

MICHAEL JEANES, CLERK
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1 JOHN STUART, *Pro per*
10407 W. Trumbull Road
2 Tolleson, Arizona (85353)
Phone # (480) 232-0606
3 <themobinem@aol.com>

4 John Stuart, *Sui Juris*
Authorized Representative

5 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
6 **IN AND FOR THE COUNTY OF MARICOPA**

7
8 REBECCA BEASLEY, individually as the
surviving spouse of ORVILLE THOMAS
9 BEASLEY III, and as personal
10 Representative of the ESTATE OF
11 ORVILLE THOMAS BEALSEY III; and
12 ORVILLE THOMAS BEASLEY II and
ANNA ELIZABETH BEASLEY, husband
13 and wife, and parents of ORVILLE
14 THOMAS BEASLEY III,

Plaintiff,

15 vs.

16 JOHN C. STUART, and JANE DOE
17 STUART, a married couple; JOHN and
18 JANE DOES I-V; BLACK & WHITE
CORPORATIONS VI-X; and ABC
19 PARTENRSHIPS XI-XV;

Defendants

Case No. CV2010-050624

VERIFIED AFFIDAVIT

SUBMITTED BY AND
THROUGH SPECIAL APPEARANCE:
WITH ALL RIGHTS RESERVED;
AND NOT GRANTING,
NOR AGREEING TO JURISDICTION
OF THIS COURT IN THIS MATTER.
THE CONSTITUTIONS OF ARIZONA,
AND THE UNITED STATES; AND
ALL TREATIES, ARE HEREBY
'INCORPORATED' INTO THIS
MATTER. THIS MATTER DOES NOT
EXIST "IN THIS STATE."

(Assigned to the Honorable Linda Miles)

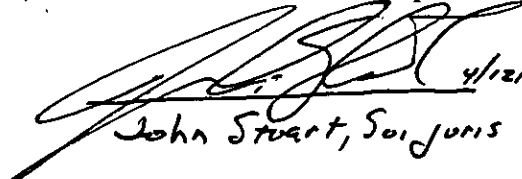
21
22 *In the name of God, with the gaze of Our Lord, JOHN STUART, ens legis, by*
23 and through his Authorized Representative, a separate entity, John Stuart, *sui juris*, a man,
24 a civilian, appearing specially and not generally, *vi et armis*, claiming, exercising and
25 invoking ALL RIGHTS, including but not limited to; God granted Rights, human Rights,
26 and all Rights guaranteed and/or protected by the United States Constitution, the Treaty of
27 Paris of 1873, the Arizona Constitution, and International Treaties, *and others*.
28

1 John Stuart (Hereafter Affiant) does NOT accept jurisdiction of this Court over this
2 matter. Affiant does NOT consent to jurisdiction of this Court of him and/or this subject
3 matter and ONLY provides this "Verified Affidavit" under duress, and *vi et armis*.
4 Pursuant to numerous SCOTUS decisions: jurisdiction MUST be proved before any matter
5 can move forward. Affiant omits the applicable cites for now, but reserves the right to
6 enter cites to prove lack of jurisdiction.
7

8 Affiant demands this Court prove jurisdiction before proceeding, pursuant to and in
9 accordance with the definition of 'in this state;' and the legal meaning of the term
10 'incorporated' as used to mean the incorporation of the Constitution into this matter.
11

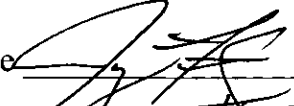

12 Affiant, *sui juris*, a civilian, and a man, and must be afforded all protections by
13 this Court due a civilian *sui juris*.

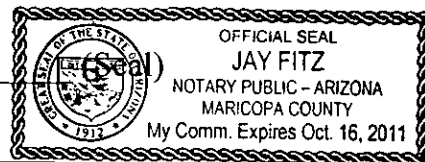
14 State of Arizona)
15)
16 County of Maricopa)


4/12/10
John Stuart, *Sui Juris*

17 On April 12TH 2011 before me, John C. Stuart, *sui juris*, a man, and a civilian,
18 personally appeared who proved to me on the basis of satisfactory evidence to be the
19 person whose name is subscribed to the within instrument. I certify under PENALTY OF
20 PERJURY under the laws of the State of Arizona that the foregoing paragraph is true and
21 correct.
22

23 WITNESS my hand and official seal.

24 Signature 
25 My seal expires 



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VERIFIED AFFIDAVIT

The undersigned Affiant, John Chester Stuart, *sui juris*, a man, and a civilian, hereinafter "Affiant", does solemnly declare and state as follows:

1. Affiant is competent to state the matters set forth herein.
2. Affiant has knowledge of the facts stated herein.
3. All the facts herein are true, correct and complete, not misleading, and

admissible as evidence, and if called upon as a witness, Affiant will testify to their veracity.

