

## **NO JUDICIAL IMMUNITY FOR CRIMINAL ACTS**

**Judges have given themselves judicial immunity for their functions. Judges have no judicial immunity for criminal acts, aiding, assisting, or conniving with others who perform a criminal act, or for their administrative/ministerial duties.**

**When a judge has a duty to act, he does not have discretion -- he is then not performing a judicial act, he is performing a ministerial act.**

**Judicial immunity does not exist for judges who engage in criminal activity, for judges who connive with, aid and abet the criminal activity of another judge, or to a judge for damages sustained by a person who has been harmed by that judge's connivance with aiding and abetting another judge's criminal activity.**

**Judges who do not report the criminal activities of other judges become principals in the criminal activity, 18 U.S.C. Section 1.**

## **HIGH CRIMES AND MISDEMEANORS**

**Whereas, as required, in the Oregon Constitution, the Supreme and Circuit Court Judges have not taken the required Oath of Office. (See attached Exhibits A through J-1)**

**Whereas, as required, there is no State constitutional remedy for appeal to the Oregon Supreme Court. (See enclosed- Certification of Judges Oath of Office of This State)**

**Whereas, as required, failure for Judge to take, support and uphold the State of Oregon's constitutional Oath of Office of Judge constitutes the intentional crime of perjury, fraud, error, Error Juris Nocet, committing acts of extortion, mail fraud, wire fraud, RICO, willful misconduct in a judicial office where such misconduct bears a demonstrable relationship to the effective performance of judicial duties; and willful or persistent failure to perform judicial duties; or generally incompetent performance of judicial duties and other high crimes and misdemeanors.**

**Judges shall be impartial and held accountable when judges are biased. *Bracey v. Warden*, U.S. Supreme Court No. 96-6133 (June 1997).**

**Therefore, if a judge does not fully comply with the Constitution, then that judge's orders are void. In *re Sawyer*, 124 U.S. 200 (1888), he/she is without jurisdiction, and he/she has engaged in an act or acts of treason.**

## **TREASON**

**Whenever a judge acts where he/she does not have jurisdiction to act, the judge is engaged in an act or acts of treason. *U.S. v. Will*, 449 U.S. 200, 216, 101 S.Ct. 471, 66 L.Ed.2d 392, 406 (1980); *Cohens v. Virginia*, 19 U.S. (6 Wheat) 264, 404, 5 L.Ed 257 (1821).**



## EXHIBITS ATTACHED

- A. The Notary Public cannot certify the Constitutionally required Oath of Supreme Court Judges/Judges of the Supreme Court "this state". Wallace P. Carson (Exhibit A) Paul J. DeMuniz (Exhibit A-1) Robert D. (Skip) Durham (Exhibit A-2) W. Michael (Mick) Gillette (Exhibit A-3) Susan M. Leeson (Exhibit A-4) William Riggs (Exhibit A-5)
- B. A Certified copy of the following Judges of the Supreme Court Imperfect Oath from the records of the Secretary of State "this state". Wallace P. Carson (Exhibit B-1) Paul J. DeMuniz (Exhibit B-2) Robert D. (Skip) Durham (Exhibit B-3) W. Michael (Mick) Gillette (Exhibit B-4) Susan M. Leeson (Exhibit B-5) William Riggs (Exhibit B-6)
- C. A Certification from Secretary of State, 8th day of September, A.D. 1988. (Exhibit C) Certified copy of Page 142 and 143 of the 1915-16 Oregon Blue Book. Results of Election 1910 (Exhibit C-1) Pamphlet Containing Measures to be Submitted to Voters of Oregon November 8, 1910 Pages 200 and 201. (Exhibit C-2) Page 202 Section 7, "Every Judge of the Supreme Court, before entering upon the duties of his office, shall take and subscribe, and transmit to the Secretary of State the following oath:" This created a new oath to a different fictional "this state". (Exhibit C-3)
- D. There has been no change in the required Oath, Article VII (amended) Section 7 "this state". Certified copy from Secretary of State Archives Division (Exhibit D)
- E. Affidavit of required Oath Supreme and Circuit Court Judges must take, Article VII (amended) Section 7, page 229 from Secretary of State, Election Division. (Exhibits E through E-2)
- F. Read Notes of Decision pages 233-234 of Article VII (amended) Section 7, Judges of Supreme and Circuit Court shall take. (Exhibits F and F-1)
- G. The Notary Public can not certify the required Oath of Judge of the Circuit Court Paul Lipscomb, County of Marion "this state". (Exhibit G)
- H. Certified copy of Judge of the Circuit Court Paul Lipscomb Imperfect Oath. (Exhibit H)
- I. The Notary Public can not certify the required Oath of Circuit Court Judge/Judge of the Circuit Court Paul Lipscomb of County of Marion, Article VII (original) Section 21. (Exhibit I)
- J. One copy, Oregon Constitution (page 46 only) dated September 18, 1857. 1 page in length. (Exhibit J) One copy Article VII (original) Section 21, Oath of Office. (Exhibit J-1)



