

April 16, 2018

CERTIFIED MAIL RRR 7016 0340 0001 1977 2893

Mr. John Williams, Mayor
Office of the Mayor
2150 Universal City Boulevard
Universal City, Texas 78148

RE: Petition for Redress of Grievances, your Citation Number E0110486
Demand for Administrative Declaratory Order

Greetings, Mayor Williams;

This Petition for Redress of Grievances is authorized, supported and made under the authority of the 1787 Constitution of the United States [of North America] for the United States of America and its authorized State of Texas Constitution by the "people of the United States", of the "people of the United States" and for the "people of the United States" and the exclusive protection of the "free sovereign and independent"¹ "people of the United States".²

This Petition for Redress of Grievances Claim is issued under the authority of the 1787 Constitution of the United States [of North America] for the United States of America, Article 4, Section 3, clause 2, statement: "... and nothing in this Constitution shall be construed as to Prejudice any Claim of the [people of the] United States ..." even including but not limited to, the State of Texas Tort Claims Act.³

This Petition and Claim is based upon unlawful activities of one of the City of Universal City "Code Enforcement Officers" aka, Policeman acting in concert with others to violate the rights of the man, Michael Joseph Kearns acting in my private individual capacity as one of the "people of the United States" currently living and acting on the land of the United States, more specifically "Texas".

¹ See, Definitive Treaty of Peace, 1783, Article 1

² See, Definitive Treaty of Peace, 1783, Article III

³ Texas Government Code, Title 10, Chapter 2001

Specifically, my Petition/Claim is for violations of my rights consisting of False Arrest, False Imprisonment, numerous instances of disfranchisement of the 1787 Constitution of the United States [of North America] for the United States of America and its authorized State of Texas Constitution and numerous other protections for the "people of the United States."

The egregious violations of both the 1787 Constitution of the United States [of North America] for the United States of America and its authorized State of Texas Constitution were committed due to lack of proper training by the officials of the State of Texas and the City of Universal City as to the "**law of the land**" of Texas.

Specifically, the State of Texas Constitution, Article 1 – Bill of Rights, Section 19 was violated numerous times by the said officers by the disfranchisement of the prohibitions listed in Section 19, to wit: "or in any manner disfranchised, except by the due course of the **law of the land.**" (Emphasis added) As described herein with specificity.

The said officers told me they noticed what appeared to be some "alleged" deficiency on my method of transportation that instituted the encounter when the said officers exhibited their "emergency" lights, when there was no emergency, to stop my legal lawful transportation of myself on my private business.

The officers were within their rights and duty of inquiry to make the said "traffic stop" for informational purposes only.

The first Article 1, Sec. 19 disfranchisement happened as the officers pulled their car behind mine, close enough to read my public notice exhibited on my license plate holder which states, "NOT FOR HIRE" and "ON THE LAND", sufficient to put the officers on notice, I was not operating in commerce and I was on the jurisdiction of the land of Texas and its said "**law of the land.**" THEREFORE, not within their jurisdiction on two counts, and then the officers continue to detain me beyond that point to the eventual act of placing myself under formal arrest, asked me to exit my car, handcuffed myself, and transported me to the Universal City Police Department, wherein I was continually restrained in my liberty for some 300 minutes.

What the officers proper response should have been is, turn off their emergency lights and drive off and leave me alone.

The first instance violation of the said Sec. 19 kicks in Sec. 29, which states"

Text of Section 29:

Provisions of Bill of Rights Excepted from Powers of Government; to
Forever Remain Inviolable

To guard against transgressions of the high powers herein delegated, we declare that everything in this "Bill of Rights" is excepted out of the general powers of government, and shall forever remain inviolable, and all laws contrary thereto, or to the following provisions, **shall be void.**[1] (emphasis added)

Meaning, the State of Texas Constitution, Article 1, Section 29, actually declares any transgression by the State of Texas (City of Universal City, Texas) into the inviolable Bill of Rights **shall be void** from that moment on.