Verified Statement of Facts:

4. There is no evidence that Affiant was not lawfully, safely, and correctly passing another vehicle while traveling Westbound on Pinnacle Peak Road in a 50MPH zone when the other vehicle was traveling at an estimated 20MPH, and Affiant believes that none exists; and

5. There is no evidence that Affiant, after passing said vehicle, the driver, a Mr. Orville Thomas Beasley, III (Hereafter "Mr. Beasley"), of the vehicle did not turn on his high-beams as an act of retaliation and/or aggression with the intent aggravate Affiant and/or incite violence against Affiant for Affiant passing said vehicle, and Affiant believes that none exists; and

6. There is no evidence that Mr. Beasley was not so "dangerously intoxicated" and "high on illicit and legal drugs" that Mr. Beasley experienced a "psychotic break" that lead to Mr. Beasley experiencing a violent rage that manifested into a violent and savage assault by Mr. Beasley against Affiant, and Affiant believes that none exists; and

1 7. There is no evidence that when Mr. Beasley knowingly, intelligently, and
2 willfully chose to ingest dangerous amounts of alcohol and also mix the ingestion of
3 alcohol with illicit and legal drugs that Mr. Beasley was not voluntarily placing Affiant
4 and/or the general public at risk of serious injury and/or death, and Affiant believes that
5 none exists; and
6

7 8. There is no evidence that when Mrs. Beasley knowingly, intelligently, and
8 willfully chose to allow her husband to ingest dangerous amounts of alcohol and also mix
9 the ingestion of alcohol with illicit and legal drugs that Mrs. Beasley was not voluntarily
10 placing Affiant and/or the general public at risk of serious injury and/or death, and Affiant
11 believes that none exists; and
12

13 9. There is no evidence that after passing said vehicle and while stopped at the
14 intersection of Pinnacle Peak Road and Tatum Blvd that Mr. Beasley did not place his
15 vehicle next to Affiant's in such a fashion as to preclude Affiant's ability to exit Affiant's
16 vehicle (i.e. parking Mr. Beasley's vehicle's right front bumper to approximately eight [8]
17 inches from Affiant's driver's door), and Affiant believes that none exists; and
18
19

20 10. There is no evidence that Mr. and Mrs. Beasley did not attack Affiant both
21 with hand gestures (raising the middle finger in an obscene manner) and profusion of
22 vulgar epithets culminating in an assault by Mr. Beasley (approximately 230 lb and six
23 foot tall male) to kill Affiant and Affiant's fiancé, followed by Mr. Beasley exiting Mr.
24 Beasley's vehicle and again repeating Mr. Beasley's threat to kill Affiant and Affiant's
25 fiancé, approaching Affiant in what appeared to Affiant to carry out Mr. Beasley's threats
26 to kill Affiant and Affiant's wife, and Affiant believes that none exists; and
27
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1 11. There is no evidence that Mr. Beasley did not In Fact commit Battery upon
2 the body of Affiant by, repeatedly punching Affiant, gouging Affiant in the eye, grabbing
3 Affiant around the throat and attempting to drag Affiant, while Affiant was restrained by
4 Affiant's seatbelt, from the vehicle to execute Mr. Beasley's threat to kill Affiant and
5 Affiant's fiancé, and Affiant believes that none exists; and
6

7 12. There is no evidence that Affiant did not attempt to extricate himself from
8 the physical personal assault by backing Affiant's vehicle into the car behind Affiant's
9 vehicle, thereby dislodging a gun Affiant had in a compartment in the dash of Affiant's
10 vehicle, and that upon seeing said dislodged weapon that Mr. Beasley did not grab for the
11 gun after which a struggle ensued amongst Mr. Beasley, Affiant, and possibly Affiant's
12 fiancé for possession of said gun, and the gun discharged during said struggle and Mr.
13 Beasley lay dead, and Affiant believes that none exists; and
14
15

16 13. There is no evidence that Mr. Beasley did not unlawfully and forcefully
17 enter Affiant's occupied vehicle to **kidnap** and/or murder Affiant, and Affiant believes
18 that none exists; and
19

20 14. There is no evidence that Mr. Beasley was not attempting to remove Affiant
21 against Affiant's will from Affiant's occupied vehicle in an attempt to savagely murder
22 Affiant, and Affiant believes that none exists; and
23

24 15. There is no evidence that the MEDICAL EXAMINER FOR MARICOPA
25 COUNTY did not state in its pathological diagnoses that Mr. Beasley was positive for
26 "Ethyl alcohol intoxication" of ".19" B.A.C., and had an additional 900ml of "pinkish
27 brownish liquid inside his stomach and bladder," and Affiant believes that none exists; and
28

