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1 John-Chester: Stuart
2 c/o: 21001 N. Tatum Blvd.,
3 Suite 1360472
4 Phoenix, Arizona state
5 Pro Per

*RPII/TPI while unlawfully detained with no
assistance of counsel and no access to legal
research.*

6 SUPERIOR COURT OF THE STATE OF ARIZONA

7 IN AND FOR THE COUNTY OF MARICOPA

8 STATE OF ARIZONA,
9 Plaintiff,

10 vs.

11 JOHN C. STUART,
12 Defendant.

Case No.: CR-2008-006332-001DT

*Petition For Clarification
From the Prosecution*

13 John Stuart, Real Party in
14 Interest/Third Party Intervener
having all rights

*This is part of Discovery/
& must be attended to
forthwith or Charbel is
in Dishonor & Contempt*

15 Third Party Intervener appears and petitions, in the nature of a
16 motion, *specially and not generally, for Clarification*

From the Prosecution on the following concerns.

17 *Answers must be in AFFIDAVIT form signed*

18 *under penalty of perjury. If Prosecution*

19 *fails to answer accordingly, non-responsive*

20 *answers considered as refusal to answer,*

21 *then all presumptions made by RPII/TPI*

22 *shall stand as facts unrebutted and*

23 *can therefore not be denied at any later*

24 *date in any court. Acquiescence stands as*

25 *agreement per 485 U.S. v. Tward, 550 F. 2d 297, 299*

(5th Cir. 1977) "Silence can only be equated

with fraud when there is a legal duty to speak

or where an inquiry left unanswered would

1 be intentionally misleading"; and Charbel's
2 silence prevents the STATE from ever
3 arguing in any court in this nation and/or
4 state and/or STATE against RPIT/TPI's
5 presumptions pursuant to Carmine v. Bowen
6 '64 A. 932 (1906); "Silence activates estoppel";
7 and Charbel's silence is her acquiescence pursuant
8 to Connally v. General Construction Co., 269
9 US 385-391. Notification of legal responsibility
10 is "the first essential of due process of law"
11 therefore Charbel's felonious acts against
12 RPIT/TPI and the court, done under color of
13 law, including without limitations, her refusal
14 to inform a plurality of Grand Jurors in
15 a plurality of cases of the appropriate facts,
16 laws, evidence, pertinent information, witness
17 statements, judge's orders and the like are
18 prima facie evidence of treasonous and
19 heinous acts against RPIT/TPI for her
20 personal gain.

21 Thus it is the court's responsibility and
22 duty in the interest of justice to stop
23 the rogue and possibly insane agent known
24 as Prosecutor Charbel from constantly and
25 maliciously prosecuting RPIT/TPI per
42 USC §1983; and remove Charbel from
office and arrest her BOND.

Charbel, C.A. Thomas and/or the STATE has
10 days to respond to the following or release RPIT/TPI:

- 1) This case is under Admiralty Jurisdiction and no other jurisdiction applies; and
- 2) Pros. Charbel failed to BOND her claim against any party; and
- 3) A claim not BONDED is not a lawful claim and does not exist; and
- 4) Therefore RPII/TPI is held on a non-existent claim and is therefore either a victim of kidnapping or is a terrorist's hostage; and
- 5) Pros. Charbel refuses to inform RPII/TPI of the true jurisdiction of this matter in an unlawful attempt to confuse jurisdictions and thus is committing fraud upon the court;
- 6) Pros. Charbel and/or County Attorney Thomas are only attempting to appease the press, even at the expense of prosecuting a man they know is innocent as evidenced by Charbel and Thomas' release of autopsy reports to the press almost a week before releasing such to the same RPII/TPI in another case; and
- 7) Pros. Charbel conspired with another court officer known as "Terri B" to scare one of RPII/TPI witnesses out of court; and
- 8) S.C.O.T.U.S requires the "appearance" of a fair and impartial trial and the actions of Charbel and Thomas have destroyed any possibility of such an appearance.