## Regarding Certification of Judges Oath of Office of This State

State of Oregon }  
County of Union } ss

I, Lisa L. Garcia, Notary Public have examined a certified copy of Supreme Court Judge Wallace P. Carson's attached Oath of Office of the State of Oregon.

"FROM THE RECORDS OF THE SECRETARY OF STATE":

"One copy, oath of office for Supreme Court Judge Wallace P. Carson, filed January 5, 2001. 1 page in length."

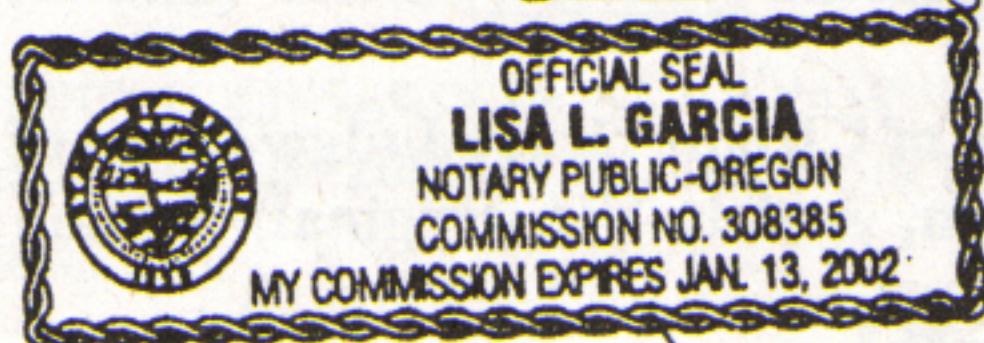
I cannot certify Supreme Court Judge Wallace P. Carson's oath of office, to be the required original oath, identical oath, exact oath, true oath, correct oath, certain oath or complete oath as required in Amended Article VII, Section 7 for the State of Oregon Constitution (See enclosed and attached pages 142 and 143 of the 1915-16 Oregon Blue Book and pages 200 to 203 of the 1910 Oregon Voters Pamphlet and imperfect oath).

The required oath of office words "and impartially"/"a" / "of this state" / is deleted from Supreme Court Judge Wallace P. Carson's imperfect oath of office, an "a" has been added before judicial office, when compared with the above Blue Book and Voters Pamphlet, to wit:

Amended VII Section 7. Every Judge of the Supreme Court, before entering upon the duties of his office, shall take and subscribe, and transmit to the Secretary of State, the following oath:

"I \_\_\_\_\_ do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of Oregon, and that I will faithfully and impartially discharge the duties of a Judge of the Supreme Court of this state, according to the best of my ability, and that I will not accept any other office, except judicial offices, during the term for which I have been elected." (Emphasis added)

Done and dated this 26<sup>th</sup> day of June 2001.



Lisa L. Garcia  
Notary Public, in and for County of Union  
City of Elgin the State of Oregon

My commission expires: Jan 13, 2002

EXHIBIT

A



# Regarding Certification of Judges Oath of Office of This State

State of Oregon }  
County of Union } ss

I, Lisa L. Garcia, Notary Public have examined a certified copy of Supreme Court Judge Paul J. DeMuniz's attached Oath of Office of the State of Oregon.

"FROM THE RECORDS OF THE SECRETARY OF STATE":

"One copy, oath of office for Supreme Court Judge Paul J. DeMuniz, filed January 5, 2001. 1 page in length."

I cannot certify Supreme Court Judge Paul J. DeMuniz's oath of office, to be the required original oath, identical oath, exact oath, true oath, correct oath, certain oath or complete oath as required in Amended Article VII, Section 7 for the State of Oregon Constitution (See enclosed and attached pages 142 and 143 of the 1915-16 Oregon Blue Book and pages 200 to 203 of the 1910 Oregon Voters Pamphlet and imperfect oath).

