **intentionally** overthrown this **essential doctrine** for  
2 **justice and abrogated** its "**Constitutional imperative**" as stated in *Miranda v Arizona*.

3 11. Movant sincerely believes that she does not reside on or in **Federal Territory** and is  
4 pursuing her **absolute due process right to inspect the juror list** to find out if the jurors live in  
5 Federal Territory as the law demands they must as stated in the 6<sup>th</sup> Article of Amendment to the  
6 Constitution, and Title 28 Chapter 5 §§81-131.

7 12. Movant also relies on the definition of **Territorial** as applied in Ballentines to mean:  
8 "**Pertaining or belonging to a Territory of the United States**", meaning **Federal Territory**  
9 under the **exclusive jurisdiction** of the **United States of America**. and

10 The word **District** in Bouviers means: May be construed to mean **Territory**.

11 13. The Supreme Court in *Cheek v US* 498 US 192, that Movant's sincerely held beliefs are  
12 sufficient reason for the complete dismissal of the case, with prejudice, but the court  
13 **prejudicially abandons this duty for justice** to aid the Alleged Plaintiff. The court may want to  
14 consider Chief Justice Marshall's words repeated in FN 19 of *US v Will*, 439 US 190, 200 (1980)  
15 before continuing the **abuse of Movant's rights** and the dereliction to the "**Constitutional**  
16 **Imperative**".

17 14. This is not Movant's opinion. **This is the governments written law**, the rule of law all  
18 People are guaranteed by the Constitution as determined by the Supreme Court. Below is a  
19 synopsis of the four Organic Laws of the United States of America. Movant has cited the  
20 Organic Laws before this court and will again, since most United States Attorney's do not follow  
21 or know the basic Original Organic Laws of this Country, FROMWHICH all government laws  
22 originated.

23 15. In America there are only 2 different jurisdictions, **Federal and State**. The **Federal**  
24 **jurisdiction** is shown in the **Federal Territorial districts** as explained in Title 28 Chapter 5  
25 Sections 81-131, as of January 1, 1945, which has not been repealed or changed to date.  
26 Although the Historical and Revised notes are now at the ending of the Chapter, they hid this  
27 sentence in plain sight: "**Sections 81-131 of this Chapter show The Territorial Composition**  
28 **of districts and divisions by counties as of January 1, 1945**". This was done to conform to the

1 6<sup>th</sup> Article of Amendment of the Constitution wherein is says ... "which district shall have been  
2 **previously ascertained by law**".

3 Title 1 U.S.C. section 204 says Title 28 has been enacted into positive law;

4 "*Whenever titles of such Code shall have been enacted into positive law the text thereof*  
5 *shall be legal evidence of the laws therein contained, in all the courts of the United*  
6 *States, the several States, and the Territories and insular possessions of the United*  
7 *States.*

8 The word **Territorial** in Ballentines means: Pertaining or belonging to a Territory of the  
9 United States.

10 The word **District** in Bouviers means: May be construed to mean Territory.

11 16. The **Declaration of Independence**, July 4, 1776, freed the people from the tyranny of  
12 Great Britain and set each and every one of the inhabitants **free from all government rule**.  
13 People are free today or they can by **consent** be under government rule. The Declaration said  
14 "*all men are created equal, that they are endowed by their Creator with certain unalienable*  
15 *Rights, and that among these are Life, Liberty and the pursuit of Happiness*".

16 17. This Declaration gave the thirteen colonies and the Northwest Territory that Great Britain  
17 had owned over to the people of the United States of America. There were two different kinds of  
18 **Territory**, one of **Federal Territory** (the Northwest Ordinance Territory) and the thirteen  
19 independent **State Territories**. The thirteen united States were not under **Federal jurisdiction**.

20 18. The **Articles of Confederation**, November 15, 1777, created the style of this  
21 Confederation as "**the United States of America**". This created thru Congress assembled, a  
22 Perpetual Union for the thirteen united States. Each several State sent delegates to represent  
23 them in Congress assembled, and by-laws were created in Congress for the several States to  
24 follow as a Union.