But that did not happen, the officers continued with their activities and approached my car and engaged me in a conversation about why the noted discrepancies of my car were discussed, even after I asked the officers if I could reach in my glove box for a document I wanted to give them to inform the said officers of my State of Texas cognition and statement by a State of Texas Notary Public of the said NOTARIAL VERIFICATION OF ESTABLISHED TRUTH of the fact, I am a man, created by Nature (God) and the laws of Natures God (YHWH), again placing myself outside of the said officers jurisdiction, whose lawful jurisdiction is only for "persons" and not for a man. This is the second disfranchisement of Article 1, Sec. 19.

The second instance of myself being disfranchised was from the protections of the 1787 Constitution of the United States [of North America] for the United States of America for protection of my due process rights therein.

Likewise the third instance of myself being disfranchised was from the protections afforded the "people of the United States" by the State of Texas Constitution

The second violation was myself being disfranchised from the Holy Bible by being referred to as a "person" when I am a "man created by Nature (God) and the laws of Natures God (YHWH)"

The third violation was myself being disfranchised from the protections offered by the State of Texas Religious Freedom Restoration Act by the said

Officers negating my "serious religious beliefs" protected within the said State of Texas Religious Freedom Restoration Act.⁴

I continued to have a discussion about my political character, status and allegiance and I also requested to give the officer a copy of my DECLARATION OF POLITICAL CHARACTER, STATUS AND ALLEGIANCE, which was in my briefcase and the officer refused to allow me to get the said copy and give to him. A fourth instance of disfranchised from providing the officer with correct lawful legal information upon which to act.

The fifth disfranchisement happened in the issuance of a Citation, when an Alias name (MICHAEL JOSEPH KEARNS) was used instead of my birth name (Michael Joseph Kearns).

And the sixth disfranchisement happened on the face of the citation, I was disfranchised from knowing the "law, statute, code, rule or regulation" I was being charged with, as there was no such on the said Citation.

And the seventh disfranchisement happened from the protections of the State of Texas Constitution – Article 1, Bill of Rights when the inviolate prohibitions of the said Bill of Rights were violated by government actors.

DAMAGES CALCULATIONS:

FALSE ARREST: False Arrest is valued at \$100,000.00 per actor (5) two officers, shift supervisor, mayor, chief of police. Calculation: \$100,000 times 5, totals= \$500,000.00

FALSE IMPRISONMENT: False Imprisonment is valued at \$1,000.00 per minute per actor⁵ total of (time in custody, 12:01 pm – 5:01 pm) 300 minutes claimed, by actors (5) two officers, shift supervisor, mayor, chief of police. Calculation: \$1,000.00 times 300, time 5, totals= \$1,500,000.00

⁴ State of Texas, Religious Freedom Restoration Act, Chapter 110, Civil Practice and Remedies Code

⁵ *TREZEVANT v. CITY OF TAMPA*, 741 F.2d 336 (1984), wherein the Federal 11th Court of Appeals stated, "\$25,000.00 damages for 23 minutes false imprisonment was not unreasonable"

DISFRANCHISEMENT (EACH INCIDENT THEREOF) Each instance of disfranchisement is valued at \$50,000.00 per actor. Calculation: \$50,000.00 times 7 occurrences, times 5 actors, totals= \$1,750,000.00

MULTIPLYIERS

NUMER OF ACTORS: (5) Arresting Officer, back up officer, Police Dept. Shift Supervisor, Mayor, Chief of Police

CIVIL RICO TREBLE DAMAGES – the actions of the actors herein described amount to the definition of “continuing criminal enterprise”⁶ and are subject to treble damages plus attorneys fees,

False Arrest total: \$500,000.00

False Imprisonment total \$1,500,000.00

Disfranchisements total \$1,750,000.00

TOTAL DAMAGES TOTAL \$3,750,000.000

RICO MULTIPLIER (3) GRAND TOTAL \$11,250,000.00

(not bad for 5 hours of work)

PRESUMPTIONS

The following presumed facts and presumptions are submitted under the following Rule: the trier of fact **must find** (immediately – as no time frame is mentioned) for the presumption unless and until evidence is introduced that could be construed to support a finding of their non-existence.