The required oath of office words "**and impartially**"/"**a**" / "**of this state**" / is deleted from Supreme Court Judge Paul J. DeMuniz's imperfect oath of office, an "**a**" has been added before judicial office, when compared with the above Blue Book and Voters Pamphlet, to wit:

Amended VII Section 7. Every Judge of the Supreme Court, before entering upon the duties of his office, shall take and subscribe, and transmit to the Secretary of State, the following oath:

"I do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of Oregon, and that I will faithfully **and impartially** discharge the duties of a Judge of the Supreme Court of this state, according to the best of my ability, and that I will not accept any other office, except judicial offices, during the term for which I have been elected." (Emphasis added)

Done and dated this 2nd day of June 2001.



My commission expires: JAN 13, 2002

Lisa L. Garcia  
Notary Public, in and for County of Union  
City of Elgin the State of Oregon

EXHIBIT A-1



## Regarding Certification of Judges Oath of Office of This State

State of Oregon }  
County of Union } ss

I, Lisa L. Garcia, Notary Public have examined a certified copy of Supreme Court Judge Robert D. (Skip) Durham's attached Oath of Office of the State of Oregon.

"FROM THE RECORDS OF THE SECRETARY OF STATE":

"One copy, oath of office for Supreme Court Judge Robert D. (Skip) Durham, filed December 27, 2000. 1 page in length."

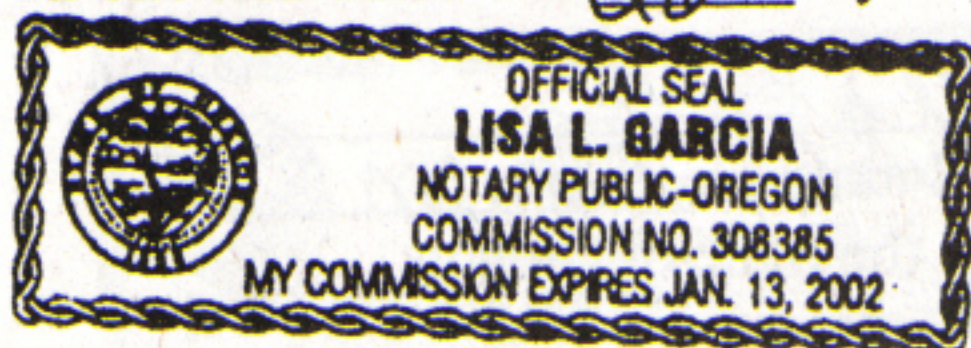
I cannot certify Supreme Court Judge Robert D. (Skip) Durham's oath of office, to be the required original oath, identical oath, exact oath, true oath, correct oath, certain oath or complete oath as required in Amended Article VII, Section 7 for the State of Oregon Constitution (See enclosed and attached pages 142 and 143 of the 1915-16 Oregon Blue Book and pages 200 to 203 of the 1910 Oregon Voters Pamphlet and imperfect oath).

The required oath of office words "and impartially"/"a" / "of this state" / is deleted from Supreme Court Judge Robert D. (Skip) Durham's imperfect oath of office, an "a" has been added before judicial office, when compared with the above Blue Book and Voters Pamphlet, to wit:

Amended VII Section 7. Every Judge of the Supreme Court, before entering upon the duties of his office, shall take and subscribe, and transmit to the Secretary of State, the following oath:

"I \_\_\_\_\_ do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of Oregon, and that I will faithfully and impartially discharge the duties of a Judge of the Supreme Court of this state, according to the best of my ability, and that I will not accept any other office, except judicial offices, during the term for which I have been elected." (Emphasis added)

Done and dated this 26th day of June 2001.



Lisa L. Garcia  
Notary Public, in and for County of Union  
City of Elgin the State of Oregon

My commission expires: Jan 13, 2002

EXHIBIT A-2



# Regarding Certification of Judges Oath of Office of This State

State of Oregon }  
County of Union } ss

I, LISA L. Garcia, Notary Public have examined a certified copy of Supreme Court Judge W. Michael (Mick) Gillette's attached Oath of Office of the State of Oregon.

