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THE STATE OF ARIZONA)
Plaintiff,)
vs)
JOHN CHESTER STUART,)
Defendant)

CR 2008-006332-001 DT
AFFIDAVIT OF
FACTS

John Stuart Real Party)
in Interest (Third Party Interceptor)

08 APR 15 PM 4:15
FILED
MICHAEL JEANES, CLERK
BY [Signature] DEP

John Stuart, the man, has all rights.

JOHN CHESTER STUART, a legal fiction, did nothing on or about the 26th day of March, 2008. JOHN CHESTER STUART, a legal fiction, knows nothing.

The Forms, IRS Forms 10-40 V & 1099-01D, are neither false nor forged. Charbel also made the claim that the order to release John Stuart, the man, was also false and forged and attempted to use said claim to threaten and intimidate John Stuart RPII/TPI under color of law, as evidenced by JOHN STUART's attorneys, D McCarter & Todd Nolan.

The requirement of proof evident and presumption great has not been met. It would be more correctly stated "perjury evident and malicious intent great" concerning Prosecutor Charbel's behavior in this matter.

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A.R.S. § 39-161 requires the defendant to knowingly act in a malicious manner. As stated... "an instrument he knew to be false or forged," invokes two (2) obvious requirements, neither of which applies in this case.

The latter, "Forged", is not possible since the document is an original document, unless Prosecutor Charbel is still claiming Judge Steinle did not personally sign the order releasing John Stuart, the man, from further liability.

The former, "False", is also impossible since John Stuart relied on his Rabbi, a juris doctor, and several of the greatest legal minds John Stuart has ever known.

Numerous Supreme Court Cases have stated that "laymen" can not be held accountable for advice given them by professionals. If, in fact, the documents were incorrect or somehow flawed, Prosecutor Charbel knew John Stuart did not write them as evidenced by the court decision. Charbel's prosecution of this matter is additional evidence of her malicious intent.

Finally, "he knew", has already disproved in a previous court hearing where

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Charbel was also the Prosecutor. She was informed by Judge Steinle that he did knowingly sign the document.

Therefore it must be . . . Prosecutor Charbel and THE STATE OF ARIZONA's contention that defendants MUST DISREGARD A JUDGE'S ORDER OR BE PROSECUTED. . . .

For Prosecutor Charbel's claim to stand ALL of the following must be true:

- 1) A judge's signature has NO AUTHORITY and is not evidence of validity; and
- 2) Defendants have no requirement to accept a judge's signature as anything other than bad hand writing; and
- 3) The word "knew" has some new and heretofore unknown legal definition; and
- 4) The dozens of Supreme Court cases defining concepts of "knowledge," "willfulness," and the like should be permanently stricken from all records and prevented from being used; and
- 5) Documents "sealed" by a judge in open court shall hereafter be "unsealed" and "resealed" at the whim of any prosecutor at any time regardless of the law; and

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Summary:

Prosecutor Charbel has committed numerous heinous acts under color of law to cause the unlawful detention of an innocent man for her personal gain. Pros. Charbel has repeatedly lied, perjured, falsely arrested, and she lies, and caused irreparable injury to a man that under Arizona law should have never been arrested. Pros. Charbel's criminal acts have been ever increasing since her realization she is the one violating the law. This, her latest unlawful attempt at silencing the victim is not only contemptuous, it borders on insanity.

Not only is the proof not evident and the presumption not great, the documents themselves invalidate the claim.

If Pros. Charbel continues this claim she must also hold the judge that signed the documents accountable and charge judge Steink with the same charges.

Therefore, this case must be dismissed with prejudice and Pros. Charbel's bond placed under arrest. If this court is unwilling to do the right thing it should at least not be willing to do ~~an~~ anything and continue holding an innocent man, thus at the very least, John Stuart should be released on his current bond.

John Stewart is currently being falsely detained and thus can not supply all the evidence. Said evidence is currently in possession of the court for another matter;

- 1) Motion to Dismiss and/or Remand - "Trebis letter" for other case; and
- 2) Grand Jury Transcripts as compared to actual Police Report:
 - a) numerous acts of perjury by Det. Dalton;
 - b) Charbel purposely failed to list correct law; and
- 3) letter from original attorney requesting Charbel to tell Grand Jury about 13-418 and the witnesses "actual" statements instead of Det. Dalton's lies.
- 4) Supersedes BID Bond document signed by Judge Steinfeld; and

Again, Prosecutor Charbelias in case CR 2008-106594-001 DT, committed several heinous acts, malum in se, with malice & forethought and acting under color of law to falsely detain a man she may know is innocent, strictly to further her career and in no way acting in the furtherance of justice or the protection of society.

Accordingly, Charbel, did in fact:

- 1) With hold pertinent information from the Grand Jury; and
- 2) Suborn perjury to the Grand Jury; and
- 3) Cause the false arrest of a man she may know is innocent; and
- 4) Cause the unlawful detention of same; and
- 5) Violate her oath of office; and
- 6) Place the BOND(s) of herself, the court, the county and the STATE in jeopardy; and
- 7) Cause irreparable physical and mental harm to an innocent man