25 19. Every State retained its **sovereignty, freedom, independence** and **every power,**  
26 **jurisdiction and right**, which was not expressly delegated to Congress assembled, by the  
27 people.

28 20. There was **no Federal Jurisdiction** in any of these several States, because the **Federal**  
**Government** did **not own** any **Territory** within any of the several States at the time. This  
principle was recently reaffirmed by the Supreme Court in *Utah Division of State Lands v.*



1 United States 482 US 193 (1987) stating that all new states enter the union on equal footing with  
2 that of the original thirteen. The law of the land was the Common Law.

3 21. One of the most important messages delivered thru the Articles of Confederation was that  
4 “the Union shall be perpetual”, which is mentioned 6 times and has never been repealed.

5 22. The **Ordinance of the Northwest Territorial Government**, July 13, 1787, was the other  
6 **Territory** that was given from Great Britain to the United States of America. All of this land  
7 was **Federal Territory**, under the **exclusive jurisdiction** of the **United States of America**.

8 23. This was only a temporary government, as eventually 5 separate States emerged out of it,  
9 on an equal basis with the first thirteen Union States, However, they had to retain the laws placed  
10 on them by the **Federal government**, be Republican and in compliance with the **Articles of**  
11 **Confederacy**.

12 24. Before any States were created in this **Federal Territory**, Congress assembled a  
13 temporary government for the **Federal Territory**. They set up a Governor, Judge and Secretary  
14 to live in the **district** and manage the **district** they lived in. The Governor was in charge of  
15 dividing the **district and divisions** in the **Federal Territory** into areas where people resided and  
16 crime was committed.

17 25. The word “**District**” is repeated 25 times in this Ordinance, thereby repeatedly showing  
18 that the word “**District**” is synonymous with the “**Territorial Composition**” of the “**Federal**  
19 **Territory of the United States of America**”.

20 26. There were many Federal laws set up in the form of Articles, most all followed the  
21 common law, and eventually some became part of the Constitution for the United States of  
22 America. The inhabitants were entitled to Writs of Habeas Corpus, trial by jury, and the right for  
23 one to be bailable. No one would be deprived of their liberty or property, but by a judgment of  
24 his peers and no taking of a person’s property without just compensation. The inhabitants of that  
25 **Federal Territory** were allowed to buy and sell the prospective land they resided on. There  
26 were to be no laws that abrogated contracts between private people. Religion and knowledge was  
27 encouraged. The inhabitants had to pay Federal taxes. No Indians were to be taxed. No slavery  
28 was to be inflicted, or cruel and unusual punishment. **The people could claim the status of**  
**either an Inhabitant or a Citizen**.

1 27. This **Federal Territory** and the States that were to be formed out of said **Federal**  
2 **Territory** were to **forever remain** a part of this **Confederacy of the United States of America**  
3 and be **subject** to the **Articles of Confederation**.

4 28. The House of Representatives was born out of the Northwest Ordinance.

5 29. The "**Constitution for the United States of America**" of September 17, 1787, gives this  
6 court only such **narrow limited authority** as is expressly delegated in the Constitution and thru  
7 the express specific acts of Congress passed as Positive law in order to invade the several united  
8 States.

9 30. One place that Congress expresses this limitation is in **Title 4 USC sec 72**, which agrees  
10 completely with the narrow restriction of **Article I sec 8 clause 17** of the **Constitution of the**  
11 **United States of America**. The Supreme Court agrees in *N.Y. v. U.S.* 505 US 124 (1992) where  
12 the unanimous court states "all **Federal authority** must be expressively and specifically  
13 delegated in the Constitution or it does not exist."

14 31. There has been so much controversy over what Federal United States and the  
15 Independent States have jurisdiction over that in June of 1957 President Eisenhower ordered the  
16 United States government to publish a work entitled "**Jurisdiction Over Federal Areas Within**  
17 **the States**": Report of the Interdepartmental Committee for the Study of Jurisdiction Over  
18 Federal Areas Within the States, Part II of this report is the definitive study on where the Federal  
19 government has jurisdiction as opposed to the several States.