1 **16.** There is no evidence that a person with a Blood Alcohol Content of .19 is
2 not presumed: “obvious intoxication, release of inhibition leading to talkativeness and
3 boisterous behavior” as stated in “ARIZONA DUI: A MANUAL FOR POLICE,
4 LAWYERS AND JUDGES”, and that the Creighton University study did not find people
5 with a B.A.C. above .18 are not; “confused, highly emotional and aggressive, and may not
6 feel pain as readily as a sober person,” and Affiant believes that none exists; and
7

8 **17.** There is no evidence that a man with a B.A.C. of .19 is not extremely
9 intoxicated and/or is not more likely to become violently enraged and/or not quicker to
10 experience a psychotic break than a sober man, and Affiant believes that none exists; and
11

12 **18.** There is no evidence that Affiant would not be presumed to be acting
13 reasonably if Affiant was to have used deadly physical force against an attacker who was
14 strangling Affiant, punching Affiant, gouging Affiant’s eye, and threatening to kill Affiant
15 and Affiant’s fiancé and/or was attempting to remove Affiant from Affiant’s occupied
16 vehicle, and Affiant believes that none exists; and
17

18 **19.** There is no evidence that Affiant would not reasonably believe Affiant and
19 Affiant’s fiancé to be in imminent peril of death or serious physical injury as a result of
20 Mr. Beasley’s unlawful, malicious, and *malum in se* conduct, and Affiant believes that
21 none exists; and
22

23 **20.** There is no evidence that Affiant would not be justified and/or would not
24 have the right to use physical force and/or deadly physical force against Mr. Beasley for;
25 threatening, using physical force, and/or attempting to remove Affiant against Affiant’s
26 will from Affiant’s occupied vehicle, and Affiant believes that none exists; and
27
28

1 **21.** There is no evidence that Mr. and Mrs. Beasley's illicit behavior and
2 criminal conduct against Affiant and Affiant's fiancé and Affiant's vehicle is not
3 considered kidnapping pursuant to, *inter alia*, Arizona Revised Statutes § 13-418 and,
4 *inter alia*, Model penal Code § 212.1, and Affiant believes that none exists; and
5

6 **22.** There is no evidence that strangulation is not the third leading type of assault
7 that causes death to the assaulter's victim, and Affiant believes that none exists; and
8

9 **23.** There is no evidence that it was not Mr. and/or Mrs. Beasley's intent to
10 murder and/or cause grave bodily injury to Affiant and/or Affiant's fiancé, and Affiant
11 believes that none exists; and

12 **24.** There is no evidence that Mrs. Beasley's was not a co-conspirator to Mr.
13 Beasley's numerous felonies, and Affiant believes that none exists; and
14

15 **25.** There is no evidence that it was not Mrs. Beasley's intent to assist Mr.
16 Beasley in murdering and/or causing grave bodily injury to Affiant and/or Affiant's fiancé,
17 and Affiant believes that none exists; and
18

19 **26.** There is no evidence that it was not Mrs. Beasley's intent to assist Mr.
20 Beasley in getting drunk and/or high on illicit drugs, and Affiant believes that none exists;
21 and

22 **27.** There is no evidence that it was not Mrs. Beasley's intent to lie to law
23 enforcement officers and/or other investigators to conceal her crimes, and Affiant believes
24 that none exists; and
25

26 **28.** There is no evidence that it was not Mrs. Beasley's intent to lie to law
27 enforcement officers and/or other investigators to prevent herself from being charged for
28

1 her numerous heinous crimes, including without limitations, **kidnapping**, and Affiant
2 believes that none exists; and

3 **29.** There is no evidence that it was not Mrs. Beasley's intent to lie to the media
4 to conceal her crimes, and Affiant believes that none exists; and

5 **30.** There is no evidence that it was not Mrs. Beasley's intent to lie and/or
6 commit perjury by inconsistent statements to an insurance company to be fraudulently
7 paid on Mr. Beasley's life insurance policy, and Affiant believes that none exists; and

8 **31.** There is no evidence that Mr. Beasley did not grab the gun first, and Affiant
9 believes that none exists; and

10 **32.** There is no evidence that Affiant was not; ONLY attempting to retrieve the
11 gun from Mr. Beasley when the gun discharged, and Affiant believes that none exists; and

12 **33.** There is no evidence that Mr. Beasley did not grab the gun first in
13 furtherance of Mr. Beasley's attempt to murder Affiant, and Affiant believes that none
14 exists; and

15 **34.** There is no evidence that Mr. Beasley was not placed under arrest by
16 Affiant, and Affiant believes that none exists; and

17 **35.** There is no evidence that it was not Mr. Beasley who caused the gun to
18 discharge, and Affiant believes that none exists; and