1 due to their extreme bias and numerous heinous
2 acts done under the color of law; and

3 a) Charbel and Thomas are well aware no crime
4 has been committed and have only charged
5 defendant as a means to torture "RPII/TPI
6 to receive good press; and

7 10) Charbel's action of removing Judge Stienle's
8 signed order from the documents presented
9 to the Grand Jury was malum in se and
10 a felonious attempt to obtain a fraudulent
11 indictment against an innocent man thereby
12 violating her Oath of Office thus terminating
13 her position in office; and

14 11) The documents being used in this case
15 are neither false nor forged, as evidenced
16 by Judge Stienle signing the order to
17 release John Stuart, the man, and were
18 only considered false by the Grand Jury
19 because the order was removed; and

20 12) Charbel, with malice aforethought, removed
21 the order signed by Judge Stienle knowing
22 the Grand Jury would not indict if they
23 knew Judge Stienle accepted and signed
24 the order; and

25 13) Bottom line: CHARBEL REMOVED THE
ONE PAGE PROVING THE DOCUMENT
WAS NOT FAKE, NOR FORGED, THEN
SHOWED THE DOCUMENT TO THE

1 GRAND JURY. THIS IS THE DEFINITION
2 OF CORRUPTION AND THE ULTIMATE
3 ACT OF PROSECUTORIAL MISCONDUCT,

4 14) To hide her heinous crime from the
5 court and the media Charbel then had
6 the document resealed; and

7 15) Charbel's sealing, unsealing, resealing,
8 unsealing, etc, is obviously prima facie
9 evidence of her attempts to conceal
10 her illicit activities, and the courts
11 cooperation, especially of the Grand Jury, is
12 evidence of multiple RICO ACT violations,
13 done under color of law; and

14 14) Charbel is well aware there has not
15 been a COMMERCIAL CRIME committed
16 and that there is no CONTRACT; and

17 15) Charbel is well aware there has not
18 been a TORT committed and that there
19 is no INJURED PARTY, the STATE is not
20 injured and cannot be a party; and

21 16) Charbel is well aware there has not
22 been ANY TYPE OF CRIME COMMITTED BY
23 ANYONE IN THIS MATTER OTHER THAN
24 CHARBEL as evidenced by her withholding
25 evidence; and

17) RPII/TPI has made numerous request through
Inmate legal request for the BONDING
Forms that accompany every case and as

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1 planned by Charbel, proving Charbel's conspiracy with
2 the court and jail, the jail system has unlawfully
3 denied the request by RPII/TPI. Forms requested
4 are standard Comptroller General - General Accounting
5 Office - General Service Administration Form:

6 24 BID BOND(S)

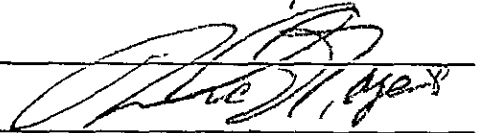
7 25 PERFORMANCE BOND(S)

8 25A PAYMENT BOND(S)

9 Said bonds are used in the sale of the court case
10 to the USDC and do exist and the denial of
11 their existence is prima facie evidence of
12 the conspiracy to falsely detain RPII/TPI, and
13 accordingly RPII/TPI request certified copies
14 of said BOND(S) and further request
15 a certified copy of all documents showing
16 who the "HOLDER IN DUE COURSE" of the
17 NOTE(S) for said BOND(S).

18 18) Judge Stienle ORDERED John Stuart, the man,
19 from liability, therefore Charbel is in
20 CONTEMPT OF COURT unless she is claiming
21 it is not John Stuart, the man, in custody:

22 THUS; PROSECUTOR CHARBEL MUST INFORM
23 THIS COURT, EXACTLY WHO WAS ON ELECTRONIC
24 MONITORING AND WHO IS CURRENTLY IN
25 CUSTODY IF IT IS NOT John Stuart, the man.


John Stuart, the man