20 32. *Id.*, at 46 "**The Federal Government cannot, by unilateral action on its part, acquire**  
21 **Legislative jurisdiction** over **any area within** the exterior boundaries of a **State**". Therefore, in  
22 **Federal Criminal Prosecutions** involving Jurisdictional type crimes, the government **must**  
23 **prove** the existence of **Federal Jurisdiction** by showing **United States ownership** of the place  
24 where the **crime was committed** and state cession of jurisdiction. If the government contends  
25 for the power to **criminally prosecute for an offense** committed outside "**its jurisdiction**", it  
26 **must prove** an **extra-territorial application of the statute in question** as well as a  
27 **Constitutional foundation** supporting the same. Absent this showing, **NO Federal**  
28 **prosecution can be commenced for offenses committed outside "its jurisdiction"**.



1 33. This is a very large document and Movant has decided to attach a legal brief which  
2 highlights some of the most important cases therein, written by United States Attorney Larry  
3 Becraft, See Exhibit "A" .

4 34. Affiant states; I am not an expert in the law however I do know right from wrong. If  
5 there is any human being damaged by any statements herein, if he will inform me by  
6 facts I will sincerely make every effort to amend my ways. I hereby and herein reserve the  
7 right to amend and make amendment to this document as necessary in order that the truth  
8 may be ascertained and proceedings justly determined. If the parties given notice by  
9 means of this document have information that would controvert and overcome this  
10 Affidavit, please advise me IN WRITTEN AFFIDAVIT FORM within ten (10) days  
11 from receipt hereof providing me with your counter affidavit, proving with particularity by  
12 stating all requisite actual evidentiary fact and all requisite actual law, and not merely the ultimate  
13 facts or conclusions of law, that this Affidavit Statement is substantially and materially false  
14 sufficiently to change materially my status and factual declarations. Your silence stands as consent  
15 to, and tacit approval of, the factual declarations herein being established as fact as a matter of law  
16 of all facts herein, in perpetuity, the said confession being *res judicata* and *stare decisis*.

17  
18 May the will of our Heavenly Father, through the power and authority of the blood of his son  
19 be done on Earth as it is in Heaven.

20 **Reserving all Natural God-Given Unalienable Birthrights, Waiving None, Ever.**

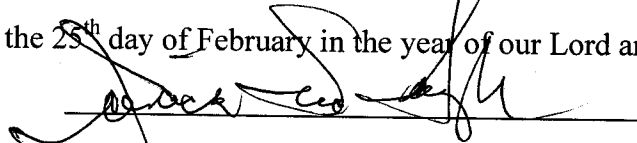
21  
22 **CONCLUSION**

23 There is sufficient reason to believe, based on precedent in the rule of law that this courts  
24 **denial of due process is extremely important** and will merit consideration by the 9<sup>th</sup> circuit  
25 court of appeals and ultimately result in ending this case. It is therefore **foolish** to proceed  
26 toward trial until after the court of appeals has heard and decided these **Constitutional issues**.

27 WHEREFORE Movant asks the Court to **Stay** all further actions in this court until the  
28 interlocutory appeal is heard and decided.

28 USC §1746(1)

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Signed on the 25<sup>th</sup> day of February in the year of our Lord and Savior 2011.



Janice Sue Taylor, sui juris  
Of one's own right, possessing full social  
Civil rights, sovereign character and capacity.  
Without the United States, U.S.C. 28, §1746 (1)

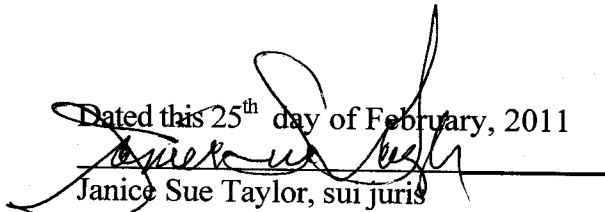
Certificate of Service

I, Janice Sue Taylor, hereby declare and state that I have filed a true and correct copy of the above document Rebuttal to Doc #200. 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  
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.)**

Dated this 25<sup>th</sup> day of February, 2011  


Janice Sue Taylor, sui juris  
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,