

1 V.c. John Stuart, *Sui Juris*
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4 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
5 **IN AND FOR THE COUNTY OF MARICOPA**

6
7 **STATE OF ARIZONA,**) **NO. CR2008-106594-001**
Plaintiff,) **DOCUMENT TO BE ENTERED**
8) **AS EVIDENCE FOR**
vs.) **THE JURORS TO READ**
9) **-and-**
10 **JOHN C. STUART,**) **PRESS RELEASE**
Defendant.) (Assigned to the Hon. Joseph Kreamer)

11
12 The DEFENDANT UNDER PROTEST, *vi et armis, Vi coactus* John Stuart
13 (“Defendant”), by Special Appearance and not by general Appearance, and not
14 agreeing to any claims of jurisdiction; hereby enters this Document to be Entered as
15 Evidence for the Jurors to Read –and- Press Release (attached as fully set forth
16 herein) to inform this Court and the State that the body politic shall be informed of
17 the crimes committed and being committed by the State’s agents and this Court to
18 falsely convict a man this Court and the State knows is innocent.

19 Defendant reserves the right to provide the Document to the general public
20 and present the Document to the jury so the jury may read the Document in its
21 entirety to understand how a case this biased and corrupt with so many crimes
22 committed and/or confessed to by State agents can still go to trail in violation of
23 almost every concept and protection provided by the state and federal constitutions
24 and laws.

25 Defendant reserves the right to amend the Document and/or release any
26 and/or all information to the general public and/or press.

1 The document shall be considered prima facie evidence it is a functional
2 impossibility for Defendant to receive a fair trial. The State's: purposeful
3 destruction of exculpatory evidence; and numerous purposeful acts of perjury; and
4 purposeful violations of A.R.Crim.P. Rules; and purposeful deprivation of
5 Defendant's substantive rights; and this Court's purposeful denial of Due Process
6 of law has left Defendant without any possible remedy at law.

7 Prosecutor Charbel's statement in open court in the hearing on or about
8 February 4, 2011 that [paraphrased] 'Defendant has had 3 years to inspect the
9 vehicle' to attempt to prevent Defendant from being allowed to inspect the vehicle;
10 after Prosecutor Charbel previously confessed to the felonious act of unlawfully
11 concealing the vehicle and purposefully causing the destruction of the exculpatory
12 evidence on and inside of the vehicle must by law be considered *res gestae* and
13 prima facie evidence of Prosecutor Charbel's criminal attempt to frame Defendant
14 by purposefully destroying exculpatory evidence.

15 Pursuant to Arizona law and/or American jurisprudence this case must be
16 dismissed with prejudice¹.

17
18 This pleading and all statements and the Document therein comport with the
19 requirement to be used in any appeal as established by the rulings in: *Ashwander v.*
20 *Tennessee Valley Authority*, 297 U.S. 288 (1936), *Bell v. Commonwealth*, 473 S.W.2d
21 820, 821 (Ky. 1971); *Thompson v. Commonwealth*, 147 S.W.3d 22, 40 (Ky. 2004);
22 *Perkins v. Commonwealth*, 237 S.W.3d 215, 223 (Ky. App. 2007).

23 ¹ *Brady v. Maryland*, 373 U.S. 83, 83 S. Ct. (1963); *Giglio v. United States*, 405 U.S. 150 (1972);
24 *Miranda v. Arizona*, 384 US 436 - Supreme Court 1966; *Arizona v. Youngblood*, 488 US 51 -
25 Supreme Court 1988; *United States v. Agurs*, 427 U.S. 97S, Ct. (1976); *United States v. Bagley*, 473
26 U.S. 667 S. Ct. (1985); *Kyles v. Whitley*, 514 U.S. 419 S.CL (1995); *California v. Trombetta*, 467 U.
S. 479 (1984); *United States v. Cuffie*, 80 F.3d 514, Ct. of Appeals (DC Cir. 1996); *United States v.*
Alzate, 47 F. 3d 1103 Ct of Appeals (11th Cir. 1995); *U.S. v. Endicott, C.A.Wash.*, 803 F.2d 506,
514; *United States v. Valenzuela-Bernal*, 458 U. S. 858, 867 (1982); *Lisenba v. California*, 314 U. S.
219, 236 (1941); *Broughton v. State of NY*, 37 NY 2d 451- NY: Court of Appeals 1975.