19 **36.** There is no evidence that it was not Mrs. Beasley's attorney's (Hereafter
20 "Doyle") intent to prejudice the jury pool and bias the court through his perjurous and
21 unethical behavior of committing libel and/or slander against Affiant to the media and/or
22 court, and Affiant believes that none exists; and

1 **37.** There is no evidence that it was not Doyle's intent to violate, *inter alia*, the
2 Arizona Supreme Court Rules of Professional Conduct by making false statements to the
3 media concerning Affiant and/or Affiant's possessions, and Affiant believes that none
4 exists; and
5

6 **38.** There is no evidence that Affiant has ever, will ever, would ever, and/or
7 could ever be part of any movement and/or group concerned with violence and/or anti-
8 government conduct, and Affiant believes that none exists; and
9

10 **39.** There is no evidence that the Phoenix Police agents and/or Maricopa County
11 agents did not purposely destroy almost all of the exculpatory evidence in an attempt to
12 falsely charge and/or attempt to falsely convict Affiant; and Affiant believes that none
13 exists; and
14

15 **40.** There is no evidence that the Phoenix Police agents and/or Maricopa County
16 agents did not purposely destroy almost all of the exculpatory evidence in an attempt to
17 unlawfully protect Mrs. Beasley due to her husband's financial connections to Maricopa
18 County Attorney Andrew Thomas; and Affiant believes that none exists; and
19

20 **41.** There is no evidence that the Mr. Beasley would have died if Mrs. Beasley
21 had met her common law and statutory duty to protect society and the public in general
22 from her husband and/or herself; and Affiant believes that none exists; and
23

24 **42.** There is no evidence that the general public would have been in danger if
25 Mrs. Beasley had met her common law and statutory duty to protect society and the public
26 in general from her husband and/or herself; and Affiant believes that none exists; and
27
28

1 **43.** There is no evidence that the Affiant would have been arrested if Mrs.
2 Beasley had met her common law and statutory duty to protect society and the public in
3 general from her husband and/or herself; and Affiant believes that none exists; and
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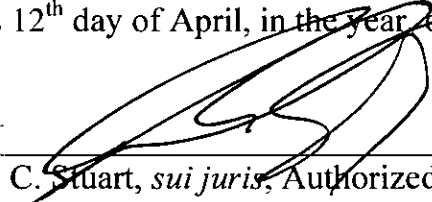
5 **44.** There is no evidence that several innocent people would not have died in a
6 “drunk driver collision” if Mr. Beasley did not die due to Mrs. Beasley’s failure to meet
7 her common law and statutory duty to protect society and the public in general from her
8 husband and/or herself; and Affiant believes that none exists; and
9

10 **45.** There is no evidence that Affiant and/or Affiant’s fiancé were not in fear for
11 their lives due to Mrs. Beasley’s failure to meet her common law and statutory duty to
12 protect society and the public in general from her husband and/or herself; and Affiant
13 believes that none exists; and
14

15 **46.** There is no evidence that any reasonable man would not be in fear for his
16 life in a similar situation caused by Mrs. Beasley’s failure to meet her common law and
17 statutory duty to protect society and the public in general from her husband and/or herself;
18 and Affiant believes that none exists; and
19

20 **47.** Affiant reserves the right to add additional statements.

21 RESPECTFULLY SUBMITTED: This 12th day of April, in the year of our Lord, 2010.

22
23 BY: [], agent
24 John C. Stuart, *sui juris*, Authorized Representative,
Tertius interveniens, rectus in curia, for:
25 JOHN STUART, *ens legis, in propria persona*

26 COPYRIGHT NOTICE: The above-mentioned entity is quoting citations ‘as purported in’
27 context to copyrighted case law, statutes, rules of court and court decision material as
28 found in books published with Federal or state funding supplied by the Citizens of the
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provisions of the Fair use clause of the copyright laws of the United States.

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CERTIFICATE OF SERVICE

Defendant delivered/mailed copies of the foregoing
to the Plaintiff this 12th day of April, 2010:

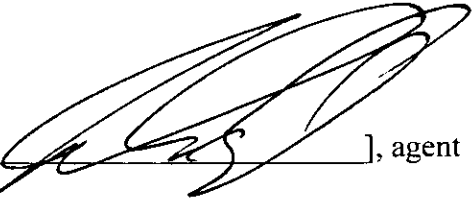
1. VERIFIED AFFIDAVIT
10 pages

COPY of the foregoing delivered
this 12th day of April, 2010 to:

Honorable **Linda Miles**
Maricopa County Superior Court
NORTHEAST COURT
Phoenix, AZ.

COPY of the foregoing delivered/mailed
this 12th day of April, 2010 to:

DOYLE LAW GROUP
5010 East Shea Blvd., Suite A-106
Scottsdale, AZ 85254
John C. Doyle, Esq. (010602)
Jonathon L Sullivan, Esq. (026619)

By: [], agent