"FROM THE RECORDS OF THE SECRETARY OF STATE":

"One copy, oath of office for Supreme Court Judge W. Michael (Mick) Gillette, filed January 12, 1999. 1 page in length."

I cannot certify Supreme Court Judge W. Michael (Mick) Gillette's oath of office, to be the required original oath, identical oath, exact oath, true oath, correct oath, certain oath or complete oath as required in Amended Article VII, Section 7 for the State of Oregon Constitution (See enclosed and attached pages 142 and 143 of the 1915-16 Oregon Blue Book and pages 200 to 203 of the 1910 Oregon Voters Pamphlet and imperfect oath).

The required oath of office words "and impartially"/"a" / "of this state" / is deleted from Supreme Court Judge W. Michael (Mick) Gillette's imperfect oath of office, an "a" has been added before judicial office, when compared with the above Blue Book and Voters Pamphlet, to wit:

Amended VII Section 7. Every Judge of the Supreme Court, before entering upon the duties of his office, shall take and subscribe, and transmit to the Secretary of State, the following oath:

"I do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of Oregon, and that I will faithfully and impartially discharge the duties of a Judge of the Supreme Court of this state, according to the best of my ability, and that I will not accept any other office, except judicial offices, during the term for which I have been elected." (Emphasis added)

Done and dated this 26<sup>th</sup> day of June 2001.



My commission expires: Jan 13, 2002

Lisa L. Garcia  
Notary Public, in and for County of Union  
City of Elgin the State of Oregon.

EXHIBIT A-3



## Regarding Certification of Judges Oath of Office of This State

State of Oregon }  
County of Union } ss

I, Lisa L. Garcia, Notary Public have examined a certified copy of Supreme Court Judge Susan M. Leeson's attached Oath of Office of the State of Oregon.

"FROM THE RECORDS OF THE SECRETARY OF STATE":

"One copy, oath of office for Supreme Court Judge Susan M. Leeson, filed December 14, 1998. 1 page in length."

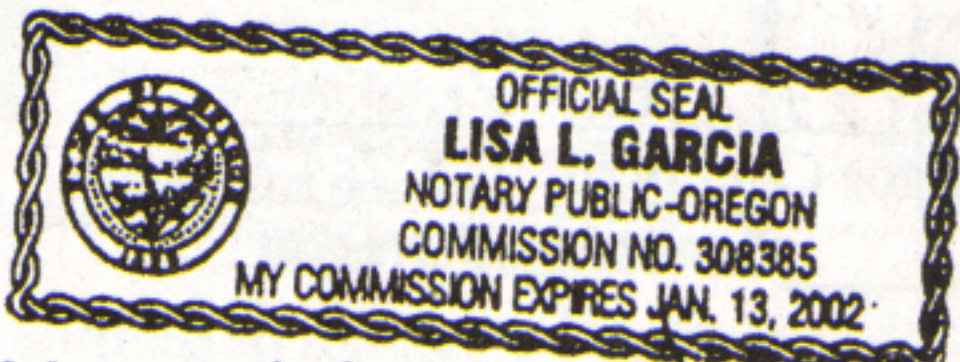
I cannot certify Supreme Court Judge Susan M. Leeson's oath of office, to be the required original oath, identical oath, exact oath, true oath, correct oath, certain oath or complete oath as required in Amended Article VII, Section 7 for the State of Oregon Constitution (See enclosed and attached pages 142 and 143 of the 1915-16 Oregon Blue Book and pages 200 to 203 of the 1910 Oregon Voters Pamphlet and imperfect oath).

The required oath of office words "and impartially"/"a" / "of this state" is deleted from Supreme Court Judge Susan M. Leeson's imperfect oath of office, an "a" has been added before judicial office, when compared with the above Blue Book and Voters Pamphlet, to wit:

Amended VII Section 7. Every Judge of the Supreme Court, before entering upon the duties of his office, shall take and subscribe, and transmit to the Secretary of State, the following oath:

"I do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of Oregon, and that I will faithfully and impartially discharge the duties of a Judge of the Supreme Court of this state, according to the best of my ability, and that I will not accept any other office, except judicial offices, during the term for which I have been elected." (Emphasis added)

Done and dated this 20<sup>th</sup> day of June, 2001.



Lisa L. Garcia  
Notary Public, in and for County of Union  
City of Elgin the State of Oregon

My commission expires: Jan 13, 2002

EXHIBIT A-4