- A. IT IS PRESUMED, Michael Joseph Kearns is a man created by Nature (God) and the laws of Natures God (YHWH).

⁶ see, Title 18 United States Code, Section 1961, et seq

- B. IT IS PRESUMED, Michael Joseph Kearns is one of the "free sovereign and independent" "people of the United States".
- C. IT IS PRESUMED, Michael Joseph Kearns is NOT one of the "inhabitants of the United States"/subjects of the Crown of Great Britain/14th Amendment Citizen of the United States of America/slave.
- D. IT IS PRESUMED, Michael Joseph Kearns currently lives on the land of the United States, more specifically, Texas, under the **law of the land**.
- E. IT IS PRESUMED, Michael Joseph Kearns has the rights of the "free sovereign and independent" "people of the United States", namely, the basic rights of life, liberty and the pursuit of happiness.
- F. IT IS PRESUMED, Michael Joseph Kearns has the right not to consent to any government action.
- G. IT IS PRESUMED, Michael Joseph Kearns has the right to make a political declaration of his political character, status and allegiance.
- H. IT IS PRESUMED, Michael Joseph Kearns has the authority to define what violations of his rights are valued at.
- I. IT IS PRESUMED, Michael Joseph Kearns has the right to expect any government, official, officer, employee or agent, to provide "essential governmental duties" to Michael Joseph Kearns.
- J. IT IS PRESUMED, the State of Texas, Constitution, Article 1 – Bill of Rights, has the authority to declare actions of the government to be VOID.
- K. IT IS PRESUMED, Michael Joseph Kearns, as one of the "free sovereign and independent" "people of the United States" has the right to make his own personal choice of law to effect a complete remedy for himself.
- L. IT IS PRESUMED, Michael Joseph Kearns, as one of the "free sovereign and independent" "people of the United States" can make the choice of law to the extent to "use or abuse" any and all laws of any government in his free exercise thereof, just so long as not to injure any person, property, reputation or infringe on the rights thereof.
- M. IT IS PRESUMED, the "free sovereign and independent" "people of the United States" wrote the 1787 Constitution of the United States [of North America] for the United States of America and the State of Texas Constitution.
- N. IT IS PRESUMED, the State of Texas is an entity that operates on delegated sovereignty from the "free sovereign and independent" "people of the United States".
- O. IT IS PRESUMED, the State of Texas is reduced to a temporal sovereign when confronted by a claim from the supreme and superior sovereignty of the "free sovereign and independent" "people of the United States".

- P. IT IS PRESUMED, the City Council of Universal City, Texas, has the authority and capacity to act as a quasi court for the determination of claims involving the City of Universal City, Texas.
- Q. IT IS PRESUMED, Michael Joseph Kearns, has the authority and the power to authorize the Universal City Council to sit as a court of record for the purposes of this Petition for Redress of Grievances and Constitutional Claim herein described.
- R. IT IS PRESUMED, the amount of damages claimed, \$11,250,000.00 are made in good behavior, good faith and reasonable, and should be paid to Michael Joseph Kearns for damages he suffered.

DEMAND FOR DECLARATORY JUDGMENT

Michael Joseph Kearns hereby demands the Universal City Council consider the matters herein and issue a Declaratory Judgment as herein demanded to settle any and all claims, to wit;

- S. IT IS HEREBY DECLARED, Michael Joseph Kearns is a man created by Nature (God) and the laws of Natures God (YHWH).
- T. IT IS HEREBY DECLARED, Michael Joseph Kearns is one of the "free sovereign and independent" "people of the United States".
- U. IT IS HEREBY DECLARED, Michael Joseph Kearns is NOT one of the "inhabitants of the United States"/subjects of the Crown of Great Britain/14th Amendment Citizen of the United States of America/slave.
- V. IT IS HEREBY DECLARED, Michael Joseph Kearns currently lives on the land of the United States, more specifically, Texas, under the **law of the land**.
- W. IT IS HEREBY DECLARED, Michael Joseph Kearns has the rights of the "free sovereign and independent" "people of the United States", namely, the basic rights of life, liberty and the pursuit of happiness.
- X. IT IS HEREBY DECLARED, Michael Joseph Kearns has the right not to consent to any government action.
- Y. IT IS HEREBY DECLARED, Michael Joseph Kearns has the right to make a political declaration of his political character, status and allegiance.
- Z. IT IS HEREBY DECLARED, Michael Joseph Kearns has the authority to define what violations of his rights are valued at.
- AA. IT IS HEREBY DECLARED, Michael Joseph Kearns has the right to expect any government, official, officer, employee or agent, to provide "essential governmental duties" to Michael Joseph Kearns.
- BB. IT IS HEREBY DECLARED, the State of Texas, Constitution, Article 1 – Bill of Rights, has the authority to declare actions of the government to be VOID.
- CC. IT IS HEREBY DECLARED, Michael Joseph Kearns, as one of the "free sovereign and independent" "people of the United States" has the right

to make his own personal choice of law to effect a complete remedy for himself.

- DD. IT IS HEREBY DECLARED, Michael Joseph Kearns, as one of the "free sovereign and independent" "people of the United States" can make the choice of law to the extent to "use or abuse" any and all laws of any government in his free exercise thereof, just so long as not to injure any person, property, reputation or infringe on the rights thereof.
- EE. IT IS HEREBY DECLARED, the "free sovereign and independent" "people of the United States" wrote the 1787 Constitution of the United States [of North America] for the United States of America and the State of Texas Constitution.
- FF. IT IS HEREBY DECLARED, the State of Texas is an entity that operates on delegated sovereignty from the "free sovereign and independent" "people of the United States".
- GG. IT IS HEREBY DECLARED, the State of Texas is reduced to a temporal sovereign when confronted by a claim from the supreme and superior sovereignty of the "free sovereign and independent" "people of the United States".
- HH. IT IS HEREBY DECLARED, the City Council of Universal City, Texas, has the authority and capacity to act as a quasi court for the determination of claims involving the City of Universal City, Texas.
- II. IT IS HEREBY DECLARED, Michael Joseph Kearns, has the authority and the power to authorize the Universal City Council to sit as a court of record for the purposes of this Petition for Redress of Grievances and Constitutional Claim herein described.
- JJ. IT IS HEREBY DECLARED, the amount of damages claimed, \$11,250,000.00 are made in good behavior, good faith and reasonable, and should be paid to Michael Joseph Kearns for damages he suffered.

A Courtesy time to respond of thirty (30) days is extended to the City Council of Universal City, Texas to issue the demanded Declaratory Order and issue payment to Michael Joseph Kearns in the amount of \$11,250,000.00, to completely settle this Claim and matter.

Should the Universal City Council decide to exercise its right to remain silent, then the Universal City Council tacitly agrees with the Doctrine of Nihil Dicit and tacitly authorizes Michael Joseph Kearns to issue the said Declaratory Order as a DEFAULT AGREED NIHIL DICIT DECLARATORY ORDER in the name of the City of Universal City, Texas.

Regards

Michael Joseph Kearns
Michael Joseph Kearns
c/o 9739 Hidden Falls
San Antonio, Texas 78250

VERIFICATION

BEFORE ME THE UNDERSIGNED NOTARY PUBLIC, on this day, personally appeared Michael Joseph Kearns, a person known to me. After I administered an oath to him, upon his oath, he said he read the above Petition for Redress of Grievances, your Citation Number E0110486 Demand for Administrative Declaratory Order and that the facts stated therein are within his personal knowledge and are true and correct.

Michael Joseph Kearns
Michael Joseph Kearns

SUBSCRIBED AND SWORN TO, before me the undersigned Texas Notary Public, on the 18th day of April, 2018.

[Signature]
Notary Public - Signature

seal

Desirae Rodriguez

Notary Public - Printed Name

My Commission Expires on: 12/24/2019